

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

May 18, 2021

Clip Sheet Summary

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

Bill	Amendment	Action	Sponsor
SF 342	S-3202	Lost	NATE BOULTON
SF 342	S-3207	Ruled Out of Order	ROBERT M. HOGG
SF 342	S-3208	Adopted	DAN DAWSON
SF 595	S-3205	Filed	MARK LOFGREN
SF 598	S-3203	Adopted	KEN ROZENBOOM
SF 600	S-3204	Filed	CRAIG JOHNSON
SF 606	S-3212	Adopted	MARK COSTELLO
SF 619	S-3209	Adopted	DAN DAWSON
SF 619	S-3211	Lost	JACKIE SMITH
SF 619	S-3213	Lost	KEVIN KINNEY
HF 860	S-3206	Adopted	KEN ROZENBOOM
HF 871	S-3210	Filed	MARK LOFGREN

SENATE FILE 342

S-3202

1 Amend the House amendment, S-3158, to Senate File 342, as
2 passed by the Senate, as follows:

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

5 <Amend Senate File 342, as passed by the Senate, as follows:

6 1. Title page, by striking the enacting clause and
7 inserting:

8 <BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:>

9 2. Page 1, by inserting:

10 <DIVISION I
11 PUBLIC RECORDS — CONFIDENTIALITY — CIVIL ENFORCEMENT

12 Section 1. Section 9E.1, Code 2021, is amended to read as
13 follows:

14 **9E.1 Purpose.**

15 The general assembly finds that individuals attempting to
16 escape from actual or threatened domestic abuse, domestic
17 abuse assault, sexual abuse, assault, stalking, or human
18 trafficking frequently establish new addresses in order to
19 prevent their assailants or probable assailants from finding
20 them. The purpose of this chapter is to enable state and local
21 agencies to respond to requests for data without disclosing
22 the location of a victim of domestic abuse, domestic abuse
23 assault, sexual abuse, assault, stalking, or human trafficking;
24 to enable interagency cooperation with the secretary of state
25 in providing address confidentiality for victims of domestic
26 abuse, domestic abuse assault, sexual abuse, assault, stalking,
27 or human trafficking; and to enable program participants to use
28 an address designated by the secretary of state as a substitute
29 mailing address for the purposes specified in this chapter.
30 In addition, the purpose of this chapter is to prevent such
31 victims from being physically located through a public records
32 search.

33 Sec. 2. Section 9E.2, subsection 6, paragraph a, Code 2021,
34 is amended to read as follows:

35 a. *"Eligible person"* means a person who is ~~all~~ a resident of

1 this state, an adult, a minor, or an incapacitated person as
2 defined in section 633.701, and is one of the following:

3 (1) ~~A resident of this state.~~

4 ~~(2) An adult, a minor, or an incapacitated person as defined~~
5 ~~in section 633.701.~~

6 (3) A victim of domestic abuse, domestic abuse assault,
7 sexual abuse, assault, stalking, or human trafficking as
8 evidenced by the filing of a petition pursuant to section 236.3
9 or a criminal complaint or information pursuant to section
10 708.1, 708.2A, 708.11, or 710A.2, or any violation contained
11 in chapter 709.

12 (2) A currently active or retired state or local judicial
13 officer, as defined in section 4.1, a federal judge, or a
14 spouse or child of such a person.

15 (3) A currently active or retired state or local prosecuting
16 attorney, as defined in section 801.4, or a spouse or child of
17 such a person.

18 (4) A currently active or retired peace officer, as defined
19 in section 801.4, civilian employee of a law enforcement
20 agency, or a spouse or child of such a person.

21 Sec. 3. Section 9E.3, subsection 1, paragraph b,
22 subparagraph (1), subparagraph division (a), Code 2021, is
23 amended to read as follows:

24 (a) The eligible person listed on the application is a
25 victim of domestic abuse, domestic abuse assault, sexual abuse,
26 assault, stalking, or human trafficking.

27 Sec. 4. Section 9E.3, subsection 1, paragraph e, Code 2021,
28 is amended to read as follows:

29 e. The residential address of the eligible person,
30 disclosure of which could lead to an increased risk of domestic
31 abuse, domestic abuse assault, sexual abuse, assault, stalking,
32 or human trafficking.

33 Sec. 5. Section 9E.7, Code 2021, is amended by adding the
34 following new subsection:

35 NEW SUBSECTION. 4A. Upon request by a program participant,

1 the assessor or the assessor's staff shall redact the
2 requestor's name contained in electronic documents that
3 are displayed for public access through an internet site.
4 The assessor shall implement and maintain a process to
5 facilitate these requests. A fee shall not be charged for the
6 administration of this paragraph.

7 Sec. 6. Section 331.604, subsection 3, Code 2021, is amended
8 by adding the following new paragraph:

9 NEW PARAGRAPH. *f.* (1) Upon request by a peace officer,
10 as defined in section 801.4, civilian employee of a law
11 enforcement agency, or state or federal judicial officer
12 or state or federal prosecutor, the county assessor or the
13 county assessor's staff, or the county recorder or the county
14 recorder's staff, shall redact the requestor's name contained
15 in electronic documents that are displayed for public access
16 through an internet site.

17 (2) Upon request by a former peace officer, as defined
18 in section 801.4, or a former civilian employee of a law
19 enforcement agency, the county assessor or the county
20 assessor's staff, or the county recorder or the county
21 recorder's staff, may redact, upon the presentation of evidence
22 that a compelling safety interest is served by doing so, the
23 requestor's name contained in electronic documents that are
24 displayed for public access through an internet site.

25 (3) This paragraph does not apply to a requestor holding or
26 seeking public office.

27 (4) The county assessor and the county recorder shall
28 implement and maintain a process to facilitate requests
29 pursuant to this paragraph.

30 (5) A fee shall not be charged for the administration of
31 this paragraph.

32 DIVISION II

33 UNIFORM COMMERCIAL CODE — FRAUDULENT FILINGS

34 Sec. 7. Section 554.9510, subsection 1, Code 2021, is
35 amended to read as follows:

1 1. *Filed record effective if authorized.* A filed record
2 is effective only to the extent that it was filed by a person
3 that may file it under section 554.9509 or by the filing office
4 under section 554.9513A.

5 Sec. 8. NEW SECTION. 554.9513A **Termination of wrongfully**
6 **filed financing statement — reinstatement.**

7 1. *Trusted filer.* “*Trusted filer*” means a person that does
8 any of the following:

9 a. Regularly causes records to be communicated to the
10 filing office for filing and has provided the filing office
11 with current contact information and information sufficient to
12 establish the person’s identity.

13 b. Satisfies either of the following conditions:

14 (1) The filing office has issued the person credentials for
15 access to online filing services.

16 (2) The person has established a prepaid or direct debit
17 account for payment of filing fees, regardless of whether the
18 account is used in a particular transaction.

19 2. *Affidavit of wrongful filing.* A person identified as
20 debtor in a filed financing statement may deliver to the
21 filing office a notarized, sworn affidavit that identifies the
22 financing statement by file number, indicates the affiant’s
23 mailing address, and states that the affiant believes that
24 the filed record identifying the affiant as debtor was not
25 authorized to be filed and was caused to be communicated to the
26 filing office with the intent to harass or defraud the affiant.
27 The filing office may reject an affidavit that is incomplete or
28 that it believes was delivered to it with the intent to harass
29 or defraud the secured party. The office of the secretary
30 of state shall adopt a form of affidavit for use under this
31 section.

32 3. *Termination statement by filing office.* Subject to
33 subsection 11, if an affidavit is delivered to the filing
34 office under subsection 2, the filing office shall promptly
35 file a termination statement with respect to the financing

1 statement identified in the affidavit. The termination
2 statement must identify by its file number the initial
3 financing statement to which it relates and must indicate that
4 it was filed pursuant to this section. A termination statement
5 filed under this subsection is not effective until ninety days
6 after it is filed.

7 4. *No fee charged or refunded.* The filing office shall not
8 charge a fee for the filing of an affidavit under subsection
9 2 or a termination statement under subsection 3. The filing
10 office shall not return any fee paid for filing the financing
11 statement identified in the affidavit, whether or not the
12 financing statement is reinstated under subsection 7.

13 5. *Notice of termination statement.* On the same day that a
14 filing office files a termination statement under subsection
15 3, the filing office shall send to the secured party of record
16 for the financing statement to which the termination statement
17 relates a notice stating that the termination statement
18 has been filed and will become effective ninety days after
19 filing. The notice shall be sent by certified mail, return
20 receipt requested, to the address provided for the secured
21 party of record in the financing statement with a copy sent by
22 electronic mail to the electronic mail address provided by the
23 secured party of record, if any.

24 6. *Administrative review — action for reinstatement.* A
25 secured party that believes in good faith that the filed record
26 identified in an affidavit delivered to the filing office under
27 subsection 2 was authorized to be filed and was not caused to
28 be communicated to the filing office with the intent to harass
29 or defraud the affiant may:

30 a. Before the termination statement takes effect, request
31 that the filing office conduct an expedited review of the
32 filed record and any documentation provided by the secured
33 party. The filing office may as a result of this review remove
34 from the record the termination statement filed by it under
35 subsection 3 before the termination statement takes effect and

1 conduct an administrative review under subsection 11.

2 *b.* File an action against the filing office seeking
3 reinstatement of the financing statement to which the filed
4 record relates at any time before the expiration of six months
5 after the date on which the termination statement filed under
6 subsection 3 becomes effective. If the affiant is not named as
7 a defendant in the action, the secured party shall send a copy
8 of the petition to the affiant at the address indicated in the
9 affidavit. The exclusive venue for the action shall be in the
10 district court for the county where the filing office in which
11 the financing statement was filed is located. The action shall
12 be considered by the court on an expedited basis.

13 7. *Filing office to file notice of action for*
14 *reinstatement.* Within ten days after being served with process
15 in an action under subsection 6, the filing office shall file
16 a notice indicating that the action has been commenced. The
17 notice must indicate the file number of the initial financing
18 statement to which the notice relates.

19 8. *Action for reinstatement successful.* If, in an action
20 under subsection 6, the court determines that the financing
21 statement was authorized to be filed and was not caused to be
22 communicated to the filing office with the intent to harass or
23 defraud the affiant, the court shall order that the financing
24 statement be reinstated. If an order of reinstatement is
25 issued by the court, the filing office shall promptly file a
26 record that identifies by its file number the initial financing
27 statement to which the record relates and indicates that the
28 financing statement has been reinstated.

29 9. *Effect of reinstatement.* Upon the filing of a record
30 reinstating a financing statement under subsection 8, the
31 effectiveness of the financing statement is reinstated and the
32 financing statement shall be considered never to have been
33 terminated under this section except as against a purchaser of
34 the collateral that gives value in reasonable reliance upon
35 the termination. A continuation statement filed as provided

1 in section 554.9515, subsection 4, after the effective date of
2 a termination statement filed under subsection 3 or 11 becomes
3 effective if the financing statement is reinstated.

4 10. *Liability for wrongful filing.* If, in an action under
5 subsection 6, the court determines that the filed record
6 identified in an affidavit delivered to the filing office under
7 subsection 2 was caused to be communicated to the filing office
8 with the intent to harass or defraud the affiant, the filing
9 office and the affiant may recover from the secured party that
10 filed the action the costs and expenses, including reasonable
11 attorney fees and the reasonable allocated costs of internal
12 counsel, that the filing office and the affiant incurred in the
13 action. This recovery is in addition to any recovery to which
14 the affiant is entitled under section 554.9625.

15 11. *Procedure for record filed by trusted filer.* If an
16 affidavit delivered to a filing office under subsection 2
17 relates to a filed record communicated to the filing office by
18 a trusted filer, the filing office shall promptly send to the
19 secured party of record a notice stating that the affidavit has
20 been delivered to the filing office and that the filing office
21 is conducting an administrative review to determine whether the
22 record was caused to be communicated with the intent to harass
23 or defraud the affiant. The notice shall be sent by certified
24 mail, return receipt requested, to the address provided for
25 the secured party in the financing statement with a copy sent
26 by electronic mail to the electronic mail address provided
27 by the secured party of record, if any, and a copy shall be
28 sent in the same manner to the affiant. The administrative
29 review shall be conducted on an expedited basis and the filing
30 office may require the affiant and the secured party of record
31 to provide any additional information that the filing office
32 deems appropriate. If the filing office concludes that the
33 record was caused to be communicated with the intent to harass
34 or defraud the affiant, the filing office shall promptly file a
35 termination statement under subsection 2 that will be effective

1 immediately and send to the secured party of record the notice
2 required by subsection 5. The secured party may thereafter
3 file an action for reinstatement under subsection 6 and the
4 provisions of subsections 7 through 10 are applicable.

5 **Sec. 9. NEW SECTION. 714.29 Records filed with intent to**
6 **harass or defraud.**

7 1. A person shall not cause to be communicated to the filing
8 office as defined in section 554.9102 for filing a record if
9 all of the following are true:

10 a. The person is not authorized to file the record under
11 section 554.9509.

12 b. The record is not related to an existing or anticipated
13 transaction that is or will be governed by chapter 554, article
14 9.

15 c. The record is filed with the intent to harass or defraud
16 the person identified as debtor in the record.

17 2. A person that violates subsection 1 is guilty of a simple
18 misdemeanor for a first offense and a serious misdemeanor for a
19 second or subsequent offense.

20 **DIVISION III**

21 **ACCRUED SICK LEAVE — RETIRED PUBLIC SAFETY EMPLOYEES**

22 **Sec. 10. NEW SECTION. 70A.23A Credit for accrued sick leave**
23 **— retired public safety employees.**

24 A public safety employee, as defined in section 20.3,
25 subsection 11, who retires and has applied for retirement
26 benefits under an eligible retirement system, shall receive
27 credit for all accumulated, unused sick leave which shall be
28 converted at current value and credited to an account for the
29 public safety employee for the purpose of paying the public
30 safety employee's cost of the monthly premiums for continuance
31 of the public safety employee's health insurance plan. Upon
32 the death of a retired public safety employee, the surviving
33 spouse or dependents shall be entitled to the value of the
34 accumulated unused sick leave for the purpose of paying the
35 cost of monthly premiums for continuation of a public safety

1 employee's health insurance policy for the public safety
2 employee's surviving spouse or dependents. This section
3 shall not apply to a public safety employee covered under a
4 collective bargaining agreement which provides for an employer
5 paid retirement health savings plan.

6 DIVISION IV

7 WORKERS' COMPENSATION — ACTIONS AND OFFSETS

8 Sec. 11. Section 97A.6, subsection 11, Code 2021, is amended
9 to read as follows:

10 11. *Pensions offset by compensation benefits.*

11 a. Any amounts which may be paid or payable by the state
12 under the provisions of any workers' compensation or similar
13 law to a member or to the dependents of a member on account of
14 any disability or death, shall be offset against and payable
15 in lieu of any benefits payable out of the retirement fund
16 provided by the state under the provisions of this chapter on
17 account of the same disability or death. In case the present
18 value of the total commuted benefits under said workers'
19 compensation or similar law is less than the present value
20 of the benefits otherwise payable from the retirement fund
21 provided by the state under this chapter, then the present
22 value of the commuted payments shall be deducted from the
23 pension payable and such benefits as may be provided by the
24 system so reduced shall be payable under the provisions of this
25 chapter.

26 b. Notwithstanding paragraph "a", any workers' compensation
27 benefits received by a member for past medical expenses or
28 future medical expenses shall not be offset against and not
29 considered payable in lieu of any retirement allowance payable
30 pursuant to this section on account of the same disability.

31 c. Notwithstanding paragraph "a", any workers' compensation
32 benefits received by a member for reimbursement of vacation
33 time used, sick time used, or for any unpaid time off from work
34 shall not be offset against and not considered payable in lieu
35 of any retirement allowance payable pursuant to this section on

1 account of the same disability.

2 Sec. 12. Section 97B.50A, subsection 5, Code 2021, is
3 amended to read as follows:

4 5. *Offset to allowance.*

5 a. Notwithstanding any provisions to the contrary in state
6 law, or any applicable contract or policy, any amounts which
7 may be paid or payable by the employer under any workers'
8 compensation, unemployment compensation, employer-paid
9 disability plan, program, or policy, or other law to a member,
10 and any disability payments the member receives pursuant to
11 the federal Social Security Act, 42 U.S.C. §423 et seq.,
12 shall be offset against and payable in lieu of any retirement
13 allowance payable pursuant to this section on account of the
14 same disability.

15 b. Notwithstanding paragraph "a", any workers' compensation
16 benefits received by a member for past medical expenses or
17 future medical expenses shall not be offset against and not
18 considered payable in lieu of any retirement allowance payable
19 pursuant to this section on account of the same disability.

20 c. Notwithstanding paragraph "a", any workers' compensation
21 benefits received by a member for reimbursement of vacation
22 time used, sick time used, or for any unpaid time off from work
23 shall not be offset against and not considered payable in lieu
24 of any retirement allowance payable pursuant to this section on
25 account of the same disability.

26 DIVISION V

27 CIVIL SERVICE COMMISSION EXAMINATIONS

28 Sec. 13. Section 400.8, subsection 2, Code 2021, is amended
29 to read as follows:

30 2. The commission shall establish the guidelines for
31 conducting the examinations under subsection 1 of this section.
32 ~~It may prepare and administer the examinations or may~~ The
33 commission shall hire persons with expertise to ~~do so if the~~
34 ~~commission approves the examinations~~ prepare and administer
35 the examinations approved by the commission. It may also

1 hire persons with expertise to consult in the preparation of
2 such examinations if the persons so hired are employed to aid
3 personnel of the commission in assuring that a fair examination
4 is conducted. A fair examination shall explore the competence
5 of the applicant in the particular field of examination.

6 Sec. 14. Section 400.9, subsection 2, Code 2021, is amended
7 to read as follows:

8 2. The commission shall establish guidelines for conducting
9 the examinations under subsection 1. ~~It may prepare and~~
10 ~~administer the examinations or may~~ The commission shall hire
11 ~~persons with expertise to do so if the commission approves~~
12 ~~the examinations and if the examinations apply to~~ prepare and
13 administer the examinations approved by the commission for
14 the position in the city for which the applicant is taking
15 the examination. It may also hire persons with expertise to
16 consult in the preparation of such examinations if the persons
17 so hired are employed to aid personnel of the commission
18 in assuring that a fair examination is conducted. A fair
19 examination shall explore the competence of the applicant in
20 the particular field of examination. The names of persons
21 approved to administer any examination under this section shall
22 be posted in the city hall at least twenty-four hours prior to
23 the examination.

24 DIVISION VI

25 PEACE OFFICERS — CARRYING FIREARMS

26 Sec. 15. NEW SECTION. 724.4D Authority to carry firearm
27 — peace officers.

28 A peace officer shall not be prohibited from carrying a
29 firearm while engaged in the performance of official duties.

30 DIVISION VII

31 SHERIFF SALARIES

32 Sec. 16. Section 331.907, subsection 1, Code 2021, is
33 amended to read as follows:

34 1. The annual compensation of the auditor, treasurer,
35 recorder, sheriff, county attorney, and supervisors shall

1 be determined as provided in this section. The county
2 compensation board annually shall review the compensation
3 paid to comparable officers in other counties of this
4 state, other states, private enterprise, and the federal
5 government. In setting the salary of the county sheriff,
6 the county compensation board shall ~~consider setting~~ set the
7 sheriff's salary so that it is comparable to salaries paid
8 to professional law enforcement administrators and command
9 officers of the state patrol, the division of criminal
10 investigation of the department of public safety, and city
11 police agencies ~~in this state~~ chiefs employed by cities of
12 similar population to the population of the county. The county
13 compensation board shall prepare a compensation schedule for
14 the elective county officers for the succeeding fiscal year. A
15 recommended compensation schedule requires a majority vote of
16 the membership of the county compensation board.

17

DIVISION VIII

18 CONFIDENTIAL COMMUNICATIONS — PEER SUPPORT — GROUP COUNSELORS

19 Sec. 17. Section 622.10, subsection 9, paragraphs a and b,
20 Code 2021, are amended to read as follows:

21 a. A peer support group counselor or individual present
22 for a group crisis intervention who obtains information from
23 an officer or a civilian employee of a law enforcement agency
24 or fire department by reason of the counselor's capacity as a
25 peer support group counselor or an individual's presence for
26 a group crisis intervention shall not be allowed, in giving
27 testimony, to disclose any confidential communication properly
28 entrusted to the counselor or individual present for a group
29 crisis intervention by the officer or civilian employee while
30 receiving counseling or group crisis intervention.

31 b. The prohibition in this subsection does not apply
32 where the officer or civilian employee has consented to the
33 disclosure of the information specified in paragraph "a" or
34 where the peer support group counselor or individual present
35 for a group crisis intervention was an initial responding

1 officer, a witness, or a party to the incident which prompted
2 the delivery of peer support group counseling services or the
3 group crisis intervention to the officer or civilian employee.

4 DIVISION IX

5 DISABILITY MEDICAL BENEFITS — IOWA PUBLIC RETIREMENT SYSTEM

6 Sec. 18. Section 97B.50A, Code 2021, is amended by adding
7 the following new subsection:

8 NEW SUBSECTION. 8A. *Medical benefits.* An employer shall
9 furnish reasonable surgical, medical, dental, osteopathic,
10 chiropractic, podiatric, physical rehabilitation, nursing,
11 ambulance, and hospital services and supplies for a member who
12 is injured in the performance of the member's duties and is
13 receiving an in-service disability retirement allowance under
14 subsection 2 or has waived an in-service disability retirement
15 allowance under subsection 4, regardless of when the injury
16 occurred or when the member's in-service disability allowance
17 commenced.

18 DIVISION X

19 OFFICER DISCIPLINARY ACTIONS

20 Sec. 19. Section 80F.1, Code 2021, is amended by adding the
21 following new subsection:

22 NEW SUBSECTION. 23. *a.* An officer shall not be discharged,
23 disciplined, or threatened with discharge or discipline by a
24 state, county, or municipal law enforcement agency solely due
25 to a prosecuting attorney making a determination or disclosure
26 that exculpatory evidence exists concerning the officer.

27 *b.* This subsection does not prohibit a law enforcement
28 agency from dismissing, suspending, demoting, or taking other
29 disciplinary actions against an officer based on the underlying
30 actions that resulted in the exculpatory evidence being
31 withheld. If a collective bargaining agreement applies, the
32 actions taken by the law enforcement agency shall conform to
33 the rules and procedures adopted by the collective bargaining
34 agreement.

35 Sec. 20. FUTURE REPEAL. This division is repealed July 1,

1 2022.

2 Sec. 21. BRADY-GIGLIO LIST INTERIM COMMITTEE.

3 1. The legislative council is requested to establish a
4 Brady-Giglio list interim committee for the 2021 interim. The
5 purpose of the committee shall be to do all of the following:

6 a. Study the disclosure of information contained in officer
7 personnel files as such information relates to a Brady-Giglio
8 list.

9 b. Study the efficiency of implementing a statewide system
10 for a Brady-Giglio list, identifying impartial entities to
11 conduct investigations pertaining to an officer's acts or
12 omissions to act, and recommending the appropriate procedures,
13 due process protections, appeal rights, and criteria for the
14 placement and removal of an officer's name on and from a
15 Brady-Giglio list.

16 c. Study any other issues that the committee determines
17 relevant to its objective. The committee may solicit the
18 advice or testimony of any organization or individual with
19 information or expertise relevant to the purpose of the
20 committee.

21 2. The committee shall consist of three members of the
22 senate appointed by the majority leader of the senate, two
23 members of the senate appointed by the minority leader of the
24 senate, three members of the house of representatives appointed
25 by the speaker of the house of representatives, and two members
26 of the house of representatives appointed by the minority
27 leader of the house of representatives. Additional committee
28 members shall include the commissioner of the department of
29 public safety or the commissioner's designee, a district court
30 judge appointed by the supreme court, and representatives from
31 all of the following: the Iowa county attorneys association,
32 the Iowa sheriffs and deputies association, the Iowa police
33 chiefs association, the Iowa state police association, the
34 Iowa peace officers association, the Iowa professional fire
35 fighters, the Iowa state troopers association, and the Iowa

1 state patrol supervisors association. The Iowa sheriffs and
2 deputies association member representative shall be an officer
3 who does not hold rank.

4 3. The committee shall elect a chairperson from the members
5 appointed.

6 4. The committee shall issue a report, including findings
7 and recommendations, to the governor and the general assembly
8 no later than December 16, 2021.

9 5. For the purposes of this section, "Brady-Giglio list"
10 means a list of officers maintained by the county attorney's
11 office, including officers who may not have disclosed all
12 impeachment information and officers who may have violated the
13 pretrial discovery rule requiring officers to turn over all
14 evidence that might be used to exonerate a defendant.

15 DIVISION XI

16 QUALIFIED IMMUNITY

17 Sec. 22. Section 669.14, Code 2021, is amended by adding the
18 following new subsection:

19 NEW SUBSECTION. 1A. Any claim based upon an act or omission
20 of an employee of the state, exercising due care, in the
21 execution of or enforcement of any law.

22 Sec. 23. Section 670.2, Code 2021, is amended by adding the
23 following new subsection:

24 NEW SUBSECTION. 4. An employee is not personally liable
25 for a claim based upon an act or omission of the person taken
26 in execution or enforcement of any law except for acts or
27 omissions which involve intentional misconduct or knowing
28 violations of the law.

29 Sec. 24. Section 670.7, Code 2021, is amended by adding the
30 following new subsection:

31 NEW SUBSECTION. 5. The governing body of a municipality
32 shall purchase and maintain insurance or join a local
33 government risk pool pursuant to this section for claims for
34 punitive damages in tort actions for wrongful death, excessive
35 force, and arrest filed without probable cause against its

1 law enforcement and public safety officers, employees, and
2 volunteers, whether elected or appointed, arising out of an
3 alleged act or omission occurring within the scope of such
4 a person's employment or duties. The governing body may
5 purchase and maintain insurance or join a local government
6 risk pool for claims for punitive damages against its law
7 enforcement and public safety officers, employees, and persons
8 who do not receive compensation for their services for other
9 tort actions. This subsection does not waive a defense of
10 governmental immunity to any claim or action brought against a
11 law enforcement or public safety officer, employee, or a person
12 who does not receive compensation for their services.

13 DIVISION XII

14 PEACE OFFICER BILL OF RIGHTS

15 Sec. 25. Section 80F.1, Code 2021, is amended by adding the
16 following new subsection:

17 NEW SUBSECTION. 2A. A formal administrative investigation,
18 informal inquiry, or interview under this chapter shall not be
19 conducted unless a complaint is filed within one hundred eighty
20 days after the alleged action occurred.

21 Sec. 26. Section 80F.1, subsections 13 and 19, Code 2021,
22 are amended to read as follows:

23 ~~13. An officer shall have the right to pursue civil remedies~~
24 ~~under the law against a citizen arising from the filing of a~~
25 ~~false complaint against the officer~~ In addition to any other
26 remedies available, an officer shall have the right to pursue
27 civil remedies under the law against any person, group of
28 persons, employer, organization, or corporation for damages
29 arising from the filing of a false complaint or any other
30 violation of this chapter including but not limited to actual
31 damages, court costs, and reasonable attorney fees.

32 19. If a formal administrative investigation results in
33 removal, discharge, suspension, or disciplinary action against
34 an officer, and the officer alleges in writing a violation of
35 the provisions of this section, the municipality, county, or

1 state agency employing the officer shall hold in abeyance ~~for~~
2 ~~a period of ten days~~ any punitive action taken as a result of
3 the investigation, including a reprimand, until the conclusion
4 of any appeal or grievance exercised by the officer. An
5 allegation of a violation of this section may be raised and
6 given due consideration in any properly authorized grievance
7 or appeal exercised by an officer, including but not limited
8 to a grievance or appeal exercised pursuant to the terms of an
9 applicable collective bargaining agreement and an appeal right
10 exercised under section 341A.12 or 400.20.

11 DIVISION XIII

12 LAW ENFORCEMENT DATA COLLECTION AND REPORTING

13 Sec. 27. NEW SECTION. 27B.1 Law enforcement data collection
14 and reporting.

15 1. Every state and local law enforcement agency shall
16 collect and compile data on each traffic, bicycle, or
17 pedestrian stop conducted by its officers, and shall report the
18 data to the attorney general on or before July 1 of each year,
19 subject to subsection 3. All of the following information
20 shall be collected and compiled for each stop, including but
21 not limited to stops that involve questioning or a driver's
22 license or motor vehicle registration check but that do not
23 result in the issuance of a written citation or warning:

24 a. The time, date, location, and duration of the stop.

25 b. The reason for the stop.

26 c. Whether the officer performed a driver's license or motor
27 vehicle registration check.

28 d. Whether the officer issued a citation or an oral or
29 written warning.

30 e. The offense for which the individual was warned, cited,
31 or arrested, if applicable.

32 f. The race, ethnicity, sex, and approximate age of the
33 individual, and whether English is the individual's primary
34 language. The identification of these characteristics shall be
35 based primarily on information obtained from the individual's

1 driver's license or nonoperator's identification card and
2 secondarily on the observations and perceptions of the officer
3 performing the stop. The officer shall not be required to
4 inquire about the individual's race or ethnicity, or whether
5 English is the individual's primary language, and shall rely
6 principally on such information encrypted on the individual's
7 driver's license or nonoperator's identification card pursuant
8 to section 321.189 or 321.190. The identifying characteristics
9 of any passenger in the motor vehicle shall also be reported
10 if the stop involved the passenger and the officer performed a
11 search.

12 *g.* Whether the officer asked for consent to search the
13 individual or vehicle and whether the individual consented to
14 the search; whether the officer searched the individual, the
15 vehicle, or any property, and the basis for the search; and
16 whether the officer seized any property, a description of the
17 property seized, and the basis for seizing the property.

18 *h.* Whether the officer used physical force against the
19 individual and whether the individual used physical force
20 against the officer.

21 *i.* Any other information which the officer or law
22 enforcement agency considers appropriate.

23 2. The attorney general shall develop a standardized form to
24 be used by law enforcement agencies in collecting, compiling,
25 and reporting the information pursuant to subsection 1.

26 3. *a.* Every state law enforcement agency, every local law
27 enforcement agency with jurisdiction over a county, and every
28 local law enforcement agency with jurisdiction over a city with
29 a population of four thousand five hundred or more shall submit
30 its first report to the attorney general on or before July 1,
31 2021.

32 *b.* Every local law enforcement agency with jurisdiction over
33 a city with a population of at least two thousand five hundred
34 but less than four thousand five hundred shall submit its first
35 report to the attorney general on or before July 1, 2022.

1 *c.* Every local law enforcement agency with jurisdiction over
2 a city with a population of less than two thousand five hundred
3 shall submit its first report to the attorney general on or
4 before July 1, 2023.

5 4. *a.* Except as otherwise provided by law, a law
6 enforcement agency shall not grant access to any personal
7 identifying information contained in the data collected by
8 the agency to any person except a federal, state, local, or
9 tribal government employee or agent who requires access to such
10 information in order to collect, compile, and report the data
11 in accordance with this section.

12 *b.* A law enforcement agency may permit a contractor
13 or nongovernmental entity to access personal identifying
14 information contained in the data if the contractor or
15 nongovernmental entity signs an agreement with the agency
16 which prohibits further disclosure of the personal identifying
17 information by the contractor or nongovernmental entity, and
18 if the contractor or nongovernmental entity is required by the
19 agreement to maintain adequate security measures to prevent
20 unauthorized access to the personal identifying information.

21 5. On or before December 15, 2021, and each year thereafter,
22 the attorney general shall publish a report on the attorney
23 general's internet site containing the compiled data and
24 reports received by the attorney general pursuant to this
25 section for the period ending July 1 of the calendar year in
26 which the report is published. The report shall not contain
27 any unique personal identifying information of any peace
28 officer or other person involved in a particular incident,
29 including but not limited to names and badge numbers.

30 Sec. 28. Section 321.189, subsection 2, paragraph a, Code
31 2021, is amended to read as follows:

32 *a.* Appearing on the driver's license shall be a
33 distinguishing number assigned to the licensee; the licensee's
34 full name, date of birth, sex, and residence address; a
35 color photograph; a physical description of the licensee;

1 the name of the state; the dates of issuance and expiration;
2 and the usual signature of the licensee. The license shall
3 identify the class of vehicle the licensee may operate and the
4 applicable endorsements and restrictions which the department
5 shall require by rule. The licensee's race and ethnicity, and
6 whether English is the licensee's primary language, shall be
7 encrypted on the back of the license.

8 Sec. 29. Section 321.190, subsection 1, paragraph a, Code
9 2021, is amended to read as follows:

10 a. The department shall, upon application and payment
11 of the required fee, issue to an applicant a nonoperator's
12 identification card. To be valid the card shall bear a
13 distinguishing number other than a social security number
14 assigned to the cardholder, the full name, date of birth,
15 sex, residence address, a physical description and a color
16 photograph of the cardholder, the usual signature of the
17 cardholder, and such other information as the department may
18 require by rule. The card shall also contain the cardholder's
19 race and ethnicity, and whether English is the cardholder's
20 primary language, encrypted on the back of the card. An
21 applicant for a nonoperator's identification card shall
22 apply for the card in the manner provided in section 321.182,
23 subsections 1 through 3. The card shall be issued to the
24 applicant at the time of application pursuant to procedures
25 established by rule. An applicant for a nonoperator's
26 identification card who is required by 50 U.S.C. app. §451
27 et seq. to register with the United States selective service
28 system shall be registered by the department with the selective
29 service system as provided in section 321.183.>

30 3. Title page, by striking line 1 and inserting <An Act
31 relating to public records including confidentiality and
32 access; uniform commercial code filings; certain employment
33 matters including certain benefits, workers' compensation,
34 civil service examinations, and sheriff salaries; certain
35 confidential communications; qualified immunity; and law

S-3202 (Continued)

1 enforcement including peace officers and the carrying of
2 firearms, officer disciplinary actions, peace officers' bill of
3 rights, and law enforcement data collection and reporting; and
4 providing of penalties.>>

By NATE BOULTON

[S-3202](#) FILED MAY 17, 2021

LOST

SENATE FILE 342

S-3207

1 Amend the House amendment, S-3158, to Senate File 342, as
2 passed by the Senate, as follows:

- 3 1. Page 24, by striking lines 15 through 24.
4 2. By renumbering as necessary.

By ROBERT M. HOGG

S-3207 FILED MAY 17, 2021

RULED OUT OF ORDER

SENATE FILE 342

S-3208

1 Amend the House amendment, S-3158, to Senate File 342, as
2 passed by the Senate, as follows:

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

5 <Amend Senate File 342 as follows:

6 1. By striking everything after the enacting clause and
7 inserting:

8

<DIVISION I

9 PUBLIC RECORDS — COMMUNICATIONS IN PROFESSIONAL CONFIDENCE

10 Section 1. Section 9E.1, Code 2021, is amended to read as
11 follows:

12 **9E.1 Purpose.**

13 The general assembly finds that individuals attempting to
14 escape from actual or threatened domestic abuse, domestic
15 abuse assault, sexual abuse, assault, stalking, or human
16 trafficking frequently establish new addresses in order to
17 prevent their assailants or probable assailants from finding
18 them. The purpose of this chapter is to enable state and local
19 agencies to respond to requests for data without disclosing
20 the location of a victim of domestic abuse, domestic abuse
21 assault, sexual abuse, assault, stalking, or human trafficking;
22 to enable interagency cooperation with the secretary of state
23 in providing address confidentiality for victims of domestic
24 abuse, domestic abuse assault, sexual abuse, assault, stalking,
25 or human trafficking; and to enable program participants to use
26 an address designated by the secretary of state as a substitute
27 mailing address for the purposes specified in this chapter.
28 In addition, the purpose of this chapter is to prevent such
29 victims from being physically located through a public records
30 search.

31 Sec. 2. Section 9E.2, subsection 6, paragraph a, Code 2021,
32 is amended to read as follows:

33 *a.* "Eligible person" means a person who is ~~all~~ a resident of
34 this state, an adult, a minor, or an incapacitated person as
35 defined in section 633.701, and is one of the following:

1 ~~(1) A resident of this state.~~

2 ~~(2) An adult, a minor, or an incapacitated person as defined~~
3 ~~in section 633.701.~~

4 ~~(3) A victim of domestic abuse, domestic abuse assault,~~
5 ~~sexual abuse, assault, stalking, or human trafficking as~~
6 ~~evidenced by the filing of a petition pursuant to section 236.3~~
7 ~~or a criminal complaint or information pursuant to section~~
8 ~~708.1, 708.2A, 708.11, or 710A.2, or any violation contained~~
9 ~~in chapter 709.~~

10 (2) A currently active or retired state or local judicial
11 officer, as defined in section 4.1, a federal judge, or a
12 spouse or child of such a person.

13 (3) A currently active or retired state or local prosecuting
14 attorney, as defined in section 801.4, or a spouse or child of
15 such a person.

16 (4) A currently active or retired peace officer, as defined
17 in section 801.4, civilian employee of a law enforcement
18 agency, or a spouse or child of such a person.

19 Sec. 3. Section 9E.3, subsection 1, paragraph b,
20 subparagraph (1), subparagraph division (a), Code 2021, is
21 amended to read as follows:

22 (a) The eligible person listed on the application is a
23 victim of domestic abuse, domestic abuse assault, sexual abuse,
24 assault, stalking, or human trafficking.

25 Sec. 4. Section 9E.3, subsection 1, paragraph e, Code 2021,
26 is amended to read as follows:

27 e. The residential address of the eligible person,
28 disclosure of which could lead to an increased risk of domestic
29 abuse, domestic abuse assault, sexual abuse, assault, stalking,
30 or human trafficking.

31 Sec. 5. Section 9E.7, Code 2021, is amended by adding the
32 following new subsection:

33 NEW SUBSECTION. 4A. Upon request by a program participant,
34 the assessor or the assessor's staff shall redact the
35 requestor's name contained in electronic documents that

1 are displayed for public access through an internet site.
2 The assessor shall implement and maintain a process to
3 facilitate these requests. A fee shall not be charged for the
4 administration of this paragraph.

5 Sec. 6. Section 22.10, subsection 3, paragraph b,
6 subparagraph (2), Code 2021, is amended to read as follows:

7 (2) Had good reason to believe and in good faith believed
8 facts which, if true, would have indicated compliance with the
9 requirements of this chapter. It shall constitute such good
10 reason and good faith belief and a court shall not assess any
11 damages, costs, or fees under this subsection if the person
12 incorrectly balanced the right of the public to receive public
13 records against the rights and obligations of the government
14 body to maintain confidential records as provided in section
15 22.7 under any judicially created balancing test, unless the
16 person is unable to articulate any reasonable basis for such
17 balancing.

18 Sec. 7. Section 331.604, subsection 3, Code 2021, is amended
19 by adding the following new paragraph:

20 NEW PARAGRAPH. *f.* (1) Upon request by a peace officer,
21 as defined in section 801.4, civilian employee of a law
22 enforcement agency, or state or federal judicial officer
23 or state or federal prosecutor, the county assessor or the
24 county assessor's staff, or the county recorder or the county
25 recorder's staff, shall redact the requestor's name contained
26 in electronic documents that are displayed for public access
27 through an internet site.

28 (2) Upon request by a former peace officer, as defined
29 in section 801.4, or a former civilian employee of a law
30 enforcement agency, the county assessor or the county
31 assessor's staff, or the county recorder or the county
32 recorder's staff, may redact, upon the presentation of evidence
33 that a compelling safety interest is served by doing so, the
34 requestor's name contained in electronic documents that are
35 displayed for public access through an internet site.

1 (3) This paragraph does not apply to a requestor holding or
2 seeking public office.

3 (4) The county assessor and the county recorder shall
4 implement and maintain a process to facilitate requests
5 pursuant to this paragraph.

6 (5) A fee shall not be charged for the administration of
7 this paragraph.

8 Sec. 8. Section 622.10, subsection 9, paragraphs a and b,
9 Code 2021, are amended to read as follows:

10 a. A peer support group counselor or individual present
11 for a group crisis intervention who obtains information from
12 an officer or a civilian employee of a law enforcement agency
13 or fire department by reason of the counselor's capacity as a
14 peer support group counselor or an individual's presence for
15 a group crisis intervention shall not be allowed, in giving
16 testimony, to disclose any confidential communication properly
17 entrusted to the counselor or individual present for a group
18 crisis intervention by the officer or civilian employee while
19 receiving counseling or group crisis intervention.

20 b. The prohibition in this subsection does not apply
21 where the officer or civilian employee has consented to the
22 disclosure of the information specified in paragraph "a" or
23 where the peer support group counselor or individual present
24 for a group crisis intervention was an initial responding
25 officer, a witness, or a party to the incident which prompted
26 the delivery of peer support group counseling services or the
27 group crisis intervention to the officer or civilian employee.

28 DIVISION II

29 UNIFORM COMMERCIAL CODE — FRAUDULENT FILINGS

30 Sec. 9. Section 554.9510, subsection 1, Code 2021, is
31 amended to read as follows:

32 1. *Filed record effective if authorized.* A filed record
33 is effective only to the extent that it was filed by a person
34 that may file it under section 554.9509 or by the filing office
35 under section 554.9513A.

1 Sec. 10. NEW SECTION. 554.9513A Termination of wrongfully
2 filed financing statement — reinstatement.

3 1. *Trusted filer.* “*Trusted filer*” means a person that does
4 any of the following:

5 a. Regularly causes records to be communicated to the
6 filing office for filing and has provided the filing office
7 with current contact information and information sufficient to
8 establish the person’s identity.

9 b. Satisfies either of the following conditions:

10 (1) The filing office has issued the person credentials for
11 access to online filing services.

12 (2) The person has established a prepaid or direct debit
13 account for payment of filing fees, regardless of whether the
14 account is used in a particular transaction.

15 2. *Affidavit of wrongful filing.* A person identified as
16 debtor in a filed financing statement may deliver to the
17 filing office a notarized, sworn affidavit that identifies the
18 financing statement by file number, indicates the affiant’s
19 mailing address, and states that the affiant believes that
20 the filed record identifying the affiant as debtor was not
21 authorized to be filed and was caused to be communicated to the
22 filing office with the intent to harass or defraud the affiant.
23 The filing office may reject an affidavit that is incomplete or
24 that it believes was delivered to it with the intent to harass
25 or defraud the secured party. The office of the secretary
26 of state shall adopt a form of affidavit for use under this
27 section.

28 3. *Termination statement by filing office.* Subject to
29 subsection 11, if an affidavit is delivered to the filing
30 office under subsection 2, the filing office shall promptly
31 file a termination statement with respect to the financing
32 statement identified in the affidavit. The termination
33 statement must identify by its file number the initial
34 financing statement to which it relates and must indicate that
35 it was filed pursuant to this section. A termination statement

1 filed under this subsection is not effective until ninety days
2 after it is filed.

3 4. *No fee charged or refunded.* The filing office shall not
4 charge a fee for the filing of an affidavit under subsection
5 2 or a termination statement under subsection 3. The filing
6 office shall not return any fee paid for filing the financing
7 statement identified in the affidavit, whether or not the
8 financing statement is reinstated under subsection 7.

9 5. *Notice of termination statement.* On the same day that a
10 filing office files a termination statement under subsection
11 3, the filing office shall send to the secured party of record
12 for the financing statement to which the termination statement
13 relates a notice stating that the termination statement
14 has been filed and will become effective ninety days after
15 filing. The notice shall be sent by certified mail, return
16 receipt requested, to the address provided for the secured
17 party of record in the financing statement with a copy sent by
18 electronic mail to the electronic mail address provided by the
19 secured party of record, if any.

20 6. *Administrative review — action for reinstatement.* A
21 secured party that believes in good faith that the filed record
22 identified in an affidavit delivered to the filing office under
23 subsection 2 was authorized to be filed and was not caused to
24 be communicated to the filing office with the intent to harass
25 or defraud the affiant may:

26 a. Before the termination statement takes effect, request
27 that the filing office conduct an expedited review of the
28 filed record and any documentation provided by the secured
29 party. The filing office may as a result of this review remove
30 from the record the termination statement filed by it under
31 subsection 3 before the termination statement takes effect and
32 conduct an administrative review under subsection 11.

33 b. File an action against the filing office seeking
34 reinstatement of the financing statement to which the filed
35 record relates at any time before the expiration of six months

1 after the date on which the termination statement filed under
2 subsection 3 becomes effective. If the affiant is not named as
3 a defendant in the action, the secured party shall send a copy
4 of the petition to the affiant at the address indicated in the
5 affidavit. The exclusive venue for the action shall be in the
6 district court for the county where the filing office in which
7 the financing statement was filed is located. The action shall
8 be considered by the court on an expedited basis.

9 7. *Filing office to file notice of action for*
10 *reinstatement.* Within ten days after being served with process
11 in an action under subsection 6, the filing office shall file
12 a notice indicating that the action has been commenced. The
13 notice must indicate the file number of the initial financing
14 statement to which the notice relates.

15 8. *Action for reinstatement successful.* If, in an action
16 under subsection 6, the court determines that the financing
17 statement was authorized to be filed and was not caused to be
18 communicated to the filing office with the intent to harass or
19 defraud the affiant, the court shall order that the financing
20 statement be reinstated. If an order of reinstatement is
21 issued by the court, the filing office shall promptly file a
22 record that identifies by its file number the initial financing
23 statement to which the record relates and indicates that the
24 financing statement has been reinstated.

25 9. *Effect of reinstatement.* Upon the filing of a record
26 reinstating a financing statement under subsection 8, the
27 effectiveness of the financing statement is reinstated and the
28 financing statement shall be considered never to have been
29 terminated under this section except as against a purchaser of
30 the collateral that gives value in reasonable reliance upon
31 the termination. A continuation statement filed as provided
32 in section 554.9515, subsection 4, after the effective date of
33 a termination statement filed under subsection 3 or 11 becomes
34 effective if the financing statement is reinstated.

35 10. *Liability for wrongful filing.* If, in an action under

1 subsection 6, the court determines that the filed record
2 identified in an affidavit delivered to the filing office under
3 subsection 2 was caused to be communicated to the filing office
4 with the intent to harass or defraud the affiant, the filing
5 office and the affiant may recover from the secured party that
6 filed the action the costs and expenses, including reasonable
7 attorney fees and the reasonable allocated costs of internal
8 counsel, that the filing office and the affiant incurred in the
9 action. This recovery is in addition to any recovery to which
10 the affiant is entitled under section 554.9625.

11 11. *Procedure for record filed by trusted filer.* If an
12 affidavit delivered to a filing office under subsection 2
13 relates to a filed record communicated to the filing office by
14 a trusted filer, the filing office shall promptly send to the
15 secured party of record a notice stating that the affidavit has
16 been delivered to the filing office and that the filing office
17 is conducting an administrative review to determine whether the
18 record was caused to be communicated with the intent to harass
19 or defraud the affiant. The notice shall be sent by certified
20 mail, return receipt requested, to the address provided for
21 the secured party in the financing statement with a copy sent
22 by electronic mail to the electronic mail address provided
23 by the secured party of record, if any, and a copy shall be
24 sent in the same manner to the affiant. The administrative
25 review shall be conducted on an expedited basis and the filing
26 office may require the affiant and the secured party of record
27 to provide any additional information that the filing office
28 deems appropriate. If the filing office concludes that the
29 record was caused to be communicated with the intent to harass
30 or defraud the affiant, the filing office shall promptly file a
31 termination statement under subsection 2 that will be effective
32 immediately and send to the secured party of record the notice
33 required by subsection 5. The secured party may thereafter
34 file an action for reinstatement under subsection 6 and the
35 provisions of subsections 7 through 10 are applicable.

1 Sec. 11. NEW SECTION. 714.29 Records filed with intent to
2 harass or defraud.

3 1. A person shall not cause to be communicated to the filing
4 office as defined in section 554.9102 for filing a record if
5 all of the following are true:

6 a. The person is not authorized to file the record under
7 section 554.9509.

8 b. The record is not related to an existing or anticipated
9 transaction that is or will be governed by chapter 554, article
10 9.

11 c. The record is filed with the intent to harass or defraud
12 the person identified as debtor in the record.

13 2. A person that violates subsection 1 is guilty of a simple
14 misdemeanor for a first offense and a serious misdemeanor for a
15 second or subsequent offense.

16 DIVISION III

17 QUALIFIED IMMUNITY

18 Sec. 12. NEW SECTION. 669.14A Qualified immunity.

19 1. Notwithstanding any other provision of law, an employee
20 of the state subject to a claim brought under this chapter
21 shall not be liable for monetary damages if any of the
22 following apply:

23 a. The right, privilege, or immunity secured by law was not
24 clearly established at the time of the alleged deprivation,
25 or at the time of the alleged deprivation the state of the
26 law was not sufficiently clear that every reasonable employee
27 would have understood that the conduct alleged constituted a
28 violation of law.

29 b. A court of competent jurisdiction has issued a final
30 decision on the merits holding, without reversal, vacatur, or
31 preemption, that the specific conduct alleged to be unlawful
32 was consistent with the law.

33 2. The state or a state agency shall not be liable for
34 any claim brought under this chapter where the employee
35 was determined to be protected by qualified immunity under

1 subsection 1.

2 3. A plaintiff who brings a claim under this chapter
3 alleging a violation of the law must state with particularity
4 the circumstances constituting the violation and that the law
5 was clearly established at the time of the alleged violation.
6 Failure to plead a plausible violation or failure to plead that
7 the law was clearly established at the time of the alleged
8 violation shall result in dismissal with prejudice.

9 4. Any decision by the district court denying qualified
10 immunity shall be immediately appealable.

11 5. This section shall apply in addition to any other
12 statutory or common law immunity.

13 Sec. 13. NEW SECTION. **669.26 Money damages — nonwaiver**
14 **of rights.**

15 This chapter shall not be construed to be a waiver of
16 sovereign immunity for a claim for money damages under the
17 Constitution of the State of Iowa.

18 Sec. 14. NEW SECTION. **670.4A Qualified immunity.**

19 1. Notwithstanding any other provision of law, an employee
20 or officer subject to a claim brought under this chapter shall
21 not be liable for monetary damages if any of the following
22 apply:

23 a. The right, privilege, or immunity secured by law was not
24 clearly established at the time of the alleged deprivation,
25 or at the time of the alleged deprivation the state of the
26 law was not sufficiently clear that every reasonable employee
27 would have understood that the conduct alleged constituted a
28 violation of law.

29 b. A court of competent jurisdiction has issued a final
30 decision on the merits holding, without reversal, vacatur, or
31 preemption, that the specific conduct alleged to be unlawful
32 was consistent with the law.

33 2. A municipality shall not be liable for any claim brought
34 under this chapter where the employee or officer was determined
35 to be protected by qualified immunity under subsection 1.

1 3. A plaintiff who brings a claim under this chapter
2 alleging a violation of the law must state with particularity
3 the circumstances constituting the violation and that the law
4 was clearly established at the time of the alleged violation.
5 Failure to plead a plausible violation or failure to plead that
6 the law was clearly established at the time of the alleged
7 violation shall result in dismissal with prejudice.

8 4. Any decision by the district court denying qualified
9 immunity shall be immediately appealable.

10 5. This section shall apply in addition to any other
11 statutory or common law immunity.

12 Sec. 15. NEW SECTION. 670.14 Money damages — nonwaiver
13 of rights.

14 This chapter shall not be construed to be a waiver of
15 sovereign immunity for a claim for money damages under the
16 Constitution of the State of Iowa.

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

19 DIVISION IV

20 PEACE OFFICER, PUBLIC SAFETY, AND EMERGENCY PERSONNEL BILL OF
21 RIGHTS

22 Sec. 17. Section 80F.1, subsection 1, paragraph a, Code
23 2021, is amended to read as follows:

24 a. "*Complaint*" means a formal written allegation signed
25 by the complainant or a signed written statement by an
26 officer receiving an oral complaint stating the complainant's
27 allegation.

28 Sec. 18. Section 80F.1, subsections 3, 5, 8, 9, 13, and 18,
29 Code 2021, are amended to read as follows:

30 3. A formal administrative investigation of an officer
31 shall be commenced and completed in a reasonable period of time
32 ~~and an.~~ An officer shall be immediately notified in writing
33 of the results of the investigation when the investigation is
34 completed.

35 5. An officer who is the subject of a complaint, shall at a

1 minimum, be provided a written summary of the complaint prior
2 to an interview. If a collective bargaining agreement applies,
3 the complaint or written summary shall be provided pursuant
4 to the procedures established under the collective bargaining
5 agreement. If the complaint alleges domestic abuse, sexual
6 abuse, workplace harassment, or sexual harassment, an officer
7 shall not receive more than a written summary of the complaint.

8 8. a. The officer shall have the right to have the
9 assistance of legal counsel present, at the officer's expense,
10 during the interview of the officer and during hearings or
11 other disciplinary or administrative proceedings relating
12 to the complaint. In addition, the officer shall have the
13 right, at the officer's expense, to have a union representative
14 present during the interview or, if not a member of a union,
15 the officer shall have the right to have a designee present.

16 b. The officer's legal counsel, union representative, or
17 employee representative shall not be compelled to disclose in
18 any judicial proceeding, nor be subject to any investigation
19 or punitive action for refusing to disclose, any information
20 received from an officer under investigation or from an
21 agent of the officer, so long as the officer or agent of the
22 officer is an uninvolved party and not considered a witness
23 to any incident. The officer's legal counsel may coordinate
24 and communicate in confidence with the officer's designated
25 union representative or employee representative, and such
26 communications are not subject to discovery in any proceeding.

27 9. If a formal administrative investigation results in
28 the removal, discharge, or suspension, or other disciplinary
29 action against an officer, copies of any witness statements
30 and the complete investigative agency's report shall be timely
31 provided to the officer upon the request of the officer or the
32 officer's legal counsel upon request at the completion of the
33 investigation.

34 13. An officer shall have the right to ~~pursue civil remedies~~
35 ~~under the law~~ bring a cause of action against a ~~citizen~~ any

1 person, group of persons, organization, or corporation for
2 damages arising from the filing of a false complaint against
3 the officer or any other violation of this chapter including
4 but not limited to actual damages, court costs, and reasonable
5 attorney fees.

6 18. A municipality, county, or state agency employing
7 an officer shall not publicly release the officer's official
8 photograph without the written permission of the officer or
9 without a request to release pursuant to chapter 22. An
10 officer's personal information including but not limited to the
11 officer's home address, personal telephone number, personal
12 electronic mail address, date of birth, social security number,
13 and driver's license number shall be confidential and shall be
14 redacted from any record prior to the record's release to the
15 public by the employing agency. Nothing in this subsection
16 prohibits the release of an officer's photograph or unredacted
17 personal information to the officer's legal counsel, union
18 representative, or designated employee representative upon the
19 officer's request.

20 Sec. 19. Section 80F.1, Code 2021, is amended by adding the
21 following new subsections:

22 NEW SUBSECTION. 20. The employing agency shall keep
23 an officer's statement, recordings, or transcripts of any
24 interviews or disciplinary proceedings, and any complaints
25 made against an officer confidential unless otherwise provided
26 by law or with the officer's written consent. Nothing in
27 this section prohibits the release of an officer's statement,
28 recordings, or transcripts of any interviews or disciplinary
29 proceedings, and any complaints made against an officer to
30 the officer or the officer's legal counsel upon the officer's
31 request.

32 NEW SUBSECTION. 21. An agency employing full-time or
33 part-time officers shall provide training to any officer or
34 supervisor who performs or supervises an investigation under
35 this section, and shall maintain documentation of any training

1 related to this section. The Iowa law enforcement academy
2 shall adopt minimum training standards not inconsistent with
3 this subsection, including training standards concerning
4 interviewing an officer subject to a complaint.

5 NEW SUBSECTION. 22. Upon written request, the employing
6 agency shall provide to the requesting officer or the officer's
7 legal counsel a copy of the officer's personnel file and
8 training records regardless of whether the officer is subject
9 to a formal administrative investigation at the time of the
10 request.

11 DIVISION V

12 OFFICER DISCIPLINARY ACTIONS

13 Sec. 20. Section 80F.1, Code 2021, is amended by adding the
14 following new subsection:

15 NEW SUBSECTION. 23. *a.* An officer shall not be discharged,
16 disciplined, or threatened with discharge or discipline by a
17 state, county, or municipal law enforcement agency solely due
18 to a prosecuting attorney making a determination or disclosure
19 that exculpatory evidence exists concerning the officer.

20 *b.* This subsection does not prohibit a law enforcement
21 agency from dismissing, suspending, demoting, or taking other
22 disciplinary actions against an officer based on the underlying
23 actions that resulted in the exculpatory evidence being
24 withheld. If a collective bargaining agreement applies, the
25 actions taken by the law enforcement agency shall conform to
26 the rules and procedures adopted by the collective bargaining
27 agreement.

28 *c.* This subsection is repealed July 1, 2022.

29 Sec. 21. BRADY-GIGLIO LIST INTERIM COMMITTEE.

30 1. The legislative council is requested to establish a
31 Brady-Giglio list interim committee for the 2021 interim. The
32 purpose of the committee shall be to do all of the following:

33 *a.* Study the disclosure of information contained in officer
34 personnel files as such information relates to a Brady-Giglio
35 list.

1 b. Study the efficiency of implementing a statewide system
2 for a Brady-Giglio list, identifying impartial entities to
3 conduct investigations pertaining to an officer's acts or
4 omissions to act, and recommending the appropriate procedures,
5 due process protections, appeal rights, and criteria for the
6 placement and removal of an officer's name on and from a
7 Brady-Giglio list.

8 c. Study any other issues that the committee determines
9 relevant to its objective. The committee may solicit the
10 advice or testimony of any organization or individual with
11 information or expertise relevant to the purpose of the
12 committee.

13 2. The committee shall consist of three members of the
14 senate appointed by the majority leader of the senate, two
15 members of the senate appointed by the minority leader of
16 the senate, three members of the house of representatives
17 appointed by the speaker of the house of representatives,
18 and two members of the house of representatives appointed
19 by the minority leader of the house of representatives.
20 Additional committee members shall include the commissioner
21 of the department of public safety or the commissioner's
22 designee, a district court judge appointed by the supreme
23 court, two representatives from the Iowa sheriffs and deputies
24 association, and one representative from each of the following:
25 the Iowa county attorneys association, the Iowa police chiefs
26 association, the Iowa state police association, the Iowa peace
27 officers association, the Iowa fraternal order of police,
28 the Iowa professional fire fighters, the Iowa state troopers
29 association, and the Iowa state patrol supervisors association.
30 The Iowa sheriffs and deputies association members shall
31 include an officer in a supervisory position and an officer who
32 does not hold rank.

33 3. The committee shall elect a chairperson from the members
34 appointed.

35 4. The committee shall issue a report, including findings

1 and recommendations, to the governor and the general assembly
2 no later than December 16, 2021.

3 5. For the purposes of this section, "Brady-Giglio list"
4 means a list of officers maintained by the county attorney's
5 office, including officers who may not have disclosed all
6 impeachment information and officers who may have violated the
7 pretrial discovery rule requiring officers to turn over all
8 evidence that might be used to exonerate a defendant.

9 DIVISION VI

10 PEACE OFFICERS — HEALTH PLAN

11 Sec. 22. NEW SECTION. 80.6A Peace officers — health
12 insurance.

13 1. *a.* Notwithstanding any provision to the contrary, peace
14 officers employed within the department that are not covered
15 under a collective bargaining agreement who were at any time
16 eligible to be enrolled in the group health insurance plan
17 that is negotiated under chapter 20 between the state and the
18 state police officers council labor union and who elect to
19 participate in a group health insurance plan provided by the
20 state, shall only be permitted to participate in the group
21 health insurance plan that is negotiated under chapter 20
22 between the state and the state police officers council labor
23 union for peace officers subject to the requirements of this
24 subsection. In addition, a peace officer who was covered under
25 a collective bargaining agreement and who becomes a manager
26 or supervisor and is no longer covered by the agreement shall
27 not lose group health insurance benefits as provided by the
28 agreement.

29 *b.* Notwithstanding any provision to the contrary, beginning
30 January 1, 2021, a peace officer or surviving spouse who is
31 participating in a group health insurance plan shall have the
32 option, upon retirement or approval for death benefits for an
33 eligible surviving spouse, to participate in the group health
34 insurance plan that is negotiated under chapter 20 between
35 the state and the state police officers council labor union

1 pursuant to section 509A.13 subject to the requirements of this
2 section.

3 2. The department shall be authorized to retain any savings
4 to the department for peace officers participating in the group
5 health insurance plan pursuant to subsection 1 from moneys
6 appropriated to the department.

7 Sec. 23. NEW SECTION. **456A.13A Full-time officers — health**
8 **insurance.**

9 1. *a.* Notwithstanding any provision to the contrary,
10 full-time officers as defined in section 456A.13 that are not
11 covered under a collective bargaining agreement who were at
12 any time eligible to be enrolled in the group health insurance
13 plan that is negotiated under chapter 20 between the state
14 and the state police officers council labor union and who
15 elect to participate in a group health insurance plan provided
16 by the state, shall only be permitted to participate in the
17 group health insurance plan that is negotiated under chapter
18 20 between the state and the state police officers council
19 labor union for full-time officers subject to the requirements
20 of this subsection. In addition, a full-time officer who
21 was covered under a collective bargaining agreement and who
22 becomes a manager or supervisor and is no longer covered by
23 the agreement shall not lose group health insurance benefits
24 as provided by the agreement.

25 *b.* Notwithstanding any provision to the contrary, a
26 full-time officer participating in the group health insurance
27 plan pursuant to paragraph "a" shall have the option, upon
28 retirement, to continue participation in the group health
29 insurance plan pursuant to section 509A.13 subject to the
30 requirements of this section. However, a full-time officer who
31 was not covered under a collective bargaining agreement and not
32 participating in the group health insurance plan as provided by
33 this section at the time of retirement shall not be allowed to
34 participate in the group health insurance plan negotiated under
35 chapter 20 between the state and the state police officers

1 council upon retirement.

2 2. The department shall calculate the savings to the
3 department for full-time officers employed in the law
4 enforcement bureau of the department who are participating in
5 the group health insurance plan pursuant to subsection 1. The
6 department shall transfer to the state fish and game protection
7 fund created in section 456A.17 from moneys appropriated to the
8 department an amount equal to the savings calculated by the
9 department. In addition, the department shall be authorized
10 to retain any savings to the department for full-time officers
11 who are not employed in the law enforcement bureau of the
12 department participating in the group health insurance plan
13 pursuant to subsection 1 from moneys appropriated to the
14 department.

15 Sec. 24. GROUP HEALTH INSURANCE PLAN REPORTING — STATE
16 POLICE OFFICERS COUNCIL. Prior to July 1 of each calendar
17 year, if group health insurance is offered to employees who
18 are not covered by a collective bargaining agreement, the
19 provider of the group health insurance plan negotiated under
20 chapter 20 between the state and the state police officers
21 council labor union shall submit a report to the state police
22 officers council and the departments of public safety and
23 natural resources necessary for purposes of complying with
24 the requirements of sections 80.6A and 456A.13A. The report
25 shall include usage statistics that separately account for
26 employees in the group health insurance plan covered by a
27 collective bargaining agreement negotiated by the state police
28 officers council and those employees that are not covered
29 by a collective bargaining agreement and shall include any
30 information that led to any premium rate increase or decrease
31 for the following calendar year.

32 Sec. 25. EFFECTIVE DATE. This division of this Act, being
33 deemed of immediate importance, takes effect upon enactment.

34 Sec. 26. RETROACTIVE APPLICABILITY. The following applies
35 retroactively to January 1, 2021:

1 The portion of the section of this division of this Act
2 enacting section 80.6A, subsection 1, paragraph "b".

3 DIVISION VII

4 WORKERS' COMPENSATION DISABILITY MEDICAL BENEFITS

5 Sec. 27. Section 97A.6, subsection 11, Code 2021, is amended
6 to read as follows:

7 11. *Pensions offset by compensation benefits.*

8 a. Any amounts which may be paid or payable by the state
9 under the provisions of any workers' compensation or similar
10 law to a member or to the dependents of a member on account of
11 any disability or death, shall be offset against and payable
12 in lieu of any benefits payable out of the retirement fund
13 provided by the state under the provisions of this chapter on
14 account of the same disability or death. In case the present
15 value of the total commuted benefits under said workers'
16 compensation or similar law is less than the present value
17 of the benefits otherwise payable from the retirement fund
18 provided by the state under this chapter, then the present
19 value of the commuted payments shall be deducted from the
20 pension payable and such benefits as may be provided by the
21 system so reduced shall be payable under the provisions of this
22 chapter.

23 b. Notwithstanding paragraph "a", any workers' compensation
24 benefits received by a member for past medical expenses or
25 future medical expenses shall not be offset against and not
26 considered payable in lieu of any retirement allowance payable
27 pursuant to this section on account of the same disability.

28 c. Notwithstanding paragraph "a", any workers' compensation
29 benefits received by a member for reimbursement of vacation
30 time used, sick time used, or for any unpaid time off from work
31 shall not be offset against and not considered payable in lieu
32 of any retirement allowance payable pursuant to this section on
33 account of the same disability.

34 Sec. 28. Section 97B.50A, subsection 5, Code 2021, is
35 amended to read as follows:

1 5. *Offset to allowance.*

2 a. Notwithstanding any provisions to the contrary in state
3 law, or any applicable contract or policy, any amounts which
4 may be paid or payable by the employer under any workers'
5 compensation, unemployment compensation, employer-paid
6 disability plan, program, or policy, or other law to a member,
7 and any disability payments the member receives pursuant to
8 the federal Social Security Act, 42 U.S.C. §423 et seq.,
9 shall be offset against and payable in lieu of any retirement
10 allowance payable pursuant to this section on account of the
11 same disability.

12 b. Notwithstanding paragraph "a", any workers' compensation
13 benefits received by a member for past medical expenses or
14 future medical expenses shall not be offset against and not
15 considered payable in lieu of any retirement allowance payable
16 pursuant to this section on account of the same disability.

17 c. Notwithstanding paragraph "a", any workers' compensation
18 benefits received by a member for reimbursement of vacation
19 time used, sick time used, or for any unpaid time off from work
20 shall not be offset against and not considered payable in lieu
21 of any retirement allowance payable pursuant to this section on
22 account of the same disability.

23 Sec. 29. Section 97B.50A, Code 2021, is amended by adding
24 the following new subsection:

25 NEW SUBSECTION. 8A. *Medical benefits.* An employer shall
26 furnish reasonable surgical, medical, dental, osteopathic,
27 chiropractic, podiatric, physical rehabilitation, nursing,
28 ambulance, and hospital services and supplies for a member who
29 is injured in the performance of the member's duties and is
30 receiving an in-service disability retirement allowance under
31 subsection 2 or has waived an in-service disability retirement
32 allowance under subsection 4, regardless of when the injury
33 occurred or when the member's in-service disability allowance
34 commenced.

35

DIVISION VIII

1 ENFORCEMENT OF LAWS — PEACE OFFICERS CARRYING FIREARMS

2 Sec. 30. NEW SECTION. 27B.1 Definitions.

3 1. "*Local entity*" means the governing body of a city or
4 county. "*Local entity*" includes an officer or employee of a
5 local entity or a division, department, or other body that is
6 part of a local entity, including but not limited to a sheriff,
7 police department, city attorney, or county attorney.

8 2. "*Policy*" includes a rule, procedure, regulation, order,
9 ordinance, motion, resolution, or amendment, whether formal and
10 written or informal and unwritten.

11 Sec. 31. NEW SECTION. 27B.2 Restriction on enforcement of
12 state, local, and municipal law prohibited.

13 A local entity or law enforcement department shall not
14 adopt or enforce a policy or take any other action under which
15 the local entity or law enforcement department prohibits or
16 discourages the enforcement of state, local, or municipal laws.

17 Sec. 32. NEW SECTION. 27B.3 Discrimination prohibited.

18 A local entity or a person employed by or otherwise under the
19 direction or control of a local entity shall not consider race,
20 skin color, language spoken, or national origin while enforcing
21 state, local, and municipal laws except to the extent permitted
22 by the Constitution of the United States or the Constitution of
23 the State of Iowa.

24 Sec. 33. NEW SECTION. 27B.4 Complaints — notification —
25 civil action.

26 1. Any person may file a complaint with the attorney general
27 alleging that a local entity has violated or is violating
28 this chapter if the person offers evidence to support such an
29 allegation. The person shall include with the complaint any
30 evidence the person has in support of the complaint.

31 2. A local entity for which the attorney general has
32 received a complaint pursuant to this section shall comply
33 with any document requests, including a request for supporting
34 documents, from the attorney general relating to the complaint.

35 3. A complaint filed pursuant to subsection 1 shall not be

1 valid unless the attorney general determines that a violation
2 of this chapter by a local entity was intentional.

3 4. If the attorney general determines that a complaint filed
4 pursuant to this section against a local entity is valid, the
5 attorney general, not later than ten days after the date of
6 such a determination, shall provide written notification to the
7 local entity by certified mail, with return receipt requested,
8 stating all of the following:

9 a. A complaint pursuant to this section has been filed and
10 the grounds for the complaint.

11 b. The attorney general has determined that the complaint is
12 valid.

13 c. The attorney general is authorized to file a civil
14 action in district court pursuant to subsection 6 to enjoin a
15 violation of this chapter no later than forty days after the
16 date on which the notification is received if the local entity
17 does not come into compliance with the requirements of this
18 chapter.

19 d. The local entity and any entity that is under the
20 jurisdiction of the local entity will be denied state funds
21 pursuant to section 27B.5 for the state fiscal year following
22 the year in which a final judicial determination in a civil
23 action brought under this section is made.

24 5. No later than thirty days after the date on which a local
25 entity receives written notification under subsection 4, the
26 local entity shall provide the attorney general with all of the
27 following:

28 a. Copies of all of the local entity's written policies
29 relating to the complaint.

30 b. A description of all actions the local entity has taken
31 or will take to correct any violations of this chapter.

32 c. If applicable, any evidence that would refute the
33 allegations made in the complaint.

34 6. No later than forty days after the date on which the
35 notification pursuant to subsection 4 is received, the attorney

1 general shall file a civil action in district court to enjoin
2 any ongoing violation of this chapter by a local entity.

3 Sec. 34. NEW SECTION. **27B.5 Denial of state funds.**

4 1. Notwithstanding any other provision of law to the
5 contrary, a local entity, including any entity under the
6 jurisdiction of the local entity, shall be ineligible to
7 receive any state funds if the local entity intentionally
8 violates this chapter.

9 2. State funds shall be denied to a local entity pursuant
10 to subsection 1 by all state agencies for each state fiscal
11 year that begins after the date on which a final judicial
12 determination that the local entity has intentionally violated
13 this chapter is made in a civil action brought pursuant to
14 section 27B.4, subsection 6. State funds shall continue
15 to be denied until eligibility to receive state funds is
16 reinstated under section 27B.6. However, any state funds for
17 the provision of wearable body protective gear used for law
18 enforcement purposes shall not be denied under this section.

19 3. The department of management shall adopt rules pursuant
20 to chapter 17A to implement this section and section 27B.6
21 uniformly across state agencies from which state funds are
22 distributed to local entities.

23 Sec. 35. NEW SECTION. **27B.6 Reinstatement of eligibility**
24 **to receive state funds.**

25 1. Except as provided by subsection 5, no earlier than
26 ninety days after the date of a final judicial determination
27 that a local entity has intentionally violated the provisions
28 of this chapter, the local entity may petition the district
29 court that heard the civil action brought pursuant to section
30 27B.4, subsection 6, to seek a declaratory judgment that the
31 local entity is in full compliance with this chapter.

32 2. A local entity that petitions the court as described by
33 subsection 1 shall comply with any document requests, including
34 a request for supporting documents, from the attorney general
35 relating to the action.

1 3. If the court issues a declaratory judgment declaring that
2 the local entity is in full compliance with this chapter, the
3 local entity's eligibility to receive state funds is reinstated
4 beginning on the first day of the month following the date on
5 which the declaratory judgment is issued.

6 4. A local entity shall not petition the court as described
7 in subsection 1 more than twice in one twelve-month period.

8 5. A local entity may petition the court as described in
9 subsection 1 before the date provided in subsection 1 if the
10 person who was the director or other chief officer of the
11 local entity at the time of the violation of this chapter is
12 subsequently removed from or otherwise leaves office.

13 6. A party shall not be entitled to recover any attorney
14 fees in a civil action described by subsection 1.

15 Sec. 36. NEW SECTION. **27B.7 Attorney general database.**

16 The attorney general shall develop and maintain a searchable
17 database listing each local entity for which a final judicial
18 determination described in section 27B.5, subsection 2, has
19 been made. The attorney general shall post the database on the
20 attorney general's internet site.

21 Sec. 37. NEW SECTION. **724.4D Authority to carry firearm**
22 **— peace officers.**

23 A peace officer shall not be prohibited from carrying a
24 firearm while engaged in the performance of official duties.

25 Sec. 38. **EFFECTIVE DATE.** This division of this Act, being
26 deemed of immediate importance, takes effect upon enactment.

27 **DIVISION IX**

28 **ASSAULTS INVOLVING LASERS — ASSAULT — HARASSMENT**

29 Sec. 39. Section 708.1, subsection 2, Code 2021, is amended
30 by adding the following new paragraph:

31 NEW PARAGRAPH. *d.* (1) Intentionally points a laser
32 emitting a visible light beam at another person with the intent
33 to cause pain or injury to another. For purposes of this
34 paragraph, "laser" means a device that emits a visible light
35 beam amplified by the stimulated emission of radiation and any

1 light which simulates the appearance of a laser.

2 (2) This paragraph does not apply to any of the following:

3 (a) A law enforcement officer who uses a laser in
4 discharging or attempting to discharge the officer's official
5 duties.

6 (b) A health care professional who uses a laser in providing
7 services within the scope of practice of that professional or
8 any other person who is licensed or authorized by law to use a
9 laser or who uses a laser in the performance of the person's
10 official duties.

11 (c) A person who uses a laser to play laser tag, paintball,
12 and other similar games using light-emitting diode technology.

13 Sec. 40. Section 708.3A, subsections 1, 2, 3, and 4, Code
14 2021, are amended to read as follows:

15 1. A person who commits an assault, as defined in section
16 708.1, against a peace officer, jailer, correctional staff,
17 member or employee of the board of parole, health care
18 provider, employee of the department of human services,
19 employee of the department of revenue, civilian employee of a
20 law enforcement agency, civilian employee of a fire department,
21 or fire fighter, whether paid or volunteer, with the knowledge
22 that the person against whom the assault is committed is a
23 peace officer, jailer, correctional staff, member or employee
24 of the board of parole, health care provider, employee of
25 the department of human services, employee of the department
26 of revenue, civilian employee of a law enforcement agency,
27 civilian employee of a fire department, or fire fighter and
28 with the intent to inflict a serious injury upon the peace
29 officer, jailer, correctional staff, member or employee of
30 the board of parole, health care provider, employee of the
31 department of human services, employee of the department
32 of revenue, civilian employee of a law enforcement agency,
33 civilian employee of a fire department, or fire fighter, is
34 guilty of a class "D" felony.

35 2. A person who commits an assault, as defined in section

1 708.1, against a peace officer, jailer, correctional staff,
2 member or employee of the board of parole, health care
3 provider, employee of the department of human services,
4 employee of the department of revenue, civilian employee of a
5 law enforcement agency, civilian employee of a fire department,
6 or fire fighter, whether paid or volunteer, who knows that
7 the person against whom the assault is committed is a peace
8 officer, jailer, correctional staff, member or employee of
9 the board of parole, health care provider, employee of the
10 department of human services, employee of the department
11 of revenue, civilian employee of a law enforcement agency,
12 civilian employee of a fire department, or fire fighter and
13 who uses or displays a dangerous weapon in connection with the
14 assault, is guilty of a class "D" felony.

15 3. A person who commits an assault, as defined in section
16 708.1, against a peace officer, jailer, correctional staff,
17 member or employee of the board of parole, health care
18 provider, employee of the department of human services,
19 employee of the department of revenue, civilian employee of a
20 law enforcement agency, civilian employee of a fire department,
21 or fire fighter, whether paid or volunteer, who knows that
22 the person against whom the assault is committed is a peace
23 officer, jailer, correctional staff, member or employee of
24 the board of parole, health care provider, employee of the
25 department of human services, employee of the department
26 of revenue, civilian employee of a law enforcement agency,
27 civilian employee of a fire department, or fire fighter, and
28 who causes bodily injury or mental illness, is guilty of an
29 aggravated misdemeanor.

30 4. Any other assault, as defined in section 708.1, committed
31 against a peace officer, jailer, correctional staff, member
32 or employee of the board of parole, health care provider,
33 employee of the department of human services, employee of the
34 department of revenue, civilian employee of a law enforcement
35 agency, civilian employee of a fire department, or fire

1 fighter, whether paid or volunteer, by a person who knows
2 that the person against whom the assault is committed is a
3 peace officer, jailer, correctional staff, member or employee
4 of the board of parole, health care provider, employee of
5 the department of human services, employee of the department
6 of revenue, civilian employee of a law enforcement agency,
7 civilian employee of a fire department, or fire fighter, is a
8 serious misdemeanor.

9 Sec. 41. Section 708.7, subsection 2, paragraph a, Code
10 2021, is amended by adding the following new subparagraph:

11 NEW SUBPARAGRAPH. (4) Harassment that occurs against
12 another person who is lawfully in a place of public
13 accommodation as defined in section 216.2.

14 Sec. 42. Section 716.4, subsection 1, Code 2021, is amended
15 to read as follows:

16 1. Criminal mischief is criminal mischief in the second
17 degree if ~~the~~ any of the following apply:

18 a. The cost of replacing, repairing, or restoring the
19 property that is damaged, defaced, altered, or destroyed
20 exceeds one thousand five hundred dollars but does not exceed
21 ten thousand dollars.

22 b. The acts damaged, defaced, altered, or destroyed any
23 publicly owned property, including a monument or statue. In
24 addition to any sentence imposed for a violation of this
25 paragraph, the court shall include an order of restitution
26 for any property damage or loss incurred as a result of the
27 offense.

28 Sec. 43. EFFECTIVE DATE. This division of this Act, being
29 deemed of immediate importance, takes effect upon enactment.

30 DIVISION X

31 PUBLIC DISORDER

32 Sec. 44. Section 723.1, Code 2021, is amended to read as
33 follows:

34 **723.1 Riot.**

35 A riot is three or more persons assembled together in a

1 violent and disturbing manner, ~~to the disturbance of others,~~
2 and with any use of unlawful force or violence by them or any
3 of them against another person, or causing property damage.
4 A person who willingly joins in or remains a part of a riot,
5 knowing or having reasonable grounds to believe that it is
6 such, commits ~~an aggravated misdemeanor~~ a class "D" felony.

7 Sec. 45. Section 723.2, Code 2021, is amended to read as
8 follows:

9 **723.2 Unlawful assembly.**

10 An unlawful assembly is three or more persons assembled
11 together, with them or any of them acting in a violent manner,
12 and with intent that they or any of them will commit a public
13 offense. A person who willingly joins in or remains a part
14 of an unlawful assembly, or who joined a lawful assembly but
15 willingly remains after the assembly becomes unlawful, knowing
16 or having reasonable grounds to believe that it is such,
17 commits ~~a simple~~ an aggravated misdemeanor.

18 Sec. 46. Section 723.4, Code 2021, is amended by striking
19 the section and inserting in lieu thereof the following:

20 **723.4 Disorderly conduct.**

21 1. A person commits a simple misdemeanor when the person
22 does any of the following:

23 a. Engages in fighting or violent behavior in any public
24 place or in or near any lawful assembly of persons, provided,
25 that participants in athletic contests may engage in such
26 conduct which is reasonably related to that sport.

27 b. Makes loud and raucous noise in the vicinity of any
28 residence or public building which intentionally or recklessly
29 causes unreasonable distress to the occupants thereof.

30 c. Directs abusive epithets or makes any threatening gesture
31 which the person knows or reasonably should know is likely to
32 provoke a violent reaction by another.

33 d. Without lawful authority or color of authority, the
34 person disturbs any lawful assembly or meeting of persons by
35 conduct intended to disrupt the meeting or assembly.

1 e. By words or action, initiates or circulates a report or
2 warning of fire, epidemic, or other catastrophe, knowing such
3 report to be false or such warning to be baseless.

4 f. (1) Knowingly and publicly uses the flag of the United
5 States in such a manner as to show disrespect for the flag as
6 a symbol of the United States, with the intent or reasonable
7 expectation that such use will provoke or encourage another to
8 commit trespass or assault.

9 (2) As used in this paragraph:

10 (a) "*Deface*" means to intentionally mar the external
11 appearance.

12 (b) "*Defile*" means to intentionally make physically unclean.

13 (c) "*Flag*" means a piece of woven cloth or other material
14 designed to be flown from a pole or mast.

15 (d) "*Mutilate*" means to intentionally cut up or alter so as
16 to make imperfect.

17 (e) "*Show disrespect*" means to deface, defile, mutilate, or
18 trample.

19 (f) "*Trample*" means to intentionally tread upon or
20 intentionally cause a machine, vehicle, or animal to tread
21 upon.

22 (3) This paragraph does not apply to a flag retirement
23 ceremony conducted pursuant to federal law.

24 2. A person commits a serious misdemeanor when the person,
25 without lawful authority or color of authority, obstructs any
26 street, sidewalk, highway, or other public way, with the intent
27 to prevent or hinder its lawful use by others.

28 3. A person commits an aggravated misdemeanor when the
29 person commits disorderly conduct as described in subsection 2
30 and does any of the following:

31 a. Obstructs or attempts to obstruct a fully
32 controlled-access facility on a highway, street, or road in
33 which the speed restriction is controlled by section 321.285,
34 subsection 3, or section 321.285, subsection 5.

35 b. Commits property damage.

1 c. Is present during an unlawful assembly as defined in
2 section 723.2.

3 4. A person commits a class "D" felony when the person
4 commits disorderly conduct as described in subsection 2 and
5 does any of the following:

6 a. Is present during a riot as defined in section 723.1.

7 b. Causes bodily injury.

8 5. A person commits a class "C" felony when the person
9 commits disorderly conduct as described in subsection 2 and the
10 person causes serious bodily injury or death.

11 Sec. 47. NEW SECTION. 723.6 Interference with public
12 disorder control.

13 Any person who possesses a tool, instrument, or device with
14 the intent to suppress or disrupt law enforcement from legally
15 deploying a device to control public disorder under this
16 chapter commits an aggravated misdemeanor.

17 Sec. 48. EFFECTIVE DATE. This division of this Act, being
18 deemed of immediate importance, takes effect upon enactment.

19

DIVISION XI

20 ELUDING LAW ENFORCEMENT — ACTS ON CERTAIN HIGHWAYS — CIVIL
21 LIABILITY

22 Sec. 49. Section 321.279, Code 2021, is amended to read as
23 follows:

24 321.279 Eluding or attempting to elude pursuing law
25 enforcement vehicle.

26 1. a. The driver of a motor vehicle commits a serious
27 misdemeanor if the driver willfully fails to bring the motor
28 vehicle to a stop or otherwise eludes or attempts to elude a
29 marked or unmarked official law enforcement vehicle driven by a
30 ~~uniformed~~ peace officer after being given a visual and audible
31 signal to stop. The signal given by the peace officer shall
32 be by flashing red light, or by flashing red and blue lights,
33 and siren. For purposes of this section, "peace officer" means
34 those officers designated under section 801.4, subsection 11,
35 paragraphs "a", "b", "c", "f", "g", and "h".

1 *b.* The driver of a motor vehicle who commits a second or
2 subsequent violation under this subsection is, upon conviction,
3 guilty of an aggravated misdemeanor.

4 2. *a.* The driver of a motor vehicle commits an aggravated
5 misdemeanor if the driver willfully fails to bring the motor
6 vehicle to a stop or otherwise eludes or attempts to elude a
7 marked or unmarked official law enforcement vehicle that is
8 driven by a ~~uniformed~~ peace officer after being given a visual
9 and audible signal as provided in this section and in doing so
10 exceeds the speed limit by twenty-five miles per hour or more.

11 *b.* The driver of a motor vehicle who commits a violation
12 under this subsection and who has previously committed a
13 violation under this subsection or subsection 3 is, upon
14 conviction, guilty of a class "D" felony.

15 3. *a.* The driver of a motor vehicle commits a class "D"
16 felony if the driver willfully fails to bring the motor vehicle
17 to a stop or otherwise eludes or attempts to elude a marked or
18 unmarked official law enforcement vehicle that is driven by a
19 ~~uniformed~~ peace officer after being given a visual and audible
20 signal as provided in this section, and in doing so exceeds the
21 speed limit by twenty-five miles per hour or more, and if any
22 of the following occurs:

23 (1) The driver is participating in a public offense, as
24 defined in section 702.13, that is a felony.

25 (2) The driver is in violation of section 321J.2.

26 (3) The driver is in violation of section 124.401.

27 (4) The offense results in bodily injury to a person other
28 than the driver.

29 *b.* The driver of a motor vehicle who commits a second or
30 subsequent violation under this subsection is, upon conviction,
31 guilty of a class "C" felony.

32 Sec. 50. Section 321.366, subsection 1, Code 2021, is
33 amended by adding the following new paragraph:

34 NEW PARAGRAPH. *g.* Operate a bicycle, skateboard, or other
35 pedestrian conveyance or be a pedestrian anywhere on a fully

1 controlled-access facility. For purposes of this paragraph,
2 "*pedestrian conveyance*" means any human-powered device by which
3 a pedestrian may move other than by walking or by which a
4 walking person may move another pedestrian, including but not
5 limited to strollers and wheelchairs.

6 Sec. 51. NEW SECTION. 321.366A Immunity from civil
7 liability for certain vehicle operators.

8 1. The driver of a vehicle who is exercising due care and
9 who injures another person who is participating in a protest,
10 demonstration, riot, or unlawful assembly or who is engaging in
11 disorderly conduct and is blocking traffic in a public street
12 or highway shall be immune from civil liability for the injury
13 caused by the driver of the vehicle.

14 2. The driver of a vehicle who injures another person
15 who is participating in a protest, demonstration, riot, or
16 unlawful assembly or who is engaging in disorderly conduct and
17 is blocking traffic in a public street or highway shall not
18 be immune from civil liability if the actions leading to the
19 injury caused by the driver of a vehicle constitute reckless
20 or willful misconduct.

21 3. Subsection 1 shall not apply if the injured person
22 participating in a protest or demonstration was doing so with a
23 valid permit allowing persons to protest or demonstrate on the
24 public street or highway where the injury occurred.

25 Sec. 52. EFFECTIVE DATE. This division of this Act, being
26 deemed of immediate importance, takes effect upon enactment.

27 DIVISION XII

28 WINDOW TINTING

29 Sec. 53. Section 321.438, subsection 2, Code 2021, is
30 amended to read as follows:

31 2. A person shall not operate on the highway a motor
32 vehicle equipped with a front windshield, a side window to the
33 immediate right or left of the driver, or a ~~side-wing~~ sidewing
34 forward of and to the left or right of the driver which is
35 excessively dark or reflective so that it is difficult for a

1 person outside the motor vehicle to see into the motor vehicle
2 through the windshield, window, or sidewing.

3 a. The department shall adopt rules establishing a minimum
4 measurable standard of transparency which shall apply to
5 violations of this subsection.

6 b. This subsection does not apply to a person who operates
7 a motor vehicle owned or leased by a federal, state, or local
8 law enforcement agency if the operation is part of the person's
9 official duties.

10 DIVISION XIII

11 SHERIFF SALARIES

12 Sec. 54. Section 331.907, subsection 1, Code 2021, is
13 amended to read as follows:

14 1. The annual compensation of the auditor, treasurer,
15 recorder, sheriff, county attorney, and supervisors shall
16 be determined as provided in this section. The county
17 compensation board annually shall review the compensation
18 paid to comparable officers in other counties of this
19 state, other states, private enterprise, and the federal
20 government. In setting the salary of the county sheriff,
21 the county compensation board shall ~~consider setting~~ set the
22 sheriff's salary so that it is comparable to salaries paid
23 to professional law enforcement administrators and command
24 officers of the state patrol, the division of criminal
25 investigation of the department of public safety, and city
26 ~~police agencies in this state~~ chiefs employed by cities of
27 similar population to the population of the county. The county
28 compensation board shall prepare a compensation schedule for
29 the elective county officers for the succeeding fiscal year. A
30 recommended compensation schedule requires a majority vote of
31 the membership of the county compensation board.

32 DIVISION XIV

33 CIVIL SERVICE COMMISSION EXAMINATIONS

34 Sec. 55. Section 400.8, subsection 2, Code 2021, is amended
35 to read as follows:

1 2. The commission shall establish the guidelines for
2 conducting the examinations under subsection 1 of this section.
3 ~~It may prepare and administer the examinations or may~~ The
4 commission shall hire persons with expertise to do so if the
5 commission approves the examinations prepare and administer
6 the examinations approved by the commission. It may also
7 hire persons with expertise to consult in the preparation of
8 such examinations if the persons so hired are employed to aid
9 personnel of the commission in assuring that a fair examination
10 is conducted. A fair examination shall explore the competence
11 of the applicant in the particular field of examination.

12 Sec. 56. Section 400.9, subsection 2, Code 2021, is amended
13 to read as follows:

14 2. The commission shall establish guidelines for conducting
15 the examinations under subsection 1. ~~It may prepare and~~
16 ~~administer the examinations or may~~ The commission shall hire
17 persons with expertise to do so if the commission approves
18 the examinations and if the examinations apply to prepare and
19 administer the examinations approved by the commission for
20 the position in the city for which the applicant is taking
21 the examination. It may also hire persons with expertise to
22 consult in the preparation of such examinations if the persons
23 so hired are employed to aid personnel of the commission
24 in assuring that a fair examination is conducted. A fair
25 examination shall explore the competence of the applicant in
26 the particular field of examination. The names of persons
27 approved to administer any examination under this section shall
28 be posted in the city hall at least twenty-four hours prior to
29 the examination.>

30 2. Title page, by striking line 1 and inserting <An Act
31 relating to public records and communications in professional
32 confidence; uniform commercial code filings; qualified
33 immunity; peace officer health plans and workers' compensation;
34 certain law enforcement matters; criminal laws involving public
35 disorder, assaults, and harassment; civil liability for certain

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1 vehicle operators; window tinting; acts on certain highways;
2 and civil service commission examinations; providing penalties,
3 and including effective date and retroactive applicability
4 provisions.>>

By DAN DAWSON

[S-3208](#) FILED MAY 17, 2021

ADOPTED

SENATE FILE 595

S-3205

1 Amend Senate File 595 as follows:

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

4 <DIVISION I

5 FY 2021-2022 APPROPRIATIONS

6 Section 1. DEPARTMENT OF CULTURAL AFFAIRS.

7 1. There is appropriated from the general fund of the state
8 to the department of cultural affairs for the fiscal year
9 beginning July 1, 2021, and ending June 30, 2022, the following
10 amounts, or so much thereof as is necessary, to be used for the
11 purposes designated:

12 a. ADMINISTRATION

13 For salaries, support, maintenance, and miscellaneous
14 purposes, and for not more than the following full-time
15 equivalent positions for the department:

16	\$	168,637
17	FTEs	55.49

18 The department of cultural affairs shall coordinate
19 activities with the tourism office of the economic development
20 authority to promote attendance at the state historical
21 building and at the state's historic sites.

22 Full-time equivalent positions authorized under this
23 paragraph are funded, in full or in part, using moneys
24 appropriated under this paragraph and paragraphs "c" through
25 "g".

26 b. COMMUNITY CULTURAL GRANTS

27 For planning and programming for the community cultural
28 grants program established under section 303.3:

29	\$	172,090
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30 c. HISTORICAL DIVISION

31 For the support of the historical division:

32	\$	3,142,351
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33 d. HISTORIC SITES

34 For the administration and support of historic sites:

35	\$	426,398
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1 e. ARTS DIVISION

2 For the support of the arts division:

3 \$ 1,317,188

4 Of the moneys appropriated in this paragraph, the department
5 shall allocate \$300,000 for purposes of the film office.

6 f. IOWA GREAT PLACES

7 For the Iowa great places program established under section
8 303.3C:

9 \$ 150,000

10 g. CULTURAL TRUST GRANTS

11 For grant programs administered by the Iowa arts
12 council including those programs supporting the long-term
13 financial stability and sustainability of nonprofit cultural
14 organizations:

15 \$ 150,000

16 2. Notwithstanding section 8.33, moneys appropriated in
17 this section that remain unencumbered or unobligated at the
18 close of the fiscal year shall not revert but shall remain
19 available for expenditure for the purposes designated until the
20 close of the succeeding fiscal year.

21 Sec. 2. GOALS AND ACCOUNTABILITY — ECONOMIC DEVELOPMENT.

22 1. For the fiscal year beginning July 1, 2021, the goals
23 for the economic development authority shall be to expand and
24 stimulate the state economy, increase the wealth of Iowans, and
25 increase the population of the state.

26 2. To achieve the goals in subsection 1, the economic
27 development authority shall do all of the following for the
28 fiscal year beginning July 1, 2021:

29 a. Concentrate its efforts on programs and activities that
30 result in commercially viable products and services.

31 b. Adopt practices and services consistent with free
32 market, private sector philosophies.

33 c. Ensure economic growth and development throughout the
34 state.

35 d. Work with businesses and communities to continually

1 improve the economic development climate along with the
2 economic well-being and quality of life for Iowans.

3 e. Coordinate with other state agencies to ensure that they
4 are attentive to the needs of an entrepreneurial culture.

5 f. Establish a strong and aggressive marketing image to
6 showcase Iowa's workforce, existing industry, and potential.
7 A priority shall be placed on recruiting new businesses,
8 business expansion, and retaining existing Iowa businesses.
9 Emphasis shall be placed on entrepreneurial development through
10 helping entrepreneurs secure capital, and developing networks
11 and a business climate conducive to entrepreneurs and small
12 businesses.

13 g. Encourage the development of communities and quality of
14 life to foster economic growth.

15 h. Prepare communities for future growth and development
16 through development, expansion, and modernization of
17 infrastructure.

18 i. Develop public-private partnerships with Iowa businesses
19 in the tourism industry, Iowa tour groups, Iowa tourism
20 organizations, and political subdivisions in this state to
21 assist in the development of advertising efforts.

22 j. Develop, to the fullest extent possible, cooperative
23 efforts for advertising with contributions from other sources.

24 Sec. 3. ECONOMIC DEVELOPMENT AUTHORITY.

25 1. APPROPRIATION

26 a. There is appropriated from the general fund of the state
27 to the economic development authority for the fiscal year
28 beginning July 1, 2021, and ending June 30, 2022, the following
29 amount, or so much thereof as is necessary, to be used for the
30 purposes designated in this subsection, and for not more than
31 the following full-time equivalent positions:

32	\$ 13,268,553
33	FTEs 106.95

34 b. (1) For salaries, support, miscellaneous purposes,
35 programs, marketing, and the maintenance of an administration

1 division, a business development division, a community
2 development division, a small business development division,
3 and other divisions the authority may organize.

4 (2) The full-time equivalent positions authorized under
5 this section are funded, in whole or in part, by the moneys
6 appropriated under this subsection or by other moneys received
7 by the authority, including certain federal moneys.

8 (3) For business development operations and programs,
9 international trade, export assistance, workforce recruitment,
10 and the partner state program.

11 (4) For transfer to a fund created pursuant to section
12 15.313 for purposes of financing strategic infrastructure
13 projects.

14 (5) For community economic development programs, tourism
15 operations, community assistance, plans for Iowa green corps
16 and summer youth programs, the main street and rural main
17 street programs, the school-to-career program, the community
18 development block grant, and housing and shelter-related
19 programs.

20 (6) For achieving the goals and accountability, and
21 fulfilling the requirements and duties required under this Act.

22 c. Notwithstanding section 8.33, moneys appropriated in
23 this subsection that remain unencumbered or unobligated at the
24 close of the fiscal year shall not revert but shall remain
25 available for expenditure for the purposes designated in this
26 subsection until the close of the succeeding fiscal year.

27 2. FINANCIAL ASSISTANCE RESTRICTIONS

28 a. A business creating jobs through moneys appropriated in
29 subsection 1 shall be subject to contract provisions requiring
30 new and retained jobs to be filled by individuals who are
31 citizens of the United States who reside within the United
32 States, or any person authorized to work in the United States
33 pursuant to federal law, including legal resident aliens
34 residing in the United States.

35 b. Any vendor who receives moneys appropriated in

1 subsection 1 shall adhere to such contract provisions and
2 provide periodic assurances as the state shall require that the
3 jobs are filled solely by citizens of the United States who
4 reside within the United States, or any person authorized to
5 work in the United States, pursuant to federal law, including
6 legal resident aliens residing in the United States.

7 c. A business that receives financial assistance from
8 the authority from moneys appropriated in subsection 1 shall
9 only employ individuals legally authorized to work in this
10 state. In addition to all other applicable penalties provided
11 by current law, all or a portion of the assistance received
12 by a business which is found to knowingly employ individuals
13 not legally authorized to work in this state is subject to
14 recapture by the authority.

15 3. USES OF APPROPRIATIONS

16 a. From the moneys appropriated in subsection 1, the
17 authority may provide financial assistance in the form of a
18 grant to a community economic development entity for conducting
19 a local workforce recruitment effort designed to recruit former
20 citizens of the state and former students at colleges and
21 universities in the state to meet the needs of local employers.

22 b. From the moneys appropriated in subsection 1, the
23 authority may provide financial assistance to early stage
24 industry companies being established by women entrepreneurs.

25 c. From the moneys appropriated in subsection 1, the
26 authority may provide financial assistance in the form of
27 grants, loans, or forgivable loans for advanced research and
28 commercialization projects involving value-added agriculture,
29 advanced technology, or biotechnology.

30 d. The authority shall not use any moneys appropriated in
31 subsection 1 for purposes of providing financial assistance for
32 the Iowa green streets pilot project or for any other program
33 or project that involves the installation of geothermal systems
34 for melting snow and ice from streets or sidewalks.

35 4. WORLD FOOD PRIZE

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1 In lieu of the standing appropriation in section 15.368
2 there is appropriated from the general fund of the state to the
3 economic development authority for the fiscal year beginning
4 July 1, 2021, and ending June 30, 2022, the following amount
5 for the world food prize:

6 \$ 375,000

7 5. IOWA COMMISSION ON VOLUNTEER SERVICE

8 a. There is appropriated from the general fund of the state
9 to the economic development authority for the fiscal year
10 beginning July 1, 2021, and ending June 30, 2022, the following
11 amount for allocation to the Iowa commission on volunteer
12 service for purposes of the Iowa state commission grant
13 program, the Iowa's promise and Iowa mentoring partnership
14 programs, and for not more than the following full-time
15 equivalent positions:

16 \$ 168,201

17 FTEs 12.00

18 Of the moneys appropriated in this subsection, the
19 authority shall allocate \$75,000 for purposes of the Iowa state
20 commission grant program and \$93,201 for purposes of the Iowa's
21 promise and Iowa mentoring partnership programs.

22 b. Notwithstanding section 8.33, moneys appropriated in
23 this subsection that remain unencumbered or unobligated at the
24 close of the fiscal year shall not revert but shall remain
25 available for expenditure for the purposes designated until the
26 close of the succeeding fiscal year.

27 6. COUNCILS OF GOVERNMENTS — ASSISTANCE

28 There is appropriated from the general fund of the state
29 to the economic development authority for the fiscal year
30 beginning July 1, 2021, and ending June 30, 2022, the following
31 amount to be used for the purposes of providing financial
32 assistance to Iowa's councils of governments:

33 \$ 275,000

34 7. FUTURE READY IOWA REGISTERED APPRENTICESHIP DEVELOPMENT
35 PROGRAM

1 a. There is appropriated from the general fund of the state
2 to the economic development authority for the fiscal year
3 beginning July 1, 2021, and ending June 30, 2022, the following
4 amount to be used for the funding of the future ready Iowa
5 registered apprenticeship development program under chapter
6 15C, to encourage small to midsize businesses to start or grow
7 registered apprenticeships:

8 \$ 760,000

9 b. Notwithstanding section 8.33, moneys appropriated in
10 this subsection that remain unencumbered or unobligated at the
11 close of the fiscal year shall not revert but shall remain
12 available for expenditure for the purposes designated until the
13 close of the succeeding fiscal year.

14 8. REGIONAL SPORTS AUTHORITY DISTRICTS

15 a. There is appropriated from the general fund of the state
16 to the economic development authority for the fiscal year
17 beginning July 1, 2021, and ending June 30, 2022, the following
18 amount to be distributed equally to regional sports authority
19 districts certified by the authority pursuant to section
20 15E.321:

21 \$ 500,000

22 b. Notwithstanding section 8.33, moneys appropriated in
23 this subsection that remain unencumbered or unobligated at the
24 close of the fiscal year shall not revert but shall remain
25 available for expenditure for the purposes designated until the
26 close of the succeeding fiscal year.

27 9. SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS
28 INTERNSHIPS

29 a. There is appropriated from the Iowa skilled worker and
30 job creation fund created in section 8.75 to the Iowa economic
31 development authority for the fiscal year beginning July 1,
32 2021, and ending June 30, 2022, the following amount, or so
33 much thereof as is necessary, to be used for the purposes
34 designated:

35 For the funding of internships for students studying in the

1 fields of science, technology, engineering, and mathematics
2 with eligible Iowa employers as provided in section 15.411,
3 subsection 3, paragraph "c":

4 \$ 750,000

5 b. No more than 3 percent of the moneys appropriated in this
6 subsection may be used by the authority for costs associated
7 with administration of the internship program.

8 c. Notwithstanding section 8.33, moneys appropriated in
9 this subsection which remain unencumbered or unobligated at
10 the end of the fiscal year shall not revert but shall remain
11 available for expenditure for the purposes designated in
12 subsequent fiscal years.

13 10. FUTURE READY IOWA — VOLUNTEER MENTORING PROGRAM

14 a. There is appropriated from the Iowa skilled worker and
15 job creation fund created in section 8.75 to the economic
16 development authority for the fiscal year beginning July 1,
17 2021, and ending June 30, 2022, the following amount, or so
18 much thereof as is necessary, to be used for the purpose
19 designated:

20 For allocation to the Iowa commission on volunteer services
21 to be used for establishing a volunteer mentor program to
22 support implementation of the future ready Iowa skilled
23 workforce last-dollar scholarship program in section 261.131
24 and the future ready Iowa skilled workforce grant program
25 created in section 261.132, and for not more than the following
26 full-time equivalent positions:

27 \$ 400,000

28 FTEs 1.00

29 b. Notwithstanding section 8.33, moneys appropriated in
30 this subsection which remain unencumbered or unobligated at
31 the end of the fiscal year shall not revert but shall remain
32 available for expenditure for the purposes designated until the
33 close of the succeeding fiscal year.

34 11. STEM BEST AND EMPOWER RURAL IOWA

35 a. There is appropriated from the Iowa skilled worker and

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1 job creation fund created in section 8.75 to the economic
2 development authority for the fiscal year beginning July 1,
3 2021, and ending June 30, 2022, the following amount, or so
4 much thereof as is necessary, to be used for the purpose
5 designated:

6 STEM Best:

7 \$ 700,000

8 Empower Rural Iowa Program:

9 \$ 700,000

10 b. Notwithstanding section 8.33, moneys appropriated in
11 this subsection which remain unencumbered or unobligated at
12 the end of the fiscal year shall not revert but shall remain
13 available for expenditure for the purposes designated until the
14 close of the succeeding fiscal year.

15 c. The authority shall adopt rules pursuant to chapter
16 17A to establish criteria for the distribution of the moneys
17 appropriated in this subsection.

18 Sec. 4. LIMITATIONS OF STANDING APPROPRIATIONS — FY
19 2021-2022. Notwithstanding the standing appropriations
20 in the following designated sections for the fiscal year
21 beginning July 1, 2021, and ending June 30, 2022, the amounts
22 appropriated from the general fund of the state pursuant to
23 these sections for the following purposes shall not exceed the
24 following amounts:

25 1. For operational support grants and community cultural
26 grants under section 99F.11, subsection 3, paragraph "d",
27 subparagraph (1):

28 \$ 448,403

29 2. For the purposes of regional tourism marketing under
30 section 99F.11, subsection 3, paragraph "d", subparagraph (2):

31 \$ 1,186,406

32 Sec. 5. FINANCIAL ASSISTANCE REPORTING — ECONOMIC
33 DEVELOPMENT AUTHORITY. The economic development authority and
34 the department of revenue shall submit a joint annual report
35 to the general assembly no later than November 1, 2021, that

1 details the amount of every direct loan, forgivable loan,
2 tax credit, tax exemption, tax refund, grant, or any other
3 financial assistance awarded to a person during the prior
4 fiscal year by the authority under an economic development
5 program administered by the authority. The report shall
6 identify the county where the project associated with each such
7 award is located.

8 Sec. 6. INSURANCE ECONOMIC DEVELOPMENT. From the
9 moneys collected by the insurance division in excess of the
10 anticipated gross revenues under section 505.7, subsection
11 3, during the fiscal year beginning July 1, 2021, \$100,000
12 shall be transferred to the economic development authority for
13 insurance economic development and international insurance
14 economic development.

15 Sec. 7. IOWA FINANCE AUTHORITY.

16 1. There is appropriated from the general fund of the state
17 to the Iowa finance authority for the fiscal year beginning
18 July 1, 2021, and ending June 30, 2022, the following amount,
19 or so much thereof as is necessary, to be used to provide
20 reimbursement for rent expenses to eligible persons under
21 the home and community-based services rent subsidy program
22 established in section 16.55:

23 \$ 658,000

24 2. Of the moneys appropriated in this section, not more than
25 \$35,000 may be used for administrative costs.

26 3. Notwithstanding section 8.33, moneys appropriated in
27 this section that remain unencumbered or unobligated at the
28 close of the fiscal year shall not revert but shall remain
29 available for expenditure for the purposes designated until the
30 close of the succeeding fiscal year.

31 Sec. 8. IOWA FINANCE AUTHORITY AUDIT. The auditor of state
32 is requested to review the audit of the Iowa finance authority
33 performed by the auditor hired by the authority.

34 Sec. 9. PUBLIC EMPLOYMENT RELATIONS BOARD.

35 1. There is appropriated from the general fund of the state

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1 to the public employment relations board for the fiscal year
2 beginning July 1, 2021, and ending June 30, 2022, the following
3 amount, or so much thereof as is necessary, to be used for the
4 purposes designated:

5 For salaries, support, maintenance, and miscellaneous
6 purposes, and for not more than the following full-time
7 equivalent positions:

8	\$ 1,492,452
9	FTEs 11.00

10 2. Of the moneys appropriated in this section, the board
11 shall allocate \$15,000 for maintaining an internet site that
12 allows access to a searchable database of collective bargaining
13 information.

14 Sec. 10. DEPARTMENT OF WORKFORCE DEVELOPMENT. There
15 is appropriated from the general fund of the state to the
16 department of workforce development for the fiscal year
17 beginning July 1, 2021, and ending June 30, 2022, the following
18 amounts, or so much thereof as is necessary, to be used for the
19 purposes designated:

20 1. DIVISION OF LABOR SERVICES

21 a. For the division of labor services, including salaries,
22 support, maintenance, and miscellaneous purposes, and for not
23 more than the following full-time equivalent positions:

24	\$ 3,491,252
25	FTEs 58.00

26 b. From the contractor registration fees, the division of
27 labor services shall reimburse the department of inspections
28 and appeals for all costs associated with hearings under
29 chapter 91C, relating to contractor registration.

30 2. DIVISION OF WORKERS' COMPENSATION

31 a. For the division of workers' compensation, including
32 salaries, support, maintenance, and miscellaneous purposes, and
33 for not more than the following full-time equivalent positions:

34	\$ 3,321,044
35	FTEs 26.10

1 b. The division of workers' compensation shall charge a
2 \$100 filing fee for workers' compensation cases. The filing
3 fee shall be paid by the petitioner of a claim. However,
4 the fee can be taxed as a cost and paid by the losing party,
5 except in cases where it would impose an undue hardship or be
6 unjust under the circumstances. The moneys generated by the
7 filing fee allowed under this paragraph are appropriated to the
8 department of workforce development to be used for purposes of
9 administering the division of workers' compensation.

10 3. WORKFORCE DEVELOPMENT OPERATIONS

11 a. For the operation of field offices, the workforce
12 development board, and for not more than the following
13 full-time equivalent positions:

14	\$ 6,675,650
15	FTEs 189.18

16 b. Of the moneys appropriated in paragraph "a", the
17 department shall allocate \$150,000 to the state library for the
18 purpose of licensing an online resource which prepares persons
19 to succeed in the workplace through programs which improve job
20 skills and vocational test-taking abilities.

21 4. OFFENDER REENTRY PROGRAM

22 a. For the development and administration of an offender
23 reentry program to provide offenders with employment skills,
24 and for not more than the following full-time equivalent
25 positions:

26	\$ 387,158
27	FTEs 5.00

28 b. The department of workforce development shall partner
29 with the department of corrections to provide staff within
30 the correctional facilities resources to improve offenders'
31 abilities to find and retain productive employment.

32 5. INTEGRATED INFORMATION FOR IOWA SYSTEM

33 For the payment of services provided by the department of
34 administrative services related to the integrated information
35 for Iowa system:

1 \$ 228,822

2 6. SUMMER YOUTH INTERN PILOT PROGRAM

3 For the funding of a summer youth intern pilot program that
4 will help young people at risk of not graduating from high
5 school to explore and prepare for high-demand careers through
6 summer work experience, including the development of soft
7 skills:

8 \$ 250,000

9 7. NONREVERSION

10 Notwithstanding section 8.33, moneys appropriated in this
11 section that remain unencumbered or unobligated at the close of
12 the fiscal year shall not revert but shall remain available for
13 expenditure for the purposes designated until the close of the
14 succeeding fiscal year.

15 Sec. 11. GENERAL FUND — EMPLOYEE MISCLASSIFICATION
16 PROGRAM. There is appropriated from the general fund of the
17 state to the department of workforce development for the fiscal
18 year beginning July 1, 2021, and ending June 30, 2022, the
19 following amount, or so much thereof as is necessary, to be
20 used for the purposes designated:

21 For enhancing efforts to investigate employers that
22 misclassify workers and for not more than the following
23 full-time equivalent positions:

24 \$ 379,631

25 FTEs 5.15

26 Sec. 12. SPECIAL EMPLOYMENT SECURITY CONTINGENCY FUND.

27 1. There is appropriated from the special employment
28 security contingency fund to the department of workforce
29 development for the fiscal year beginning July 1, 2021, and
30 ending June 30, 2022, the following amount, or so much thereof
31 as is necessary, to be used for field offices:

32 \$ 2,416,084

33 2. Any remaining additional penalty and interest revenue
34 collected by the department of workforce development is
35 appropriated to the department for the fiscal year beginning

1 July 1, 2021, and ending June 30, 2022, to accomplish the
2 mission of the department.

3 Sec. 13. FUTURE READY IOWA — IOWA EMPLOYER INNOVATION FUND.

4 1. There is appropriated from the general fund of the state
5 to the department of workforce development for the fiscal year
6 beginning July 1, 2021, and ending June 30, 2022, the following
7 amount, or so much thereof as is necessary, to be used for the
8 purposes designated:

9 In consultation with the workforce development board, for
10 funding of the Iowa employer innovation program established
11 under section 84A.13 which shall match eligible employer moneys
12 to expand opportunities for education and training leading to
13 high-demand jobs and to encourage Iowa employers, community
14 leaders, and others to provide leadership and support for
15 regional workforce talent pools throughout the state, and for
16 future ready Iowa education and outreach:

17 \$ 4,200,000

18 Of the moneys appropriated in this subsection, an amount
19 to be determined by the department of workforce development
20 in consultation with the workforce development board shall be
21 transferred to the Iowa child care challenge fund.

22 2. Notwithstanding section 8.33, moneys appropriated in
23 this section which remain unencumbered or unobligated at the
24 end of the fiscal year shall not revert but shall remain
25 available for expenditure for the purposes designated until the
26 close of the succeeding fiscal year.

27 Sec. 14. UNEMPLOYMENT COMPENSATION RESERVE FUND —
28 FIELD OFFICES. Notwithstanding section 96.9, subsection 8,
29 paragraph "e", there is appropriated from interest earned on
30 the unemployment compensation reserve fund to the department
31 of workforce development for the fiscal year beginning July
32 1, 2021, and ending June 30, 2022, the following amount, or
33 so much thereof as is necessary, to be used for the purposes
34 designated:

35 For the operation of field offices:

1 \$ 2,200,000

2 Sec. 15. VIRTUAL ACCESS WORKFORCE DEVELOPMENT OFFICES. The
3 department of workforce development shall require a unique
4 identification login for all users of workforce development
5 centers operated through electronic means.

6 Sec. 16. UNEMPLOYMENT COMPENSATION PROGRAM. Notwithstanding
7 section 96.9, subsection 4, paragraph "a", moneys credited to
8 the state by the secretary of the treasury of the United
9 States pursuant to section 903 of the Social Security
10 Act are appropriated to the department of workforce
11 development and shall be used by the department for the
12 administration of the unemployment compensation program only.
13 This appropriation shall not apply to any fiscal year
14 beginning after December 31, 2021.

15 Sec. 17. IOWA SKILLED WORKER AND JOB CREATION FUND.

16 1. There is appropriated from the Iowa skilled worker and
17 job creation fund created in section 8.75 to the following
18 departments, agencies, and institutions for the fiscal year
19 beginning July 1, 2021, and ending June 30, 2022, the following
20 amounts, or so much thereof as is necessary, to be used for the
21 purposes designated:

22 a. ECONOMIC DEVELOPMENT AUTHORITY

23 (1) For the purposes of providing assistance as described in
24 section 15.335B for the high quality jobs program:

25 \$11,700,000

26 From the moneys appropriated in this subparagraph, the
27 economic development authority may use not more than \$1,000,000
28 for purposes of providing infrastructure grants to main street
29 communities under the main street Iowa program and may allocate
30 not more than \$300,000 for the purposes of supporting statewide
31 worker education and quality preapprenticeship programs.

32 (2) As a condition of receiving moneys appropriated in
33 this lettered paragraph "a", an entity shall testify upon the
34 request of the joint appropriations subcommittee on economic
35 development regarding the expenditure of such moneys.

1 b. STATE BOARD OF REGENTS AND REGENTS INSTITUTIONS

2 (1) STATE BOARD OF REGENTS. For capacity building
3 infrastructure in areas related to technology
4 commercialization, marketing and business development
5 efforts in areas related to technology commercialization,
6 entrepreneurship, and business growth, and infrastructure
7 projects and programs needed to assist in implementation of
8 activities under chapter 262B:

9 \$ 3,000,000

10 (a) Of the moneys appropriated pursuant to this
11 subparagraph (1), 35 percent shall be allocated for Iowa state
12 university of science and technology, 35 percent shall be
13 allocated for the state university of Iowa, and 30 percent
14 shall be allocated for the university of northern Iowa.

15 (b) The institutions shall provide a one-to-one match
16 of additional moneys for the activities funded with moneys
17 appropriated under this subparagraph (1).

18 (c) The state board of regents shall submit a report by
19 January 15, 2022, to the governor and the general assembly
20 regarding the activities, projects, and programs funded with
21 moneys appropriated under this subparagraph (1). The report
22 shall be provided in an electronic format and shall include a
23 list of metrics and criteria mutually agreed to in advance by
24 the board of regents and the economic development authority.
25 The metrics and criteria shall allow the governor's office and
26 the general assembly to quantify and evaluate the progress
27 of the board of regents institutions with regard to their
28 activities, projects, and programs in the areas of technology
29 commercialization, entrepreneurship, regional development, and
30 market research.

31 (2) IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY. For
32 small business development centers, the research park, and the
33 center for industrial research and service, and for not more
34 than the following full-time equivalent positions:

35 \$ 2,424,302

1 FTEs 50.95

2 (a) Of the moneys appropriated in this subparagraph (2),
3 Iowa state university of science and technology shall allocate
4 at least \$735,728 for purposes of funding small business
5 development centers. Iowa state university of science and
6 technology may allocate the appropriated moneys to the various
7 small business development centers in any manner necessary to
8 achieve the purposes of this subparagraph.

9 (b) Iowa state university of science and technology shall
10 do all of the following:

11 (i) Direct expenditures for research toward projects that
12 will provide economic stimulus for Iowa.

13 (ii) Provide emphasis to providing services to Iowa-based
14 companies.

15 (c) It is the intent of the general assembly that the
16 industrial incentive program focus on Iowa industrial sectors
17 and seek contributions and in-kind donations from businesses,
18 industrial foundations, and trade associations, and that moneys
19 for the center for industrial research and service industrial
20 incentive program shall be allocated only for projects which
21 are matched by private sector moneys for directed contract
22 research or for nondirected research. The match required of
23 small businesses as defined in section 15.102, subsection 10,
24 for directed contract research or for nondirected research
25 shall be \$1 for each \$3 of state funds. The match required
26 for other businesses for directed contract research or
27 for nondirected research shall be \$1 for each \$1 of state
28 funds. The match required of industrial foundations or trade
29 associations shall be \$1 for each \$1 of state funds.

30 (d) Iowa state university of science and technology shall
31 report annually to the general assembly the total amount of
32 private contributions, the proportion of contributions from
33 small businesses and other businesses, and the proportion for
34 directed contract research and nondirected research of benefit
35 to Iowa businesses and industrial sectors.

1 (3) STATE UNIVERSITY OF IOWA. For the state university of
2 Iowa research park and for university of Iowa pharmaceuticals
3 located at the research park, including salaries, support,
4 maintenance, equipment, and miscellaneous purposes, and for not
5 more than the following full-time equivalent positions:

6 \$ 209,279
7 FTEs 6.00

8 The state university of Iowa shall do all of the following:

9 (a) Direct expenditures for research toward projects that
10 will provide economic stimulus for Iowa.

11 (b) Provide emphasis to providing services to Iowa-based
12 companies.

13 (4) STATE UNIVERSITY OF IOWA. For the purpose of
14 implementing the entrepreneurship and economic growth
15 initiative, and for not more than the following full-time
16 equivalent positions:

17 \$ 2,000,000
18 FTEs 8.00

19 (5) UNIVERSITY OF NORTHERN IOWA. For the metal casting
20 center, the center for business growth and innovation, and the
21 institute for decision making, including salaries, support,
22 maintenance, and miscellaneous purposes, and for not more than
23 the following full-time equivalent positions:

24 \$ 1,066,419
25 FTEs 8.12

26 (a) Of the moneys appropriated in this subparagraph,
27 the university of northern Iowa shall allocate at least
28 \$617,638 for purposes of support of entrepreneurs through the
29 university's center for business growth and innovation and
30 advance Iowa program.

31 (b) The university of northern Iowa shall do all of the
32 following:

33 (i) Direct expenditures for research toward projects that
34 will provide economic stimulus for Iowa.

35 (ii) Provide emphasis to providing services to Iowa-based

1 companies.

2 (6) As a condition of receiving moneys appropriated in
3 this lettered paragraph "b", an entity shall testify upon the
4 request of the joint appropriations subcommittee on economic
5 development regarding the expenditure of such moneys.

6 c. DEPARTMENT OF WORKFORCE DEVELOPMENT

7 To develop a long-term sustained program to train unemployed
8 and underemployed central Iowans with skills necessary to
9 advance to higher-paying jobs with full benefits:

10 \$ 100,000

11 (1) The department of workforce development shall begin
12 a request for proposals process, issued for purposes of this
13 lettered paragraph "c", no later than September 1, 2021.

14 (2) As a condition of receiving moneys appropriated under
15 this lettered paragraph "c", an entity shall testify upon the
16 request of the joint appropriations subcommittee on economic
17 development regarding the expenditure of such moneys.

18 d. DEPARTMENT OF WORKFORCE DEVELOPMENT

19 For the funding of a future ready Iowa coordinator in the
20 department, and for not more than the following full-time
21 equivalent positions:

22 \$ 150,000

23 FTEs 1.00

24 2. Notwithstanding section 8.33, moneys appropriated in
25 this section that remain unencumbered or unobligated at the
26 close of the fiscal year shall not revert but shall remain
27 available for expenditure for the purposes designated until the
28 close of the succeeding fiscal year.

29 Sec. 18. GENERAL FUND — CERTAIN REGENTS INSTITUTIONS.

30 1. There is appropriated from the general fund of the state
31 to the following institutions for the fiscal year beginning
32 July 1, 2021, and ending June 30, 2022, the following amounts,
33 or so much thereof as is necessary, to be used for the purposes
34 designated:

35 a. IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY

S-3205 (Continued)

1 In cooperation with the Iowa economic development authority,
2 for support of a biosciences innovation ecosystem, to
3 strengthen Iowa's leadership positions in the area of bio-based
4 chemicals, digital agriculture, vaccines, and medical devices,
5 including salaries, support, maintenance, and miscellaneous
6 purposes, and for not more than the following full-time
7 equivalent positions:

8 \$ 2,623,481
9 FTEs 10.01

10 b. STATE UNIVERSITY OF IOWA

11 In cooperation with the Iowa economic development authority,
12 for support of a biosciences innovation ecosystem, to
13 strengthen Iowa's leadership positions in the area of bio-based
14 chemicals, digital agriculture, vaccines, and medical devices,
15 including salaries, support, maintenance, and miscellaneous
16 purposes:

17 \$ 874,494

18 c. UNIVERSITY OF NORTHERN IOWA

19 For equipment and technology to expand the university's
20 additive manufacturing capabilities related to investment
21 castings technology and industry support, including salaries,
22 support, maintenance, and miscellaneous purposes, and for not
23 more than the following full-time equivalent positions:

24 \$ 394,321
25 FTEs 2.73

26 The university of northern Iowa shall make a good-faith
27 effort to coordinate with private entities to seek moneys to
28 supplement this appropriation to support the expansion of the
29 university's additive manufacturing capabilities.

30 2. Notwithstanding section 8.33, moneys appropriated in
31 subsection 1, paragraphs "a" and "b", that remain unencumbered
32 or unobligated at the close of the fiscal year shall not revert
33 but shall remain available for expenditure for the purposes
34 designated until the close of the succeeding fiscal year.

35 DIVISION II

1 FY 2021-2022 CONTINGENT APPROPRIATIONS

2 Sec. 19. ECONOMIC DEVELOPMENT AUTHORITY.

3 1. There is appropriated from the Iowa skilled worker and
4 job creation fund created in section 8.75 to the economic
5 development authority for the fiscal year beginning July 1,
6 2021, and ending June 30, 2022, the following amount, or so
7 much thereof as is necessary, for the purpose designated:

8 For support of the butchery innovation and revitalization
9 program:

10 \$ 250,000

11 2. Notwithstanding section 8.33, moneys appropriated in
12 this section which remain unencumbered or unobligated at the
13 end of the fiscal year shall not revert but shall remain
14 available for expenditure for the purposes designated until the
15 close of the succeeding fiscal year.

16 Sec. 20. ECONOMIC DEVELOPMENT AUTHORITY.

17 1. There is appropriated from the general fund of the state
18 to the economic development authority for the fiscal year
19 beginning July 1, 2021, and ending June 30, 2022, the following
20 amount, or so much thereof as is necessary, for the purpose
21 designated:

22 For support of the butchery innovation and revitalization
23 program:

24 \$ 500,000

25 2. Notwithstanding section 8.33, moneys appropriated in
26 this section which remain unencumbered or unobligated at the
27 end of the fiscal year shall not revert but shall remain
28 available for expenditure for the purposes designated until the
29 close of the succeeding fiscal year.

30 Sec. 21. CONTINGENT EFFECTIVE DATE. The following takes
31 effect on the effective date of 2021 Iowa Acts, House File 857,
32 if enacted:

33 The sections of this division of this Act appropriating
34 moneys to the economic development authority for purposes of a
35 butchery innovation and revitalization program.

1 DIVISION III
2 FIBEROPTIC NETWORK CONDUIT INSTALLATION AND CERTIFICATION
3 PROGRAM

4 Sec. 22. Section 8B.25, subsection 2, Code 2021, is amended
5 to read as follows:

6 2. The office shall lead and coordinate a program to provide
7 for the installation of fiberoptic network conduit where such
8 conduit does not exist. The chief information officer shall
9 consult and coordinate with applicable agencies and entities,
10 including public utilities as defined in section 476.1, the
11 state department of transportation, the economic development
12 authority, county boards of supervisors, municipal governing
13 bodies, the farm-to-market review board, county conservation
14 boards, and the boards, commissions, or agencies in control
15 of state parks, as determined appropriate to ensure that the
16 opportunity is provided to lay or install fiberoptic network
17 conduit wherever a state-funded construction project involves
18 trenching, boring, a bridge, a roadway, or opening of the
19 ground, or alongside any state-owned infrastructure.

20 Sec. 23. NEW SECTION. 15E.167 Broadband forward and
21 telecommuter forward — certifications.

22 1. As used in this section, unless the context requires
23 otherwise:

24 a. "*Broadband*" means the same as defined in section 8B.1.

25 b. "*Broadband infrastructure*" means the same as defined in
26 section 8B.1.

27 c. "*Communications service provider*" means a service
28 provider that provides broadband service.

29 d. "*Political subdivision*" means a city, county, or
30 township.

31 2. The authority shall establish the following
32 certification programs:

33 a. Broadband forward certification, with the objective of
34 encouraging political subdivisions to further develop broadband
35 infrastructure and access to broadband.

1 *b.* Telecommuter forward certification, with the objective
2 of encouraging political subdivisions to further develop and
3 promote the availability of telecommuting.

4 3. To obtain broadband forward certification, a political
5 subdivision shall submit to the authority, on forms prescribed
6 by the authority by rule, an application indicating the
7 following:

8 *a.* The political subdivision's support and commitment to
9 promote the availability of broadband.

10 *b.* Existing or proposed ordinances encouraging the
11 further development of broadband infrastructure and access to
12 broadband.

13 *c.* Efforts to secure local funding for the further
14 development of broadband infrastructure and access to
15 broadband.

16 *d.* A single point of contact for all matters related to
17 broadband and broadband infrastructure.

18 4. A single point of contact designated in an application
19 submitted pursuant to subsection 3 shall be responsible for all
20 of the following:

21 *a.* Coordination and partnership with the authority,
22 communications service providers, realtors, economic
23 development professionals, employers, employees, and other
24 broadband stakeholders.

25 *b.* Collaboration with the authority, communication service
26 providers, and employers to identify, develop, and market
27 broadband packages available in the political subdivision.

28 *c.* Familiarity with broadband mapping tools and other
29 state-level resources.

30 *d.* Maintaining regular communication with the authority.

31 *e.* Providing to the political subdivision regular reports
32 regarding the availability of broadband in the political
33 subdivision.

34 5. A political subdivision that the authority has certified
35 as a broadband forward community under subsection 3 shall not

1 do any of the following:

2 *a.* Require an applicant to designate a final contractor to
3 complete a broadband infrastructure project.

4 *b.* Impose a fee to review an application or issue a permit
5 for a broadband infrastructure application in excess of one
6 hundred dollars.

7 *c.* Impose a moratorium of any kind on the approval
8 of applications and issuance of permits for broadband
9 infrastructure projects or on construction related to broadband
10 infrastructure.

11 *d.* Discriminate among communications service providers,
12 or public utilities with respect to any action described in
13 this section or otherwise related to broadband infrastructure,
14 including granting access to public rights-of-way,
15 infrastructure and poles, river and bridge crossings, or any
16 other physical assets owned or controlled by the political
17 subdivision.

18 *e.* As a condition for approving an application or issuing a
19 permit for a broadband infrastructure project or for any other
20 purpose, require the applicant to do any of the following:

21 (1) Provide any service or make available any part of the
22 broadband infrastructure to the political subdivision.

23 (2) Except for the fee allowed under paragraph "*b*" of this
24 subsection, make any payment to or on behalf of the political
25 subdivision.

26 6. To obtain telecommuter forward certification, a
27 political subdivision shall submit to the authority, on forms
28 prescribed by the authority by rule, an application indicating
29 the following:

30 *a.* The political subdivision's support and commitment to
31 promote the availability of telecommuting options.

32 *b.* Existing or proposed ordinances encouraging the further
33 development of telecommuting options.

34 *c.* Efforts to secure local funding for the further
35 development of telecommuting options.

1 *d.* A single point of contact for coordinating telecommuting
2 opportunities and options:

3 7. A single point of contact designated in an application
4 submitted pursuant to subsection 6 shall be responsible for all
5 of the following:

6 *a.* Coordination and partnership with the authority,
7 communications service providers, realtors, economic
8 development professionals, employers, employees, and other
9 telecommuting stakeholders.

10 *b.* Collaboration with the authority, communication service
11 providers, and employers to identify, develop, and market
12 telecommuter-capable broadband packages available in the
13 political subdivision.

14 *c.* Promotion of telecommuter-friendly workspaces, such
15 as business incubators with telecommuting spaces, if such a
16 workspace has been established in the political subdivision at
17 the time the political subdivision submits the application.

18 *d.* Familiarity with broadband mapping tools and other
19 state-level resources.

20 *e.* Maintaining regular communication with the authority.

21 *f.* Providing to the political subdivision regular reports
22 regarding the availability of telecommuting options in the
23 political subdivision.

24 8. The authority shall develop criteria for evaluating an
25 application for both forms of certification and the awarding
26 of certificates. The criteria shall take into account, at
27 a minimum, the applicant's individual circumstances and the
28 economic goals of the applicant. The authority shall consult
29 with local government entities and local economic development
30 officials when evaluating an application.

31 9. The authority shall adopt rules pursuant to chapter 17A
32 for the implementation of this section.

33 DIVISION IV

34 WORKFORCE DEVELOPMENT FUND ACCOUNT

35 Sec. 24. Section 15.342A, subsections 1 and 3, Code 2021,

1 are amended to read as follows:

2 1. A workforce development fund account is established in
3 the office of the treasurer of state under the control of the
4 authority. The account shall receive funds pursuant to section
5 422.16A ~~up to a maximum of six million dollars per year.~~

6 3. For the fiscal year beginning July 1, 2014, and for each
7 fiscal year thereafter, there is annually appropriated from the
8 workforce development fund account to the job training fund
9 created in section 260F.6 ~~three~~ four million seven hundred
10 fifty thousand dollars for the purposes of chapter 260F.

11 Sec. 25. Section 422.16A, Code 2021, is amended to read as
12 follows:

13 **422.16A Job training withholding — certification and**
14 **transfer.**

15 Upon the completion by a business of its repayment
16 obligation for a training project funded under chapter 260E,
17 including a job training project funded under section 15A.8
18 or repaid in whole or in part by the supplemental new jobs
19 credit from withholding under section 15A.7 or section 15E.197,
20 Code 2014, the sponsoring community college shall report to
21 the economic development authority the amount of withholding
22 paid by the business to the community college during the
23 final twelve months of withholding payments. The economic
24 development authority shall notify the department of revenue
25 of that amount. The department shall credit to the workforce
26 development fund account established in section 15.342A
27 twenty-five percent of that amount each quarter for a period
28 of ten years. If the amount of withholding from the business
29 or employer is insufficient, the department shall prorate the
30 quarterly amount credited to the workforce development fund
31 account. The maximum amount from all employers which shall be
32 transferred to the workforce development fund account in any
33 year is ~~six~~ seven million seven hundred fifty thousand dollars.

34 DIVISION V

35 ENERGY INFRASTRUCTURE REVOLVING LOAN PROGRAM

1 Sec. 26. Section 476.10A, subsection 2, Code 2021, is
2 amended to read as follows:

3 2. Notwithstanding section 8.33, any unexpended moneys
4 remitted to the treasurer of state under this section shall be
5 retained for the purposes designated. ~~Notwithstanding section~~
6 ~~12C.7, subsection 2, interest or earnings on investments or~~
7 ~~time deposits of the moneys remitted under this section shall~~
8 ~~be retained and used for the purposes designated, pursuant to~~
9 ~~section 476.46.~~

10 Sec. 27. Section 476.46, subsection 2, paragraph e,
11 subparagraph (3), Code 2021, is amended to read as follows:

12 (3) Interest on the fund shall be deposited in the fund.
13 ~~A portion of the interest on the fund, not to exceed fifty~~
14 ~~percent of the total interest accrued, shall be used for~~
15 ~~promotion and administration of the fund.~~

16 Sec. 28. Section 476.46, Code 2021, is amended by adding the
17 following new subsections:

18 NEW SUBSECTION. 3. The Iowa energy center shall not
19 initiate any new loans under this section after June 30, 2021.

20 NEW SUBSECTION. 4. Loan payments received under this
21 section on or after July 1, 2021, and any other moneys in the
22 fund on or after July 1, 2021, shall be deposited in the energy
23 infrastructure revolving loan fund created in section 476.46A.

24 Sec. 29. NEW SECTION. **476.46A Energy infrastructure**
25 **revolving loan program.**

26 1. *a.* An energy infrastructure revolving loan fund is
27 created in the office of the treasurer of state and shall be
28 administered by the Iowa energy center established in section
29 15.120.

30 *b.* The fund may be administered as a revolving fund and may
31 consist of any moneys appropriated by the general assembly for
32 purposes of this section and any other moneys that are lawfully
33 directed to the fund.

34 *c.* Moneys in the fund shall be used to provide financial
35 assistance for the development and construction of energy

1 infrastructure, including projects that support electric or gas
2 generation transmission, storage, or distribution; electric
3 grid modernization; energy-sector workforce development;
4 emergency preparedness for rural and underserved areas; the
5 expansion of biomass, biogas, and renewable natural gas;
6 innovative technologies; and the development of infrastructure
7 for alternative fuel vehicles.

8 *d.* Notwithstanding section 8.33, moneys appropriated in this
9 section that remain unencumbered or unobligated at the close of
10 the fiscal year shall not revert but shall remain available for
11 expenditure for the purposes designated until the close of the
12 succeeding fiscal year.

13 *e.* Notwithstanding section 12C.7, subsection 2, interest
14 or earnings on moneys in the fund shall be credited to the
15 fund. A percentage of the total interest credited to the fund,
16 not to exceed fifty percent, shall be used for promotion of
17 the energy infrastructure revolving loan program and for the
18 administration of the fund.

19 2. *a.* The Iowa energy center shall establish and administer
20 an energy infrastructure revolving loan program to encourage
21 the development of energy infrastructure within the state.

22 *b.* An individual, business, rural electric cooperative, or
23 municipal utility located and operating in this state shall be
24 eligible for financial assistance under the program. With the
25 approval of the Iowa energy center governing board established
26 under section 15.120, subsection 2, the economic development
27 authority shall determine the amount and the terms of all
28 financial assistance awarded to an individual, business, rural
29 electric cooperative, or municipal utility under the program.
30 All agreements and administrative authority shall be vested in
31 the Iowa energy center governing board.

32 *c.* The economic development authority may use not more than
33 five percent of the moneys in the fund at the beginning of each
34 fiscal year for purposes of administrative costs, marketing,
35 technical assistance, and other program support.

1 3. For the purposes of this section:

2 a. *“Energy infrastructure”* means land, buildings, physical
3 plant and equipment, and services directly related to the
4 development of projects used for, or useful for, electricity or
5 gas generation, transmission, storage, or distribution.

6 b. *“Financial assistance”* means the same as defined in
7 section 15.102.

8 Sec. 30. ALTERNATE ENERGY REVOLVING LOAN FUND — MONEYS
9 TRANSFERRED AND APPROPRIATED. Any unencumbered or unobligated
10 moneys remaining after June 30, 2021, in the alternate energy
11 revolving loan fund created pursuant to section 476.46, are
12 transferred and appropriated to the energy infrastructure
13 revolving loan fund created pursuant to section 476.46A, to be
14 used for purposes of the energy infrastructure revolving loan
15 program.

16 DIVISION VI

17 NATIONAL ELECTRICAL CODE

18 Sec. 31. 2020 EDITION OF THE NATIONAL ELECTRICAL
19 CODE. Amendments adopted by rule by the electrical examining
20 board pursuant to section 103.6, subsection 1, to the 2020
21 edition of the national electrical code issued and adopted by
22 the national fire protection association, which amendments
23 were effective as of May 1, 2021, shall not expire, and shall
24 remain in effect until, at minimum, the effective date of rules
25 adopted by the board adopting either of the following:

26 1. A subsequent edition of the national electrical code.

27 2. Subsequent amendments, issued and adopted by the
28 national fire protection association, to the 2020 edition of
29 the national electrical code.>

30 2. Title page, line 6, by striking <atters> and inserting
31 <atters, and including contingent effective date provisions>

By MARK LOFGREN

S-3203

1 Amend Senate File 598 as follows:

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

4 <DIVISION I

5 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

6 GENERAL FUND APPROPRIATIONS

7 Section 1. GENERAL FUND — DEPARTMENT.

8 1. There is appropriated from the general fund of the state
9 to the department of agriculture and land stewardship for the
10 fiscal year beginning July 1, 2021, and ending June 30, 2022,
11 the following amount, or so much thereof as is necessary, to be
12 used for the purposes designated:

13 For purposes of supporting the department, including its
14 divisions, for administration, regulation, and programs; for
15 salaries, support, maintenance, and miscellaneous purposes; and
16 for not more than the following full-time equivalent positions:
17 \$ 18,538,199
18 FTEs 395.00

19 2. Of the amount appropriated in subsection 1, the following
20 amount is transferred to Iowa state university of science and
21 technology, to be used for the university's midwest grape and
22 wine industry institute:

23 \$ 288,000

24 3. The department shall submit a report each quarter of the
25 fiscal year to the legislative services agency, the department
26 of management, the members of the joint appropriations
27 subcommittee on agriculture and natural resources, and the
28 chairpersons and ranking members of the senate and house
29 committees on appropriations. The report shall describe in
30 detail the expenditure of moneys appropriated in this section
31 to support the department's administration, regulation, and
32 programs.

33 DESIGNATED APPROPRIATIONS

34 MISCELLANEOUS FUNDS

35 Sec. 2. UNCLAIMED PARI-MUTUEL WAGERING WINNINGS —

1 HORSE AND DOG RACING. There is appropriated from the moneys
2 available under section 99D.13 to the department of agriculture
3 and land stewardship for the fiscal year beginning July 1,
4 2021, and ending June 30, 2022, the following amount, or so
5 much thereof as is necessary, to be used for the purposes
6 designated:

7 For purposes of supporting the department's administration
8 and enforcement of horse and dog racing law pursuant to section
9 99D.22, including for salaries, support, maintenance, and
10 miscellaneous purposes:

11 \$ 305,516

12 Sec. 3. RENEWABLE FUEL INFRASTRUCTURE FUND — MOTOR

13 FUEL INSPECTION. There is appropriated from the renewable
14 fuel infrastructure fund created in section 159A.16 to the
15 department of agriculture and land stewardship for the fiscal
16 year beginning July 1, 2021, and ending June 30, 2022, the
17 following amount, or so much thereof as is necessary, to be
18 used for the purposes designated:

19 For purposes of the inspection of motor fuel, including
20 salaries, support, maintenance, and miscellaneous purposes:

21 \$ 500,000

22 SPECIAL APPROPRIATIONS

23 GENERAL FUND

24 Sec. 4. DAIRY REGULATION.

25 1. There is appropriated from the general fund of the state
26 to the department of agriculture and land stewardship for the
27 fiscal year beginning July 1, 2021, and ending June 30, 2022,
28 the following amount, or so much thereof as is necessary, to be
29 used for the purposes designated:

30 For purposes of performing functions pursuant to section
31 192.109, including conducting a survey of grade "A" milk and
32 certifying the results to the secretary of agriculture:

33 \$ 189,196

34 2. Notwithstanding section 8.33, moneys appropriated in
35 this section that remain unencumbered or unobligated at the

1 close of the fiscal year shall not revert but shall remain
2 available to be used for the purposes designated until the
3 close of the succeeding fiscal year.

4 Sec. 5. LOCAL FOOD AND FARM PROGRAM.

5 1. There is appropriated from the general fund of the state
6 to the department of agriculture and land stewardship for the
7 fiscal year beginning July 1, 2021, and ending June 30, 2022,
8 the following amount, or so much thereof as is necessary, to be
9 used for the purposes designated:

10 For purposes of supporting the local food and farm program
11 pursuant to chapter 267A:

12 \$ 75,000

13 2. The department shall enter into a cost-sharing agreement
14 with Iowa state university of science and technology to support
15 the local food and farm program coordinator position as part of
16 the university's cooperative extension service in agriculture
17 and home economics pursuant to chapter 267A.

18 3. Notwithstanding section 8.33, moneys appropriated in
19 this section that remain unencumbered or unobligated at the
20 close of the fiscal year shall not revert but shall remain
21 available to be used for the purposes designated until the
22 close of the succeeding fiscal year.

23 Sec. 6. AGRICULTURAL EDUCATION.

24 1. There is appropriated from the general fund of the state
25 to the department of agriculture and land stewardship for the
26 fiscal year beginning July 1, 2021, and ending June 30, 2022,
27 the following amount, or so much thereof as is necessary, to be
28 used for the purposes designated:

29 For purposes of allocating moneys to an Iowa association
30 affiliated with a national organization which promotes
31 agricultural education providing for future farmers:

32 \$ 25,000

33 2. Notwithstanding section 8.33, moneys appropriated in
34 this section that remain unencumbered or unobligated at the
35 close of the fiscal year shall not revert but shall remain

1 available to be used for the purposes designated until the
2 close of the succeeding fiscal year.

3 Sec. 7. FOREIGN ANIMAL DISEASES AFFLICTING LIVESTOCK.

4 There is appropriated from the general fund of the state to the
5 department of agriculture and land stewardship for the fiscal
6 year beginning July 1, 2021, and ending June 30, 2022, the
7 following amount, or so much thereof as is necessary, to be
8 used for the purposes designated:

9 For deposit in the foreign animal disease preparedness and
10 response fund created in section 163.3B:

11 \$ 1,000,000

12 Sec. 8. FARMERS WITH DISABILITIES PROGRAM.

13 1. There is appropriated from the general fund of the state
14 to the department of agriculture and land stewardship for the
15 fiscal year beginning July 1, 2021, and ending June 30, 2022,
16 the following amount, or so much thereof as is necessary, to be
17 used for the purposes designated:

18 For purposes of supporting a program for farmers with
19 disabilities:

20 \$ 180,000

21 2. The moneys appropriated in subsection 1 shall be used for
22 the public purpose of providing a grant to a national nonprofit
23 organization with over 80 years of experience in assisting
24 children and adults with disabilities and special needs. The
25 moneys shall be used to support a nationally recognized program
26 that began in 1986 and has been replicated in at least 30 other
27 states, but which is not available through any other entity
28 in this state, and that provides assistance to farmers with
29 disabilities in all 99 counties to allow the farmers to remain
30 in their own homes and be gainfully engaged in farming through
31 provision of agricultural worksite and home modification
32 consultations, peer support services, services to families,
33 information and referral, and equipment loan services.

34 3. Notwithstanding section 8.33, moneys appropriated in
35 this section that remain unencumbered or unobligated at the

1 close of the fiscal year shall not revert but shall remain
2 available for expenditure for the purposes designated until the
3 close of the succeeding fiscal year.

4 Sec. 9. LOESS HILLS DEVELOPMENT AND CONSERVATION FUND —
5 HUNGRY CANYONS ACCOUNT.

6 1. There is appropriated from the general fund of the state
7 to the department of agriculture and land stewardship for the
8 fiscal year beginning July 1, 2021, and ending June 30, 2022,
9 the following amount, or so much thereof as is necessary, to be
10 used for the purposes designated:

11 For deposit in the hungry canyons account of the loess hills
12 development and conservation fund created pursuant to section
13 161D.2:

14 \$ 50,000

15 2. Not more than 10 percent of the moneys appropriated to
16 the hungry canyons account as provided in subsection 1 may be
17 used for administrative costs.

18 Sec. 10. GRAIN REGULATION. There is appropriated from the
19 general fund of the state to the department of agriculture
20 and land stewardship for the fiscal year beginning July 1,
21 2021, and ending June 30, 2022, the following amount, or so
22 much thereof as is necessary, to be used for the purposes
23 designated:

24 For the administration and enforcement of chapters 203
25 and 203C, including salaries, support, maintenance, and
26 miscellaneous purposes:

27 \$ 350,000

28 Sec. 11. VALUE ADDED AGRICULTURE GRANT PROGRAM. There
29 is appropriated from the general fund of the state to the
30 department of agriculture and land stewardship for the fiscal
31 year beginning July 1, 2021, and ending June 30, 2022, the
32 following amount, or so much thereof as is necessary, to be
33 used for the purposes designated:

34 For the administration and execution of a value added
35 agriculture grant program to identify, evaluate, and support

1 programs and services which add value to agriculture products,
2 enable new technology, and support marketing strategies:
3 \$ 500,000

4 DIVISION II
5 GENERAL FUND

6 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
7 WATER QUALITY INITIATIVE

8 Sec. 12. WATER QUALITY INITIATIVE — GENERAL.

9 1. There is appropriated from the general fund of the state
10 to the department of agriculture and land stewardship for the
11 fiscal year beginning July 1, 2021, and ending June 30, 2022,
12 the following amount, or so much thereof as is necessary, to be
13 used for the purposes designated:

14 For deposit in the water quality initiative fund created in
15 section 466B.45, for purposes of supporting the water quality
16 initiative administered by the division of soil conservation
17 and water quality as provided in section 466B.42, including
18 salaries, support, maintenance, and miscellaneous purposes:
19 \$ 3,000,000

20 2. a. The moneys appropriated in subsection 1 shall be
21 used to support projects in subwatersheds as designated by the
22 division that are part of high-priority watersheds identified
23 by the water resources coordinating council established
24 pursuant to section 466B.3.

25 b. The moneys appropriated in subsection 1 shall be used to
26 support projects in watersheds generally, including regional
27 watersheds, as designated by the division and high-priority
28 watersheds identified by the water resources coordinating
29 council established pursuant to section 466B.3.

30 3. In supporting projects in subwatersheds and watersheds
31 as provided in subsection 2, all of the following shall apply:

32 a. The demonstration projects shall utilize water quality
33 practices as described in the Iowa nutrient reduction strategy
34 as defined in section 455B.171.

35 b. The division shall implement demonstration projects as

1 provided in paragraph "a" by providing for participation by
2 persons who hold a legal interest in agricultural land used in
3 farming. To every extent practical, the division shall provide
4 for collaborative participation by such persons who hold a
5 legal interest in agricultural land located within the same
6 subwatershed.

7 c. The division shall implement a demonstration project on
8 a cost-share basis as determined by the division. However,
9 except for edge-of-field practices, the state's share of the
10 amount shall not exceed 50 percent of the estimated cost of
11 establishing the practice as determined by the division or
12 50 percent of the actual cost of establishing the practice,
13 whichever is less.

14 d. The demonstration projects shall be used to educate other
15 persons about the feasibility and value of establishing similar
16 water quality practices. The division shall promote field day
17 events for purposes of allowing interested persons to establish
18 water quality practices on their agricultural land.

19 e. The division shall conduct water quality evaluations
20 within supported subwatersheds. Within a reasonable period
21 after accumulating information from such evaluations, the
22 division shall create an aggregated database of water quality
23 practices. Any information identifying a person holding a
24 legal interest in agricultural land or specific agricultural
25 land shall be a confidential record under section 22.7.

26 4. The moneys appropriated in subsection 1 shall be used
27 to support education and outreach in a manner that encourages
28 persons who hold a legal interest in agricultural land used for
29 farming to implement water quality practices, including the
30 establishment of such practices in watersheds generally, and
31 not limited to subwatersheds or high-priority watersheds.

32 5. The moneys appropriated in subsection 1 may be used
33 to contract with persons to coordinate the implementation of
34 efforts provided in this section.

35 6. The moneys appropriated in subsection 1 may be used by

1 the department to support urban soil and water conservation
2 efforts, which may include but are not limited to management
3 practices related to bioretention, landscaping, the use of
4 permeable or pervious pavement, and soil quality restoration.
5 The moneys shall be allocated on a cost-share basis as provided
6 in chapter 161A.

7 7. Notwithstanding any other provision of law to the
8 contrary, the department may use moneys appropriated in
9 subsection 1 to carry out the provisions of this section on a
10 cost-share basis in combination with other moneys available to
11 the department from a state or federal source.

12 8. Not more than 10 percent of the moneys appropriated in
13 this section may be used to pay for the costs of administering
14 and implementing the water quality initiative by the
15 department's division of soil conservation and water quality as
16 provided in section 466B.42 and this section.

17 DIVISION III

18 DEPARTMENT OF NATURAL RESOURCES

19 Sec. 13. GENERAL FUND — DEPARTMENT.

20 1. There is appropriated from the general fund of the state
21 to the department of natural resources for the fiscal year
22 beginning July 1, 2021, and ending June 30, 2022, the following
23 amount, or so much thereof as is necessary, to be used for the
24 purposes designated:

25 For purposes of supporting the department, including its
26 divisions, for administration, regulation, and programs; for
27 salaries, support, maintenance, and miscellaneous purposes; and
28 for not more than the following full-time equivalent positions:
29 \$ 12,093,066
30 FTEs 1,145.95

31 2. Of the number of full-time equivalent positions
32 authorized to the department pursuant to subsection 1, 50.00
33 full-time equivalent positions shall be allocated by the
34 department for seasonal employees for purposes of providing
35 maintenance, upkeep, and sanitary services at state parks.

1 This subsection shall not impact park ranger or park manager
2 positions within the department.

3 3. The department shall submit a report each quarter of the
4 fiscal year to the legislative services agency, the department
5 of management, the members of the joint appropriations
6 subcommittee on agriculture and natural resources, and the
7 chairpersons and ranking members of the senate and house
8 committees on appropriations. The report shall describe in
9 detail the expenditure of moneys appropriated under this
10 section to support the department's administration, regulation,
11 and programs.

12 Sec. 14. STATE FISH AND GAME PROTECTION FUND — REGULATION
13 AND ADVANCEMENT OF OUTDOOR ACTIVITIES.

14 1. There is appropriated from the state fish and game
15 protection fund created pursuant to section 456A.17 to the
16 department of natural resources for the fiscal year beginning
17 July 1, 2021, and ending June 30, 2022, the following amount,
18 or so much thereof as is necessary, to be used for the purposes
19 designated:

20 For purposes of supporting the regulation or advancement of
21 hunting, fishing, or trapping, or the protection, propagation,
22 restoration, management, or harvest of fish or wildlife,
23 including for administration, regulation, law enforcement, and
24 programs; and for salaries, support, maintenance, equipment,
25 and miscellaneous purposes:

26 \$ 46,273,501

27 2. Notwithstanding section 455A.10, the department may use
28 the unappropriated balance remaining in the state fish and game
29 protection fund to provide for the funding of health and life
30 insurance premium payments from unused sick leave balances of
31 conservation peace officers employed in a protection occupation
32 who retire, pursuant to section 97B.49B.

33 3. Notwithstanding section 455A.10, the department of
34 natural resources may use the unappropriated balance remaining
35 in the state fish and game protection fund for the fiscal

1 year beginning July 1, 2021, and ending June 30, 2022, as is
2 necessary to fund salary adjustments for departmental employees
3 for which the general assembly has made an operating budget
4 appropriation in subsection 1.

5 Sec. 15. GROUNDWATER PROTECTION FUND — WATER
6 QUALITY. There is appropriated from the groundwater protection
7 fund created in section 455E.11 to the department of natural
8 resources for the fiscal year beginning July 1, 2021,
9 and ending June 30, 2022, from those moneys which are not
10 allocated pursuant to that section, the following amount, or
11 so much thereof as is necessary, to be used for the purposes
12 designated:

13 For purposes of supporting the department’s protection
14 of the state’s groundwater, including for administration,
15 regulation, and programs, and for salaries, support,
16 maintenance, equipment, and miscellaneous purposes:
17 \$ 3,455,850

18 DESIGNATED APPROPRIATIONS

19 MISCELLANEOUS FUNDS

20 Sec. 16. SPECIAL SNOWMOBILE FUND — SNOWMOBILE
21 PROGRAM. There is appropriated from the special snowmobile
22 fund created under section 321G.7 to the department of natural
23 resources for the fiscal year beginning July 1, 2021, and
24 ending June 30, 2022, the following amount, or so much thereof
25 as is necessary, to be used for the purpose designated:

26 For purposes of administering and enforcing the state
27 snowmobile programs:
28 \$ 100,000

29 Sec. 17. UNASSIGNED REVENUE FUND — UNDERGROUND STORAGE
30 TANKS SECTION EXPENSES. There is appropriated from the
31 unassigned revenue fund administered by the Iowa comprehensive
32 petroleum underground storage tank fund board established
33 pursuant to section 455G.4 to the department of natural
34 resources for the fiscal year beginning July 1, 2021, and
35 ending June 30, 2022, the following amount, or so much thereof

1 as is necessary, to be used for the purpose designated:

2 For purposes of paying for administration expenses of the
3 department's underground storage tanks section:

4 \$ 200,000

5 SPECIAL APPROPRIATIONS

6 GENERAL FUND

7 Sec. 18. FLOODPLAIN MANAGEMENT AND DAM SAFETY.

8 1. There is appropriated from the general fund of the state
9 to the department of natural resources for the fiscal year
10 beginning July 1, 2021, and ending June 30, 2022, the following
11 amount, or so much thereof as is necessary, to be used for the
12 purpose designated:

13 For purposes of supporting floodplain management and dam
14 safety:

15 \$ 1,510,000

16 2. Of the amount appropriated in subsection 1, up to
17 \$400,000 may be used by the department to acquire or install
18 stream gages for purposes of tracking and predicting flood
19 events and for compiling necessary data to improve flood
20 frequency analysis.

21 3. Notwithstanding section 8.33, moneys appropriated in
22 subsection 1 that remain unencumbered or unobligated at the
23 close of the fiscal year shall not revert but shall remain
24 available for expenditure for the purposes designated until the
25 close of the succeeding fiscal year.

26 Sec. 19. FORESTRY HEALTH MANAGEMENT.

27 1. There is appropriated from the general fund of the state
28 to the department of natural resources for the fiscal year
29 beginning July 1, 2021, and ending June 30, 2022, the following
30 amount, or so much thereof as is necessary, to be used for the
31 purposes designated:

32 For purposes of providing for forestry health management
33 programs:

34 \$ 500,000

35 2. Notwithstanding section 8.33, moneys appropriated in

1 this section that remain unencumbered or unobligated at the
2 close of the fiscal year shall not revert but shall remain
3 available to be used for the purposes designated until the
4 close of the succeeding fiscal year.

5 Sec. 20. STATE PARK OPERATIONS. There is appropriated from
6 the general fund of the state to the department of natural
7 resources for the fiscal year beginning July 1, 2021, and
8 ending June 30, 2022, the following amount, or so much thereof
9 as is necessary, to be used for the purposes designated:

10 For supporting operations at state parks, including
11 maintenance and repair of grounds and facilities:
12 \$ 1,000,000

13 MISCELLANEOUS PROVISIONS

14 Sec. 21. VISITOR PARKING AT STATE PARKS — STUDY. The
15 department of natural resources shall conduct a study of the
16 availability of visitor parking at state parks. The department
17 shall identify any inadequacy in the availability of visitor
18 parking at each state park during periods of high use. The
19 department shall prepare a report which shall identify each
20 state park that fails to provide adequate visitor parking and
21 a recommendation to improve that state park to accommodate
22 existing or expected visitor parking. The department shall
23 submit the report to the governor and general assembly not
24 later than December 10, 2021.

25 DIVISION IV

26 IOWA STATE UNIVERSITY

27 SPECIAL GENERAL FUND APPROPRIATIONS

28 Sec. 22. VETERINARY DIAGNOSTIC LABORATORY.

29 1. There is appropriated from the general fund of the state
30 to Iowa state university of science and technology for the
31 fiscal year beginning July 1, 2021, and ending June 30, 2022,
32 the following amount, or so much thereof as is necessary, to be
33 used for the purposes designated:

34 For purposes of supporting the college of veterinary
35 medicine for the operation of the veterinary diagnostic

1 laboratory and for not more than the following full-time
2 equivalent positions:

3 \$ 4,400,000
4 FTEs 51.00

5 2. a. Iowa state university of science and technology
6 shall not reduce the amount that it allocates to support the
7 college of veterinary medicine from any other source due to the
8 appropriation made in this section.

9 b. Paragraph "a" does not apply to a reduction made to
10 support the college of veterinary medicine, if the same
11 percentage of reduction imposed on the college of veterinary
12 medicine is also imposed on all of Iowa state university of
13 science and technology's budget units.

14 3. If by June 30, 2022, Iowa state university of science and
15 technology fails to allocate the moneys appropriated in this
16 section to the college of veterinary medicine in accordance
17 with this section, the moneys appropriated in this section for
18 that fiscal year shall revert to the general fund of the state.

19 Sec. 23. LIVESTOCK DISEASE RESEARCH. There is appropriated
20 from the general fund of the state to Iowa state university
21 of science and technology for the fiscal year beginning July
22 1, 2021, and ending June 30, 2022, the following amount, or
23 so much thereof as is necessary, to be used for the purposes
24 designated:

25 1. For deposit in the livestock disease research fund
26 created in section 267.8:

27 \$ 170,390

28 2. Moneys appropriated to the fund under subsection 1 shall
29 be used by Iowa state university of science and technology
30 to support animal disease research in areas of importance to
31 livestock producers.

32 Sec. 24. NATIONAL ASSOCIATION OF COUNTY AGRICULTURAL AGENTS
33 — NATIONAL MEETING. There is appropriated from the general
34 fund of the state to Iowa state university of science and
35 technology for the fiscal year beginning July 1, 2021, and

1 ending June 30, 2022, the following amount, or so much thereof
2 as is necessary, to be used for the purposes designated:

3 \$ 25,000

4 For supporting efforts of the Iowa agricultural extension
5 association relating to the state's hosting of the national
6 association of county agricultural agents 2023 national
7 meeting.

8 DIVISION V

9 STATE UNIVERSITY OF IOWA

10 SPECIAL GENERAL FUND APPROPRIATION

11 AGRICULTURAL SAFETY AND HEALTH

12 Sec. 25. IOWA'S CENTER FOR AGRICULTURAL SAFETY AND HEALTH
13 (I-CASH). There is appropriated from the general fund of the
14 state to the state university of Iowa for the fiscal year
15 beginning July 1, 2021, and ending June 30, 2022, the following
16 amount, or so much thereof as is necessary, to be used for the
17 purposes designated:

18 1. a. For supporting the operations of Iowa's center for
19 agricultural safety and health, as part of the university's
20 college of public health, and in cooperation with the
21 department of agriculture and land stewardship, to anticipate,
22 recognize, and prevent occupational illness and injury among
23 members of the agricultural community:

24 \$ 128,154

25 b. As a condition of the appropriation made in paragraph
26 "a", the state university of Iowa shall retain the director
27 of Iowa's center for agricultural safety and health employed
28 on the effective date of this division of this Act for at
29 least the same number of hours for the fiscal year beginning
30 July 1, 2021, as worked by the director during the fiscal year
31 beginning July 1, 2020.

32 c. As a condition of the appropriation made in paragraph
33 "a", the state university of Iowa shall not reduce the amount
34 allocated to support Iowa's center for agricultural safety from
35 any other source due to the appropriation made in paragraph

1 "a".

2 d. If by June 30, 2022, the state university of Iowa fails
3 to use the moneys appropriated in paragraph "a" in accordance
4 with the purposes and conditions of this subsection, any
5 unencumbered and unobligated moneys appropriated in paragraph
6 "a" for the fiscal year beginning July 1, 2021, and ending
7 June 30, 2022, shall revert to the general fund of the state.
8 In addition, if moneys are required to be reverted pursuant
9 to section 8.33, the state university of Iowa shall transfer
10 to the general fund from any otherwise unencumbered and
11 unobligated moneys from any other general fund appropriation or
12 from any moneys available from other funding sources an amount
13 equal to the amount appropriated in paragraph "a" less any
14 amount reverted to the general fund of the state pursuant to
15 section 8.33.

16 2. a. For supporting a program to finance the upgrade
17 of agricultural tractors by installing roll over protective
18 structures:

19 \$ 75,000

20 b. The moneys appropriated in paragraph "a" shall be
21 expended in the form of cost-share grants requiring that each
22 dollar contributed by the state university of Iowa be matched
23 on a dollar-for-dollar basis by agricultural manufacturers or
24 dealers.

25 DIVISION VI

26 ENVIRONMENT FIRST FUND

27 GENERAL APPROPRIATIONS

28 Sec. 26. DEPARTMENT OF AGRICULTURE AND LAND

29 STEWARDSHIP. There is appropriated from the environment first
30 fund created in section 8.57A to the department of agriculture
31 and land stewardship for the fiscal year beginning July 1,
32 2021, and ending June 30, 2022, the following amounts, or so
33 much thereof as is necessary, to be used for the purposes
34 designated:

35 1. CONSERVATION RESERVE ENHANCEMENT PROGRAM (CREP)

1 a. For the conservation reserve enhancement program to
2 restore and construct wetlands for the purposes of intercepting
3 tile line runoff, reducing nutrient loss, improving water
4 quality, and enhancing agricultural production practices:
5 \$ 1,000,000

6 b. Not more than 10 percent of the moneys appropriated
7 in paragraph "a" may be used for costs of administration and
8 implementation of soil and water conservation practices.

9 c. Notwithstanding any other provision in law, the
10 department may use moneys appropriated in this subsection,
11 in combination with other appropriate environment first
12 fund appropriations, for cost sharing to match United States
13 department of agriculture, natural resources conservation
14 service, wetlands reserve enhancement program (WREP) funding
15 available to Iowa.

16 2. WATERSHED PROTECTION

17 a. For continuation of a program that provides
18 multiobjective resource protections for flood control, water
19 quality, erosion control, and natural resource conservation:
20 \$ 900,000

21 b. Not more than 10 percent of the moneys appropriated
22 in paragraph "a" may be used for costs of administration and
23 implementation of soil and water conservation practices.

24 3. CONSERVATION RESERVE PROGRAM (CRP)

25 a. To encourage and assist farmers in enrolling in and the
26 implementation of the federal conservation reserve program and
27 to work with them to enhance their revegetation efforts to
28 improve water quality and habitat:
29 \$ 900,000

30 b. Not more than 10 percent of the moneys appropriated
31 in paragraph "a" may be used for costs of administration and
32 implementation of soil and water conservation practices.

33 4. SOIL AND WATER CONSERVATION

34 a. For use by the department in providing for soil and water
35 conservation:

1 \$ 8,325,000

2 b. (1) Of the amount appropriated in paragraph "a", for
3 transfer to the loess hills development and conservation fund
4 created in section 161D.2:

5 \$ 490,000

6 (2) (a) Of the amount transferred to the loess hills
7 development and conservation fund in subparagraph (1), \$450,000
8 shall be allocated to the fund's hungry canyons account.

9 (b) Not more than 10 percent of the moneys allocated to
10 the fund's hungry canyons account as provided in subparagraph
11 division (a) may be used for administrative costs.

12 (3) (a) Of the amount transferred to the loess hills
13 development and conservation fund in subparagraph (1), \$40,000
14 shall be allocated to the fund's loess hills alliance account.

15 (b) Not more than 10 percent of the moneys allocated to the
16 fund's loess hills alliance account as provided in subparagraph
17 division (a) may be used for administrative costs.

18 c. Of the remaining amount appropriated in paragraph "a",
19 for use by the department in providing for soil and water
20 conservation administration, the conservation of soil and
21 water resources, or the support of soil and water conservation
22 districts:

23 \$ 7,835,000

24 d. Of the amount appropriated in paragraph "c" that the
25 department allocates to a soil and water conservation district,
26 the first \$15,000 may be expended by the district for the
27 purpose of providing financial incentives under section 161A.73
28 to establish management practices for the control of soil
29 erosion on land that is row-cropped, including but not limited
30 to nontill planting, ridge-till planting, and contouring
31 strip-cropping. Of any remaining amount of that appropriation
32 allocated by the department to a district, 30 percent may be
33 expended by the district for that same purpose.

34 e. Not more than 5 percent of the moneys appropriated in
35 paragraph "c" may be allocated for cost sharing to address

1 complaints filed under section 161A.47.

2 f. Of the moneys appropriated in paragraph "c", 5 percent
3 shall be allocated for financial incentives to establish
4 practices to protect watersheds above publicly owned lakes of
5 the state from soil erosion and sediment as provided in section
6 161A.73.

7 g. The state soil conservation and water quality committee
8 established by section 161A.4 may allocate moneys appropriated
9 in paragraph "c" to conduct research and demonstration projects
10 to promote conservation tillage and nonpoint source pollution
11 control practices.

12 h. The allocation of moneys as financial incentives as
13 provided in section 161A.73 may be used in combination with
14 moneys allocated by the department of natural resources.

15 i. Not more than 15 percent of the moneys appropriated
16 in paragraph "c" may be used for costs of administration and
17 implementation of soil and water conservation practices.

18 5. SOIL AND WATER CONSERVATION — ADMINISTRATION

19 a. For use by the department for costs of administration and
20 implementation of soil and water conservation practices:

21 \$ 3,800,000

22 b. Of the moneys appropriated in paragraph "a", \$150,000
23 is allocated to support field staff providing technical
24 assistance.

25 Sec. 27. DEPARTMENT OF NATURAL RESOURCES. There is
26 appropriated from the environment first fund created in section
27 8.57A to the department of natural resources for the fiscal
28 year beginning July 1, 2021, and ending June 30, 2022, the
29 following amounts, or so much thereof as is necessary, to be
30 used for the purposes designated:

31 1. STATE PARKS MAINTENANCE AND OPERATIONS

32 For regular maintenance and operations of state parks and
33 staff time associated with these activities:

34 \$ 6,235,000

35 2. GEOGRAPHIC INFORMATION SYSTEM (GIS)

S-3203 (Continued)

1 To provide local watershed managers with geographic
2 information system data for their use in developing,
3 monitoring, and displaying results of their watershed work:
4 \$ 195,000

5 3. WATER QUALITY MONITORING
6 For continuing the establishment and operation of water
7 quality monitoring stations:
8 \$ 2,955,000

9 4. PUBLIC WATER SUPPLY SYSTEM ACCOUNT
10 For deposit in the public water supply system account of the
11 water quality protection fund created in section 455B.183A:
12 \$ 500,000

13 5. REGULATION OF ANIMAL FEEDING OPERATIONS
14 For the regulation of animal feeding operations, including
15 as provided for in chapters 459, 459A, and 459B:
16 \$ 1,320,000

17 6. AMBIENT AIR QUALITY
18 For the abatement, control, and prevention of ambient
19 air pollution in this state, including measures as necessary
20 to assure attainment and maintenance of ambient air quality
21 standards from particulate matter:
22 \$ 425,000

23 7. FLOODPLAIN MANAGEMENT AND DAM SAFETY
24 For supporting floodplain management and dam safety:
25 \$ 375,000

26 Sec. 28. STATE UNIVERSITY OF IOWA — IOWA GEOLOGICAL
27 SURVEY. There is appropriated from the environment first
28 fund created in section 8.57A to the state university of Iowa
29 for the fiscal year beginning July 1, 2021, and ending June
30 30, 2022, the following amounts, or so much thereof as is
31 necessary, to be used for the purposes designated:

32 1. OPERATIONS
33 For purposes of supporting the operations of the Iowa
34 geological survey of the state as created within the state
35 university of Iowa pursuant to section 456.1, including but not

1 limited to providing analysis; data maintenance, collection,
2 and compilation; investigative programs; and information for
3 water supply development and protection:

4 \$ 200,000

5 2. WATER RESOURCE MANAGEMENT

6 For purposes of supporting the Iowa geological survey in
7 measuring, assessing, and evaluating the quantity of water
8 sources in this state and assisting the department of natural
9 resources in regulating water quantity as provided in chapter
10 455B, division III, part 4, pursuant to sections 455B.262B and
11 456.14:

12 \$ 495,000

13 Sec. 29. REVERSION.

14 1. a. Except as provided in paragraph "b", and
15 notwithstanding section 8.33, moneys appropriated for the
16 fiscal year beginning July 1, 2021, in this division of this
17 Act that remain unencumbered or unobligated at the close of the
18 fiscal year shall not revert but instead shall remain available
19 to be used for the purposes designated until the close of the
20 succeeding fiscal year, or until the project for which the
21 appropriation was made is completed, whichever is earlier.

22 b. Notwithstanding section 8.33, moneys appropriated for
23 the fiscal year beginning July 1, 2021, in this division of
24 this Act to the department of agriculture and land stewardship
25 to provide financial assistance for the establishment of
26 permanent soil and water conservation practices that remain
27 unencumbered or unobligated at the close of the fiscal year
28 shall not revert but instead shall remain available for
29 expenditure for the purposes designated until the close of the
30 fiscal year beginning July 1, 2024.

31 2. Subsection 1 does not apply to moneys transferred
32 pursuant to this division of this Act to the loess hills
33 development and conservation fund created in section 161D.2
34 which shall not revert as provided in that section.

35 DIVISION VII

ENVIRONMENT FIRST FUND

SPECIAL APPROPRIATIONS

Sec. 30. WATER QUALITY INITIATIVE — DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP.

1. There is appropriated from the environment first fund created in section 8.57A to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2021, and ending June 30, 2022, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For deposit in the water quality initiative fund created in section 466B.45, for purposes of supporting the water quality initiative administered by the division of soil conservation and water quality as provided in section 466B.42, including salaries, support, maintenance, and miscellaneous purposes: \$ 2,375,000

2. a. The moneys appropriated in subsection 1 shall be used to support projects in subwatersheds as designated by the division that are part of high-priority watersheds identified by the water resources coordinating council established pursuant to section 466B.3.

b. The moneys appropriated in subsection 1 shall be used to support projects in watersheds generally, including regional watersheds, as designated by the division and high-priority watersheds identified by the water resources coordinating council established pursuant to section 466B.3.

3. In supporting projects in subwatersheds and watersheds as provided in subsection 2, all of the following shall apply:

a. The demonstration projects shall utilize water quality practices as described in the Iowa nutrient reduction strategy as defined in section 455B.171.

b. The division shall implement demonstration projects as provided in paragraph "a" by providing for participation by persons who hold a legal interest in agricultural land used in farming. To every extent practical, the division shall provide

1 for collaborative participation by such persons who hold a
2 legal interest in agricultural land located within the same
3 subwatershed.

4 c. The division shall implement a demonstration project on
5 a cost-share basis as determined by the division. However,
6 except for edge-of-field practices, the state's share of the
7 amount shall not exceed 50 percent of the estimated cost of
8 establishing the practice as determined by the division or
9 50 percent of the actual cost of establishing the practice,
10 whichever is less.

11 d. The demonstration projects shall be used to educate other
12 persons about the feasibility and value of establishing similar
13 water quality practices. The division shall promote field day
14 events for purposes of allowing interested persons to establish
15 water quality practices on their agricultural land.

16 e. The division shall conduct water quality evaluations
17 within supported subwatersheds. Within a reasonable period
18 after accumulating information from such evaluations, the
19 division shall create an aggregated database of water quality
20 practices. Any information identifying a person holding a
21 legal interest in agricultural land or specific agricultural
22 land shall be a confidential record under section 22.7.

23 4. The moneys appropriated in subsection 1 shall be used
24 to support education and outreach in a manner that encourages
25 persons who hold a legal interest in agricultural land used for
26 farming to implement water quality practices, including the
27 establishment of such practices in watersheds generally, and
28 not limited to subwatersheds or high-priority watersheds.

29 5. The moneys appropriated in subsection 1 may be used
30 to contract with persons to coordinate the implementation of
31 efforts provided in this section.

32 6. The moneys appropriated in subsection 1 may be used by
33 the department to support urban soil and water conservation
34 efforts, which may include but are not limited to management
35 practices related to bioretention, landscaping, the use of

1 permeable or pervious pavement, and soil quality restoration.
2 The moneys shall be allocated on a cost-share basis as provided
3 in chapter 161A.

4 7. Notwithstanding any other provision of law to the
5 contrary, the department may use moneys appropriated in
6 subsection 1 to carry out the provisions of this section on a
7 cost-share basis in combination with other moneys available to
8 the department from a state or federal source.

9 8. Not more than 10 percent of the moneys appropriated in
10 this section may be used to pay for the costs of administering
11 and implementing the water quality initiative by the
12 department's division of soil conservation and water quality as
13 provided in section 466B.42 and this section.

14 DIVISION VIII

15 IOWA RESOURCES ENHANCEMENT AND PROTECTION FUND

16 Sec. 31. REAP — IN LIEU OF GENERAL FUND APPROPRIATION. In
17 lieu of the standing appropriation in section 455A.18, there is
18 appropriated from the environment first fund created in section
19 8.57A to the Iowa resources enhancement and protection fund
20 for the fiscal year beginning July 1, 2021, and ending June
21 30, 2022, the following amount, to be allocated as provided in
22 section 455A.19:

23 \$ 12,000,000

24 Sec. 32. REAP — OPEN SPACES ACCOUNT — STATE PARK
25 MAINTENANCE AND REPAIR. Notwithstanding section 455A.19,
26 subsection 1, paragraph "a", subparagraph (1), of the moneys
27 allocated to the open spaces account of the Iowa resources
28 enhancement and protection fund, up to \$1,000,000 may be
29 used by the department of natural resources for state park
30 maintenance and repair for the fiscal year beginning July 1,
31 2021, and ending on June 30, 2022.

32 DIVISION IX

33 CODE CHANGES

34 Sec. 33. Section 8.57, subsection 5, paragraph f,
35 subparagraph (1), subparagraph division (c), subparagraph

1 subdivision (i), Code 2021, is amended to read as follows:

2 (i) For each fiscal year of the period beginning July
3 1, 2020, and ending June 30, ~~2029~~ 2039, of the wagering tax
4 receipts received pursuant to sections 99D.17 and 99F.11, the
5 next fifteen million dollars shall be deposited in the water
6 quality infrastructure fund created in section 8.57B.

7 Sec. 34. Section 8.57, subsection 5, paragraph f,
8 subparagraph (1), subparagraph division (c), subparagraph
9 subdivision (ii), subparagraph part (B), Code 2021, is amended
10 to read as follows:

11 (B) On July 1, ~~2029~~ 2039.

12 Sec. 35. Section 16.134, Code 2021, is amended by adding the
13 following new subsection:

14 NEW SUBSECTION. 5A. A regional water association comprised
15 of entities that serve regional water and wastewater systems
16 shall be considered eligible for financial assistance in the
17 form of grants or loans under the program for purposes of
18 supporting the planning and forecasting of wastewater treatment
19 facilities and systems and drinking water treatment facilities
20 and systems.

21 Sec. 36. NEW SECTION. 159A.17 **Appropriation.**

22 For the fiscal year beginning July 1, 2021, and ending
23 June 30, 2022, and for each fiscal year thereafter, there
24 is appropriated from the general fund of the state to the
25 renewable fuel infrastructure fund created in section 159A.16
26 the amount of eleven million dollars.

27 Sec. 37. Section 16.134A, subsection 2, paragraph a,
28 subparagraph (2), Code 2021, is amended to read as follows:

29 (2) This paragraph "a" is repealed on January 1, ~~2030~~ 2040.

30 Sec. 38. Section 16.134A, subsection 3, unnumbered
31 paragraph 1, Code 2021, is amended to read as follows:

32 For each fiscal year in the period beginning July 1,
33 2018, and ending June 30, ~~2029~~ 2039, there is appropriated
34 the following percentages of the balance of the fund for the
35 following purposes:

S-3203 (Continued)

1 Sec. 39. Section 423G.7, subsection 2, Code 2021, is amended
2 to read as follows:

3 2. July 1, ~~2029~~ 2039.

4 Sec. 40. Section 455A.18, subsection 3, paragraph a, Code
5 2021, is amended to read as follows:

6 a. For each fiscal year of the fiscal period beginning
7 July 1, 1997, and ending June 30, ~~2023~~ 2026, there is
8 appropriated from the general fund, to the Iowa resources
9 enhancement and protection fund, the amount of twenty million
10 dollars, to be used as provided in this chapter. However,
11 in any fiscal year of the fiscal period, if moneys from the
12 lottery are appropriated by the state to the fund, the amount
13 appropriated under this subsection shall be reduced by the
14 amount appropriated from the lottery.

15 Sec. 41. CONTINGENT EFFECTIVE DATE. The section of this
16 division of this Act enacting section 159A.17 takes effect
17 upon the enactment of 2021 Iowa Acts, Senate File 549 or its
18 successor, if enacted, or House File 859 or its successor, if
19 enacted.>

20 2. Title page, by striking lines 1 through 4 and
21 inserting <An Act relating to and making appropriations
22 and related statutory changes involving state government
23 entities involved with agriculture, natural resources, and
24 environmental protection, and providing contingent effective
25 date provisions.>

By KEN ROZENBOOM

S-3203 FILED MAY 17, 2021

ADOPTED

SENATE FILE 600

S-3204

1 Amend Senate File 600 as follows:

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

4 <DIVISION I

5 REBUILD IOWA INFRASTRUCTURE FUND

6 Section 1. REBUILD IOWA INFRASTRUCTURE FUND —
7 APPROPRIATIONS. There is appropriated from the rebuild Iowa
8 infrastructure fund to the following departments and agencies
9 for the following fiscal years, the following amounts, or so
10 much thereof as is necessary, to be used for the purposes
11 designated:

12 1. DEPARTMENT OF ADMINISTRATIVE SERVICES

13 For security cameras on the state capitol complex,
14 notwithstanding section 8.57, subsection 5, paragraph "c":

15 FY 2021-2022:

16 \$ 500,000

17 FY 2022-2023:

18 \$ 250,000

19 2. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

20 a. For deposit in the water quality initiative fund created
21 in section 466B.45 for purposes of supporting the water quality
22 initiative administered by the division of soil conservation
23 and water quality as provided in section 466B.42, including
24 salaries, support, maintenance, and miscellaneous purposes,
25 notwithstanding section 8.57, subsection 5, paragraph "c":

26 FY 2021-2022:

27 \$ 5,200,000

28 b. (1) The moneys appropriated in this subsection shall
29 be used to support demonstration projects in subwatersheds as
30 designated by the department that are part of high-priority
31 watersheds identified by the water resources coordinating
32 council.

33 (2) The moneys appropriated in this subsection shall be
34 used to support demonstration projects in watersheds generally,
35 including regional watersheds, as designated by the division

1 and high-priority watersheds identified by the water resources
2 coordinating council.

3 c. In supporting projects in watersheds and subwatersheds
4 as provided in paragraph "b", all of the following shall apply:

5 (1) The demonstration projects shall utilize water quality
6 practices as described in the latest revision of the document
7 entitled "Iowa Nutrient Reduction Strategy" initially presented
8 in November 2012 by the department of agriculture and land
9 stewardship, the department of natural resources, and Iowa
10 state university of science and technology.

11 (2) The division shall implement demonstration projects as
12 provided in subparagraph (1) by providing for participation by
13 persons who hold a legal interest in agricultural land used in
14 farming. To every extent practical, the division shall provide
15 for collaborative participation by such persons who hold a
16 legal interest in agricultural land located within the same
17 subwatershed.

18 (3) The division shall implement demonstration projects on
19 a cost-share basis as determined by the division. Except for
20 edge-of-field practices, the state's share of the amount shall
21 not exceed 50 percent of the estimated cost of establishing the
22 practice as determined by the division or 50 percent of the
23 actual cost of establishing the practice, whichever is less.

24 (4) The demonstration projects shall be used to educate
25 other persons about the feasibility and value of establishing
26 similar water quality practices. The division shall promote
27 field day events for purposes of allowing interested persons to
28 establish water quality practices on their agricultural land.

29 (5) The division shall conduct water quality evaluations
30 within supported subwatersheds. Within a reasonable period
31 after accumulating information from such evaluations, the
32 division shall create an aggregated database of water quality
33 practices. Any information identifying a person holding a
34 legal interest in agricultural land or specific agricultural
35 land shall be a confidential record.

1 d. The moneys appropriated in this subsection shall be used
2 to support education and outreach in a manner that encourages
3 persons who hold a legal interest in agricultural land used for
4 farming to implement water quality practices, including the
5 establishment of such practices in watersheds generally, and
6 not limited to subwatersheds or high-priority watersheds.

7 e. The moneys appropriated in this subsection may be used
8 to contract with persons to coordinate the implementation of
9 efforts provided in this subsection.

10 f. The moneys appropriated in this subsection may be used
11 by the department to support urban soil and water conservation
12 efforts, which may include but are not limited to management
13 practices related to bioretention, landscaping, the use of
14 permeable or pervious pavement, and soil quality restoration.
15 The moneys shall be allocated on a cost-share basis as provided
16 in chapter 161A.

17 g. Notwithstanding any other provision of law to the
18 contrary, the department may use moneys appropriated in this
19 subsection to carry out the provisions of this subsection on a
20 cost-share basis in combination with other moneys available to
21 the department from a state or federal source.

22 h. Not more than 10 percent of the moneys appropriated in
23 this subsection may be used for costs of administration and
24 implementation of the water quality initiative administered by
25 the soil conservation division.

26 3. DEPARTMENT FOR THE BLIND

27 For building repairs for the building located at 524 Fourth
28 Street, Des Moines, Iowa:

29 FY 2021-2022:

30 \$ 139,100

31 4. DEPARTMENT OF CORRECTIONS

32 For the remodel and expansion of the kitchen and visitation
33 areas at the Clarinda treatment complex:

34 FY 2021-2022:

35 \$ 5,242,619

S-3204 (Continued)

1 FY 2022-2023:
2 \$ 4,000,000
3 5. DEPARTMENT OF CULTURAL AFFAIRS
4 a. For deposit in the Iowa great places program fund created
5 in section 303.3D for Iowa great places program projects that
6 meet the definition of "vertical infrastructure" in section
7 8.57, subsection 5, paragraph "c":
8 FY 2021-2022:
9 \$ 1,000,000
10 b. For grants to nonprofit organizations committed to
11 strengthening communities through youth development, healthy
12 living, and social responsibility for costs associated with
13 the renovation and maintenance of facility infrastructure at
14 facilities located in cities with a population of less than
15 28,000 as determined by the 2010 federal decennial census:
16 FY 2021-2022:
17 \$ 250,000
18 6. ECONOMIC DEVELOPMENT AUTHORITY
19 a. For deposit in the community attraction and tourism fund
20 created in section 15F.204:
21 FY 2021-2022:
22 \$ 5,000,000
23 b. For deposit in the vacant state buildings demolition fund
24 created in section 15.261:
25 FY 2022-2023:
26 \$ 1,000,000
27 c. For deposit in the vacant state buildings rehabilitation
28 fund created in section 15.262, notwithstanding section 8.57,
29 subsection 5, paragraph "c":
30 FY 2022-2023:
31 \$ 1,000,000
32 7. DEPARTMENT OF HUMAN SERVICES
33 For converting dorm space into individual rooms at the
34 Eldora institution:
35 FY 2021-2022:

S-3204 (Continued)

1 \$ 6,500,000
2 8. DEPARTMENT OF NATURAL RESOURCES
3 a. For implementation of lake projects that have
4 established watershed improvement initiatives and community
5 support in accordance with the department's annual lake
6 restoration plan and report, notwithstanding section 8.57,
7 subsection 5, paragraph "c":
8 FY 2021-2022:
9 \$ 9,600,000
10 b. For state park infrastructure improvements:
11 FY 2021-2022:
12 \$ 2,000,000
13 c. For water trails and low head dam safety grants:
14 FY 2021-2022:
15 \$ 1,000,000
16 d. For grants to communities or organizations for tree
17 planting projects through the community forestry grant program,
18 notwithstanding section 8.57, subsection 5, paragraph "c":
19 FY 2021-2022:
20 \$ 250,000
21 9. DEPARTMENT OF PUBLIC DEFENSE
22 a. For major maintenance projects at national guard
23 armories and facilities:
24 FY 2021-2022:
25 \$ 1,000,000
26 b. For improvement projects for Iowa national guard
27 installations and readiness centers to support operations and
28 training requirements:
29 FY 2021-2022:
30 \$ 1,000,000
31 c. For construction improvement projects at the Camp Dodge
32 facility:
33 FY 2021-2022:
34 \$ 250,000
35 d. The department of public defense shall report to the

1 general assembly by December 15, 2021, regarding the projects
2 the department has funded or intends to fund from moneys
3 appropriated to the department pursuant to this subsection.

4 10. DEPARTMENT OF PUBLIC SAFETY

5 a. For payments and other costs due under a financing
6 agreement entered into by the treasurer of state for building
7 the statewide interoperable communications system pursuant to
8 section 29C.23, subsection 2, notwithstanding section 8.57,
9 subsection 5, paragraph "c":

10 FY 2021-2022:

11 \$ 4,114,482

12 b. For deposit in a public safety equipment fund, if
13 enacted, notwithstanding section 8.57, subsection 5, paragraph
14 "c":

15 FY 2021-2022:

16 \$ 2,500,000

17 11. BOARD OF REGENTS

18 a. For allocation by the state board of regents to the
19 state university of Iowa, Iowa state university of science
20 and technology, and the university of northern Iowa to
21 reimburse the institutions for deficiencies in the operating
22 funds resulting from the pledging of tuition, student fees
23 and charges, and institutional income to finance the cost of
24 providing academic and administrative buildings and facilities
25 and utility services at the institutions:

26 FY 2021-2022:

27 \$ 28,100,000

28 b. For maintenance and repair of an Iowa public radio tower:

29 FY 2021-2022:

30 \$ 850,000

31 12. DEPARTMENT OF TRANSPORTATION

32 a. For acquiring, constructing, and improving recreational
33 trails within the state:

34 FY 2021-2022:

35 \$ 1,500,000

S-3204 (Continued)

1 b. For deposit in the public transit infrastructure grant
2 fund created in section 324A.6A, for projects that meet
3 the definition of vertical infrastructure in section 8.57,
4 subsection 5, paragraph "c":

5 FY 2021-2022:
6 \$ 1,500,000

7 c. For deposit in the railroad revolving loan and grant
8 fund created in section 327H.20A, notwithstanding section 8.57,
9 subsection 5, paragraph "c":

10 FY 2021-2022:
11 \$ 1,000,000

12 d. For vertical infrastructure improvements at the
13 commercial service airports within the state:

14 FY 2021-2022:
15 \$ 1,900,000

16 e. For vertical infrastructure improvements at general
17 aviation airports within the state:

18 FY 2021-2022:
19 \$ 1,000,000

20 13. TREASURER OF STATE

21 For distribution in accordance with chapter 174 to qualified
22 fairs that belong to the association of Iowa fairs for county
23 fair vertical infrastructure improvements:

24 FY 2021-2022:
25 \$ 1,060,000

26 14. JUDICIAL BRANCH

27 For furniture and equipment for justice centers located in
28 counties with buildings the judicial branch is required to
29 furnish, notwithstanding section 8.57, subsection 5, paragraph
30 "c":

31 FY 2021-2022:
32 \$ 2,522,990

33 15. LEGISLATIVE BRANCH

34 For costs associated with the repair and renovation of the
35 domes of the Iowa state capitol:

S-3204 (Continued)

1 FY 2021-2022:
2 \$ 5,250,000
3 FY 2022-2023:
4 \$ 5,250,000
5 Sec. 2. REVERSION. For purposes of section 8.33, unless
6 specifically provided otherwise, unencumbered or unobligated
7 moneys from an appropriation made in this division of this Act
8 shall not revert but shall remain available for expenditure for
9 the purposes designated until the close of the fiscal year that
10 ends two years after the end of the fiscal year for which the
11 appropriation is made. However, if the project or projects for
12 which such appropriation was made are completed in an earlier
13 fiscal year, unencumbered or unobligated moneys shall revert at
14 the close of that same fiscal year.

15 DIVISION II

16 TECHNOLOGY REINVESTMENT FUND

17 Sec. 3. TECHNOLOGY REINVESTMENT FUND. There is
18 appropriated from the technology reinvestment fund created in
19 section 8.57C to the following departments and agencies for the
20 fiscal year beginning July 1, 2021, and ending June 30, 2022,
21 the following amounts, or so much thereof as is necessary, to
22 be used for the purposes designated:

23 1. IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD
24 For upgrading the web reporting system:
25 \$ 500,000
26 2. OFFICE OF THE CHIEF INFORMATION OFFICER
27 For implementation of a new state central personnel,
28 accounting, and budget system:
29 \$ 17,000,000
30 3. DEPARTMENT OF CORRECTIONS
31 For storage area network replacement:
32 \$ 210,000
33 4. DEPARTMENT OF EDUCATION
34 a. For the continued development and implementation of an
35 educational data warehouse that will be utilized by teachers,

1 parents, school district administrators, area education agency
2 staff, department of education staff, and policymakers:
3 \$ 600,000

4 Of the moneys appropriated in this lettered paragraph, the
5 department may use a portion for an e-transcript data system
6 capable of tracking students throughout their education via
7 interconnectivity with multiple schools.

8 b. For maintenance and lease costs associated with
9 connections for part III of the Iowa communications network:
10 \$ 2,727,000

11 c. To the public broadcasting division for the replacement
12 of equipment:
13 \$ 1,998,600

14 5. DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT
15 For the continuing implementation of a statewide mass
16 notification and emergency messaging system:
17 \$ 400,000

18 6. DEPARTMENT OF HUMAN RIGHTS
19 a. For the cost of equipment and computer software for the
20 continued development and implementation of Iowa's criminal
21 justice information system:
22 \$ 1,400,000

23 b. For the costs associated with the justice enterprise data
24 warehouse:
25 \$ 187,980

26 7. DEPARTMENT OF HUMAN SERVICES
27 For technology costs associated with the state poison
28 control center:
29 \$ 34,000

30 8. DEPARTMENT OF INSPECTIONS AND APPEALS
31 For a registry of children receiving foster care:
32 \$ 350,000

33 9. DEPARTMENT OF MANAGEMENT
34 a. For the continued development and implementation of
35 a searchable database that can be placed on the internet for

S-3204 (Continued)

1 budget and financial information:
2 \$ 45,000
3 b. For the continued development and implementation of the
4 comprehensive electronic grant management system:
5 \$ 70,000
6 c. For the upgrade of the local government budget and
7 property tax system:
8 \$ 120,000
9 d. For the annual licensing of a searchable database that is
10 placed on the internet for budget and financial information:
11 \$ 371,292
12 10. DEPARTMENT OF PUBLIC DEFENSE
13 For technology projects:
14 \$ 100,000
15 11. DEPARTMENT OF PUBLIC SAFETY
16 a. For replacement of the computerized criminal history
17 record system:
18 \$ 600,000
19 b. For replacement of a database appliance:
20 \$ 280,000
21 c. For replacement of a headquarters data center
22 uninterrupted power supply protection service:
23 \$ 74,000
24 d. For a human trafficking hotel/motel training system:
25 \$ 98,000
26 12. DEPARTMENT OF REVENUE
27 For tax system modernization:
28 \$ 4,070,460
29 13. DEPARTMENT OF VETERANS AFFAIRS
30 For technology equipment:
31 \$ 2,500
32 14. JUDICIAL BRANCH
33 For voice-over internet protocol phone upgrades at county
34 courthouses:
35 \$ 433,100

1 Sec. 4. REVERSION. For purposes of section 8.33, unless
2 specifically provided otherwise, unencumbered or unobligated
3 moneys from an appropriation made in this division of this Act
4 shall not revert but shall remain available for expenditure for
5 the purposes designated until the close of the fiscal year that
6 ends two years after the end of the fiscal year for which the
7 appropriation is made. However, if the project or projects for
8 which such appropriation was made are completed in an earlier
9 fiscal year, unencumbered or unobligated moneys shall revert at
10 the close of that same fiscal year.

11 DIVISION III

12 CHANGES TO PRIOR APPROPRIATIONS

13 Sec. 5. 2017 Iowa Acts, chapter 173, section 3, is amended
14 to read as follows:

15 SEC. 3. REVERSION.

16 1. For Except as provided in subsection 2, for purposes
17 of section 8.33, unless specifically provided otherwise,
18 unencumbered or unobligated moneys made from an appropriation
19 in this division of this Act shall not revert but shall remain
20 available for expenditure for the purposes designated until the
21 close of the fiscal year that ends three years after the end of
22 the fiscal year for which the appropriation is made. However,
23 if the project or projects for which such appropriation was
24 made are completed in an earlier fiscal year, unencumbered
25 or unobligated moneys shall revert at the close of that same
26 fiscal year.

27 2. For purposes of section 8.33, unless specifically
28 provided otherwise, unencumbered or unobligated moneys
29 appropriated and allocated for the costs associated with
30 maintenance projects for the state historical building in
31 section 1, subsection 4, paragraph "b", in this division of
32 this 2017 Iowa Act, shall not revert but shall remain available
33 for the purpose designated until the close of the fiscal year
34 that begins July 1, 2021.

35 Sec. 6. 2019 Iowa Acts, chapter 137, section 1, subsection

1 4, paragraphs d and e, as amended by 2020 Iowa Acts, chapter
2 1120, section 9, are amended to read as follows:

3 d. For deposit in the vacant state buildings demolition fund
4 created in section 15.261:

5 (1) FY 2019-2020:
6 \$ 1,000,000

7 (2) FY 2021-2022:
8 \$ 1,000,000

9 Of the moneys deposited in the fund pursuant to this
10 subparagraph and used by the authority for the purposes of the
11 fund, the authority shall give priority to new recipients.

12 e. For deposit in the vacant state buildings rehabilitation
13 fund created in section 15.262, notwithstanding section 8.57,
14 subsection 5, paragraph "c":

15 (1) FY 2019-2020:
16 \$ 1,000,000

17 (2) FY 2021-2022:
18 \$ 1,000,000

19 Of the moneys deposited in the fund pursuant to this
20 subparagraph and used by the authority for the purposes of the
21 fund, the authority shall give priority to new recipients.

22 Sec. 7. EFFECTIVE DATE. This division of this Act, being
23 deemed of immediate importance, takes effect upon enactment.

24 DIVISION IV

25 MISCELLANEOUS PROVISIONS

26 Sec. 8. Section 8.57C, subsection 3, paragraph a, Code 2021,
27 is amended to read as follows:

28 a. There is appropriated from the general fund of the state
29 to the technology reinvestment fund for the following fiscal
30 ~~years, the sum of seventeen million five hundred thousand~~
31 ~~dollars to the technology reinvestment fund~~ following amounts:

32 (1) The For the fiscal year beginning July 1, 2014, and
33 ending June 30, 2015, the sum of seventeen million five hundred
34 thousand dollars.

35 (2) For the fiscal year beginning July 1, 2021, and ending

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1 June 30, 2022, the sum of thirty-five million dollars.

2 ~~(2)~~ (3) The For the fiscal year beginning July 1, 2021
3 2022, and for each subsequent fiscal year thereafter, the sum
4 of seventeen million five hundred thousand dollars.

5 Sec. 9. Section 15.261, subsection 2, Code 2021, is amended
6 to read as follows:

7 2. Moneys in the vacant state buildings demolition fund
8 are appropriated to the authority for purposes of funding a
9 grant program for the demolition of vacant buildings owned by
10 the state which are no longer used for a state purpose. Grant
11 program criteria shall provide that no more than fifty percent
12 of the cost of a project for the demolition of vacant buildings
13 shall be funded from a grant under the program.>

14 2. Title page, by striking lines 1 through 6 and inserting
15 <An Act relating to and making appropriations to state
16 departments and agencies from the rebuild Iowa infrastructure
17 fund and the technology reinvestment fund, providing for
18 related matters, and including effective date provisions.>

By CRAIG JOHNSON

[S-3204](#) FILED MAY 17, 2021

SENATE FILE 606

S-3212

1 Amend Senate File 606 as follows:

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

<DIVISION I

DEPARTMENT ON AGING — FY 2021-2022

6 Section 1. DEPARTMENT ON AGING. There is appropriated from
7 the general fund of the state to the department on aging for
8 the fiscal year beginning July 1, 2021, and ending June 30,
9 2022, the following amount, or so much thereof as is necessary,
10 to be used for the purposes designated:

11 For aging programs for the department on aging and area
12 agencies on aging to provide citizens of Iowa who are 60
13 years of age and older with case management, Iowa's aging and
14 disabilities resource center, and other services which may
15 include but are not limited to adult day, respite care, chore,
16 information and assistance, and material aid, for information
17 and options counseling for persons with disabilities who
18 are 18 years of age or older, and for salaries, support,
19 administration, maintenance, and miscellaneous purposes, and
20 for not more than the following full-time equivalent positions:
21 \$ 11,304,082
22 FTEs 27.00

23 1. Funds appropriated in this section may be used to
24 supplement federal funds under federal regulations. To
25 receive funds appropriated in this section, a local area
26 agency on aging shall match the funds with moneys from other
27 sources according to rules adopted by the department. Funds
28 appropriated in this section may be used for elderly services
29 not specifically enumerated in this section only if approved
30 by an area agency on aging for provision of the service within
31 the area.

32 2. Of the funds appropriated in this section, \$418,700 is
33 transferred to the economic development authority for the Iowa
34 commission on volunteer services to be used for the retired and
35 senior volunteer program.

1 3. a. The department on aging shall establish and enforce
2 procedures relating to expenditure of state and federal funds
3 by area agencies on aging that require compliance with both
4 state and federal laws, rules, and regulations, including but
5 not limited to all of the following:

6 (1) Requiring that expenditures are incurred only for goods
7 or services received or performed prior to the end of the
8 fiscal period designated for use of the funds.

9 (2) Prohibiting prepayment for goods or services not
10 received or performed prior to the end of the fiscal period
11 designated for use of the funds.

12 (3) Prohibiting prepayment for goods or services not
13 defined specifically by good or service, time period, or
14 recipient.

15 (4) Prohibiting the establishment of accounts from which
16 future goods or services which are not defined specifically by
17 good or service, time period, or recipient, may be purchased.

18 b. The procedures shall provide that if any funds are
19 expended in a manner that is not in compliance with the
20 procedures and applicable federal and state laws, rules, and
21 regulations, and are subsequently subject to repayment, the
22 area agency on aging expending such funds in contravention of
23 such procedures, laws, rules and regulations, not the state,
24 shall be liable for such repayment.

25 4. Of the funds appropriated in this section, at least
26 \$600,000 shall be used to fund home and community-based
27 services through the area agencies on aging that enable older
28 individuals to avoid more costly utilization of residential or
29 institutional services and remain in their own homes.

30 5. Of the funds appropriated in this section, \$812,000 shall
31 be used for the purposes of chapter 231E and to administer
32 the prevention of elder abuse, neglect, and exploitation
33 program pursuant to section 231.56A, in accordance with the
34 requirements of the federal Older Americans Act of 1965, 42
35 U.S.C. §3001 et seq., as amended.

1 6. Of the funds appropriated in this section, \$1,000,000
2 shall be used to fund continuation of the aging and disability
3 resource center lifelong links to provide individuals and
4 caregivers with information and services to plan for and
5 maintain independence.

6 7. Of the funds appropriated in this section, \$250,000
7 shall be used by the department on aging, in collaboration with
8 the department of human services and affected stakeholders,
9 to continue to expand the pilot initiative to provide
10 long-term care options counseling utilizing support planning
11 protocols, to assist non-Medicaid eligible consumers who
12 indicate a preference to return to the community and are
13 deemed appropriate for discharge, to return to their community
14 following a nursing facility stay. The department on aging
15 shall submit a report regarding the outcomes of the pilot
16 initiative to the governor and the general assembly by December
17 15, 2021.

18 DIVISION II

19 OFFICE OF LONG-TERM CARE OMBUDSMAN — FY 2021-2022

20 Sec. 2. OFFICE OF LONG-TERM CARE OMBUDSMAN. There is
21 appropriated from the general fund of the state to the office
22 of long-term care ombudsman for the fiscal year beginning July
23 1, 2021, and ending June 30, 2022, the following amount, or
24 so much thereof as is necessary, to be used for the purposes
25 designated:

26 For salaries, support, administration, maintenance, and
27 miscellaneous purposes, and for not more than the following
28 full-time equivalent positions:

29	\$	1,149,821
30	FTEs	16.00

31 DIVISION III

32 DEPARTMENT OF PUBLIC HEALTH — FY 2021-2022

33 Sec. 3. DEPARTMENT OF PUBLIC HEALTH. There is appropriated
34 from the general fund of the state to the department of public
35 health for the fiscal year beginning July 1, 2021, and ending

1 June 30, 2022, the following amounts, or so much thereof as is
2 necessary, to be used for the purposes designated:

3 1. ADDICTIVE DISORDERS

4 For reducing the prevalence of the use of tobacco, alcohol,
5 and other drugs, and treating individuals affected by addictive
6 behaviors, including gambling, and for not more than the
7 following full-time equivalent positions:

8	\$ 23,659,379
9	FTEs 12.00

10 a. (1) Of the funds appropriated in this subsection,
11 \$4,020,894 shall be used for the tobacco use prevention
12 and control initiative, including efforts at the state and
13 local levels, as provided in chapter 142A. The commission
14 on tobacco use prevention and control established pursuant
15 to section 142A.3 shall advise the director of public health
16 in prioritizing funding needs and the allocation of moneys
17 appropriated for the programs and initiatives. Activities
18 of the programs and initiatives shall be in alignment with
19 the United States centers for disease control and prevention
20 best practices for comprehensive tobacco control programs
21 that include the goals of preventing youth initiation of
22 tobacco usage, reducing exposure to secondhand smoke, and
23 promotion of tobacco cessation. To maximize resources,
24 the department shall determine if third-party sources are
25 available to instead provide nicotine replacement products
26 to an applicant prior to provision of such products to an
27 applicant under the initiative. The department shall track and
28 report to the governor and the general assembly any reduction
29 in the provision of nicotine replacement products realized
30 by the initiative through implementation of the prerequisite
31 screening.

32 (2) (a) The department shall collaborate with the
33 alcoholic beverages division of the department of commerce for
34 enforcement of tobacco laws, regulations, and ordinances and to
35 engage in tobacco control activities approved by the division

1 of tobacco use prevention and control of the department of
2 public health as specified in the memorandum of understanding
3 entered into between the divisions.

4 (b) For the fiscal year beginning July 1, 2021, and ending
5 June 30, 2022, the terms of the memorandum of understanding,
6 entered into between the division of tobacco use prevention
7 and control of the department of public health and the
8 alcoholic beverages division of the department of commerce,
9 governing compliance checks conducted to ensure licensed retail
10 tobacco outlet conformity with tobacco laws, regulations, and
11 ordinances relating to persons under 21 years of age, shall
12 continue to restrict the number of such checks to one check per
13 retail outlet, and one additional check for any retail outlet
14 found to be in violation during the first check.

15 b. (1) Of the funds appropriated in this subsection,
16 \$19,638,485 shall be used for problem gambling and
17 substance-related disorder prevention, treatment, and recovery
18 services, including a 24-hour helpline, public information
19 resources, professional training, youth prevention, and program
20 evaluation.

21 (2) Of the amount allocated under this paragraph, \$306,000
22 shall be utilized by the department of public health, in
23 collaboration with the department of human services, to
24 maintain a single statewide 24-hour crisis hotline for the Iowa
25 children's behavioral health system that incorporates warmline
26 services which may be provided through expansion of existing
27 capabilities maintained by the department of public health as
28 required pursuant to [2018 Iowa Acts, chapter 1056, section 16](#).

29 c. The requirement of section 123.17, subsection 5, is met
30 by the appropriations and allocations made in this division of
31 this Act for purposes of substance-related disorder treatment
32 and addictive disorders for the fiscal year beginning July 1,
33 2021.

34 2. HEALTHY CHILDREN AND FAMILIES

35 For promoting the optimum health status for children and

1 adolescents from birth through 21 years of age, and families,
2 and for not more than the following full-time equivalent
3 positions:

4 \$ 5,816,681
5 FTEs 14.00

6 a. Of the funds appropriated in this subsection, not more
7 than \$734,000 shall be used for the healthy opportunities for
8 parents to experience success (HOPES)-healthy families Iowa
9 (HFI) program established pursuant to section 135.106.

10 b. In order to implement the legislative intent stated
11 in sections 135.106 and 256I.9, priority for home visitation
12 program funding shall be given to programs using evidence-based
13 or promising models for home visitation.

14 c. Of the funds appropriated in this subsection, \$3,075,000
15 shall be used for continuation of the department's initiative
16 to provide for adequate developmental surveillance and
17 screening during a child's first five years. The funds shall
18 be used first to fully fund the current sites to ensure that
19 the sites are fully operational, with the remaining funds
20 to be used for expansion to additional sites. The full
21 implementation and expansion shall include enhancing the scope
22 of the initiative through collaboration with the child health
23 specialty clinics to promote healthy child development through
24 early identification and response to both biomedical and social
25 determinants of healthy development; by monitoring child
26 health metrics to inform practice, document long-term health
27 impacts and savings, and provide for continuous improvement
28 through training, education, and evaluation; and by providing
29 for practitioner consultation particularly for children with
30 behavioral conditions and needs. The department of public
31 health shall also collaborate with the Iowa Medicaid enterprise
32 and the child health specialty clinics to integrate the
33 activities of the first five initiative into the establishment
34 of patient-centered medical homes, community utilities,
35 accountable care organizations, and other integrated care

1 models developed to improve health quality and population
2 health while reducing health care costs. To the maximum extent
3 possible, funding allocated in this paragraph shall be utilized
4 as matching funds for medical assistance program reimbursement.

5 d. Of the funds appropriated in this subsection, \$64,000
6 shall be distributed to a statewide dental carrier to provide
7 funds to continue the donated dental services program patterned
8 after the projects developed by the dental lifeline network to
9 provide dental services to indigent individuals who are elderly
10 or with disabilities.

11 e. Of the funds appropriated in this subsection, \$156,000
12 shall be used to provide audiological services and hearing aids
13 for children.

14 f. Of the funds appropriated in this subsection, \$23,000 is
15 transferred to the university of Iowa college of dentistry for
16 provision of primary dental services to children. State funds
17 shall be matched on a dollar-for-dollar basis. The university
18 of Iowa college of dentistry shall coordinate efforts with the
19 department of public health, oral and health delivery system
20 bureau, to provide dental care to underserved populations
21 throughout the state.

22 g. Of the funds appropriated in this subsection, \$50,000
23 shall be used to address youth suicide prevention.

24 h. Of the funds appropriated in this subsection, \$40,000
25 shall be used to support the Iowa effort to address the survey
26 of children who experience adverse childhood experiences known
27 as ACEs.

28 i. Of the funds appropriated in this subsection, up to
29 \$494,000 shall be used for childhood obesity prevention.

30 3. CHRONIC CONDITIONS

31 For serving individuals identified as having chronic
32 conditions or special health care needs, and for not more than
33 the following full-time equivalent positions:

34	\$	4,258,373
35	FTEs	10.00

1 a. Of the funds appropriated in this subsection, \$188,000
2 shall be used for grants to individual patients who have an
3 inherited metabolic disorder to assist with the costs of
4 medically necessary foods and formula.

5 b. Of the funds appropriated in this subsection, \$1,055,000
6 shall be used for the brain injury services program pursuant
7 to section 135.22B, including \$861,000 for contracting with an
8 existing nationally affiliated and statewide organization whose
9 purpose is to educate, serve, and support Iowans with brain
10 injury and their families, for resource facilitator services
11 in accordance with section 135.22B, subsection 9, and for
12 contracting to enhance brain injury training and recruitment
13 of service providers on a statewide basis. Of the amount
14 allocated in this paragraph, \$95,000 shall be used to fund
15 1.00 full-time equivalent position to serve as the state brain
16 injury services program manager.

17 c. Of the funds appropriated in this subsection, \$144,000
18 shall be used for the public purpose of continuing to contract
19 with an existing nationally affiliated organization to provide
20 education, client-centered programs, and client and family
21 support for people living with epilepsy and their families.
22 The amount allocated in this paragraph in excess of \$50,000
23 shall be matched dollar-for-dollar by the organization
24 specified. Funds allocated under this paragraph shall be
25 distributed in their entirety for the purpose specified on July
26 1, 2021.

27 d. Of the funds appropriated in this subsection, \$809,000
28 shall be used for child health specialty clinics.

29 e. Of the funds appropriated in this subsection, \$384,000
30 shall be used by the regional autism assistance program
31 established pursuant to section 256.35, and administered by
32 the child health specialty clinic located at the university of
33 Iowa hospitals and clinics. The funds shall be used to enhance
34 interagency collaboration and coordination of educational,
35 medical, and other human services for persons with autism,

1 their families, and providers of services, including delivering
2 regionalized services of care coordination, family navigation,
3 and integration of services through the statewide system of
4 regional child health specialty clinics and fulfilling other
5 requirements as specified in chapter 225D. The university of
6 Iowa shall not receive funds allocated under this paragraph for
7 indirect costs associated with the regional autism assistance
8 program.

9 f. Of the funds appropriated in this subsection, \$577,000
10 shall be used for the comprehensive cancer control program to
11 reduce the burden of cancer in Iowa through prevention, early
12 detection, effective treatment, and ensuring quality of life.
13 Of the funds allocated in this paragraph "f", \$150,000 shall
14 be used to support a melanoma research symposium, a melanoma
15 biorepository and registry, basic and translational melanoma
16 research, and clinical trials.

17 g. Of the funds appropriated in this subsection, \$97,000
18 shall be used for cervical and colon cancer screening, and
19 \$177,000 shall be used to enhance the capacity of the cervical
20 cancer screening program to include provision of recommended
21 prevention and early detection measures to a broader range of
22 low-income women.

23 h. Of the funds appropriated in this subsection, \$506,000
24 shall be used for the center for congenital and inherited
25 disorders.

26 4. COMMUNITY CAPACITY

27 For strengthening the health care delivery system at the
28 local level, and for not more than the following full-time
29 equivalent positions:

30	\$	7,319,306
31	FTEs	13.00

32 a. Of the funds appropriated in this subsection, \$95,000
33 is allocated for continuation of the child vision screening
34 program implemented through the university of Iowa hospitals
35 and clinics in collaboration with early childhood Iowa areas.

1 The program shall submit a report to the department regarding
2 the use of funds allocated under this paragraph "a". The
3 report shall include the objectives and results for the
4 program year including the target population and how the funds
5 allocated assisted the program in meeting the objectives; the
6 number, age, and location within the state of individuals
7 served; the type of services provided to the individuals
8 served; the distribution of funds based on service provided;
9 and the continuing needs of the program.

10 b. Of the funds appropriated in this subsection,
11 \$48,000 shall be used for a grant to a statewide association
12 of psychologists, that is affiliated with the American
13 psychological association, to be used for continuation of a
14 program to rotate intern psychologists in placements that
15 serve urban and rural mental health professional shortage
16 areas. Once an intern psychologist begins service, the intern
17 psychologist may continue serving in the location of the intern
18 psychologist's placement, notwithstanding any change in the
19 mental health professional shortage area designation of such
20 location. The intern psychologist may also provide services
21 via telehealth, to underserved populations, and to Medicaid
22 members. For the purposes of this paragraph "b", "mental
23 health professional shortage area" means a geographic area
24 in this state that has been designated by the United States
25 department of health and human services, health resources and
26 services administration, bureau of health professionals, as
27 having a shortage of mental health professionals.

28 c. Of the funds appropriated in this subsection, the
29 following amounts are allocated to be used as follows
30 to support the goals of increased access, health system
31 integration, and engagement:

32 (1) Not less than \$1,600,000 is allocated to the Iowa
33 prescription drug corporation for continuation of the
34 pharmaceutical infrastructure for safety net providers as
35 described in [2007 Iowa Acts, chapter 218, section 108](#), and for

1 the prescription drug donation repository program created in
2 chapter 135M. Of the amount allocated in this subparagraph,
3 \$1,000,000 shall be used as one-time funding to support
4 program expansion and to implement an automated multi-dose
5 prescription packaging system. Funds allocated under this
6 subparagraph shall be distributed in their entirety for the
7 purpose specified on July 1, 2021.

8 (2) Not less than \$334,000 is allocated to free clinics and
9 free clinics of Iowa for necessary infrastructure, statewide
10 coordination, provider recruitment, service delivery, and
11 provision of assistance to patients in securing a medical home
12 inclusive of oral health care. Funds allocated under this
13 subparagraph shall be distributed in their entirety for the
14 purpose specified on July 1, 2021.

15 (3) Not less than \$25,000 is allocated to the Iowa
16 association of rural health clinics for necessary
17 infrastructure and service delivery transformation. Funds
18 allocated under this subparagraph shall be distributed in their
19 entirety for the purpose specified on July 1, 2021.

20 (4) Not less than \$225,000 is allocated to the Polk county
21 medical society for continuation of the safety net provider
22 patient access to specialty health care initiative as described
23 in [2007 Iowa Acts, chapter 218, section 109](#). Funds allocated
24 under this subparagraph shall be distributed in their entirety
25 for the purpose specified on July 1, 2021.

26 d. Of the funds appropriated in this subsection, \$191,000
27 is allocated for the purposes of health care and public health
28 workforce initiatives.

29 e. Of the funds appropriated in this subsection, \$96,000
30 shall be used for a matching dental education loan repayment
31 program to be allocated to a dental nonprofit health service
32 corporation to continue to develop the criteria and implement
33 the loan repayment program.

34 f. Of the funds appropriated in this subsection, \$100,000
35 shall be used for the purposes of the Iowa donor registry as

1 specified in section 142C.18.

2 g. Of the funds appropriated in this subsection, \$96,000
3 shall be used for continuation of a grant to a nationally
4 affiliated volunteer eye organization that has an established
5 program for children and adults and that is solely dedicated to
6 preserving sight and preventing blindness through education,
7 nationally certified vision screening and training, and
8 community and patient service programs. The contractor shall
9 submit a report to the general assembly regarding the use
10 of funds allocated under this paragraph "g". The report
11 shall include the objectives and results for the program year
12 including the target population and how the funds allocated
13 assisted the program in meeting the objectives; the number,
14 age, grade level if appropriate, and location within the state
15 of individuals served; the type of services provided to the
16 individuals served; the distribution of funds based on services
17 provided; and the continuing needs of the program.

18 h. Of the funds appropriated in this subsection, \$2,100,000
19 shall be deposited in the medical residency training account
20 created in section 135.175, subsection 5, paragraph "a", and
21 is appropriated from the account to the department of public
22 health to be used for the purposes of the medical residency
23 training state matching grants program as specified in section
24 135.176.

25 i. Of the funds appropriated in this subsection, \$250,000
26 shall be used for the public purpose of providing funding to
27 Des Moines university to continue a provider education project
28 to provide primary care physicians with the training and skills
29 necessary to recognize the signs of mental illness in patients.

30 j. Of the funds appropriated in this subsection, \$600,000
31 shall be used for rural psychiatric residencies to support the
32 annual creation and training of four psychiatric residents who
33 will provide mental health services in underserved areas of
34 the state. Notwithstanding section 8.33, moneys that remain
35 unencumbered or unobligated at the close of the fiscal year

1 shall not revert but shall remain available for expenditure for
2 the purposes designated for subsequent fiscal years.

3 k. Of the funds appropriated in this subsection, \$150,000
4 shall be used for psychiatric training to increase access to
5 mental health care services by expanding the mental health
6 workforce via training of additional physician assistants and
7 nurse practitioners.

8 1. Of the funds appropriated in this subsection, \$425,000
9 shall be used for the creation of a center of excellence
10 program to encourage innovation and collaboration among
11 regional health care providers in a rural area based upon the
12 results of a regional community needs assessment to transform
13 health care delivery in order to provide quality, sustainable
14 care that meets the needs of the local communities. An
15 applicant for the funds shall specify how the funds will be
16 expended to accomplish the goals of the program and shall
17 provide a detailed five-year sustainability plan prior to
18 being awarded any funding. Following the receipt of funding,
19 a recipient shall submit periodic reports as specified by the
20 department to the governor and the general assembly regarding
21 the recipient's expenditure of the funds and progress in
22 accomplishing the program goals.

23 5. ESSENTIAL PUBLIC HEALTH SERVICES

24 To provide public health services that reduce risks and
25 invest in promoting and protecting good health over the
26 course of a lifetime with a priority given to older Iowans and
27 vulnerable populations:

28 \$ 7,662,464

29 6. INFECTIOUS DISEASES

30 For reducing the incidence and prevalence of communicable
31 diseases, and for not more than the following full-time
32 equivalent positions:

33 \$ 1,796,206

34 FTEs 6.00

35 7. PUBLIC PROTECTION

S-3212 (Continued)

1 For protecting the health and safety of the public through
2 establishing standards and enforcing regulations, and for not
3 more than the following full-time equivalent positions:

4 \$ 4,466,601
5 FTEs 142.00

6 a. Of the funds appropriated in this subsection, not more
7 than \$304,000 shall be credited to the emergency medical
8 services fund created in section 135.25. Moneys in the
9 emergency medical services fund are appropriated to the
10 department to be used for the purposes of the fund.

11 b. Of the funds appropriated in this subsection, up
12 to \$243,000 shall be used for sexual violence prevention
13 programming through a statewide organization representing
14 programs serving victims of sexual violence through the
15 department's sexual violence prevention program, and for
16 continuation of a training program for sexual assault
17 response team (SART) members, including representatives of
18 law enforcement, victim advocates, prosecutors, and certified
19 medical personnel. The amount allocated in this paragraph "b"
20 shall not be used to supplant funding administered for other
21 sexual violence prevention or victims assistance programs.

22 c. Of the funds appropriated in this subsection, up to
23 \$500,000 shall be used for the state poison control center.
24 Pursuant to the directive under 2014 Iowa Acts, chapter
25 1140, section 102, the federal matching funds available to
26 the state poison control center from the department of human
27 services under the federal Children's Health Insurance Program
28 Reauthorization Act allotment shall be subject to the federal
29 administrative cap rule of 10 percent applicable to funding
30 provided under Tit. XXI of the federal Social Security Act and
31 included within the department's calculations of the cap.

32 d. Of the funds appropriated in this subsection, up to
33 \$504,000 shall be used for childhood lead poisoning provisions.

34 8. RESOURCE MANAGEMENT

35 For establishing and sustaining the overall ability of the

1 department to deliver services to the public, and for not more
2 than the following full-time equivalent positions:

3	\$	933,871
4	FTEs	4.00

5 9. MISCELLANEOUS PROVISIONS

6 The university of Iowa hospitals and clinics under the
7 control of the state board of regents shall not receive
8 indirect costs from the funds appropriated in this section.
9 The university of Iowa hospitals and clinics billings to the
10 department shall be on at least a quarterly basis.

11 Sec. 4. DEPARTMENT OF PUBLIC HEALTH — SPORTS WAGERING
12 RECEIPTS FUND. There is appropriated from the sports wagering
13 receipts fund created in section 8.57, subsection 6, to the
14 department of public health for the fiscal year beginning July
15 1, 2021, and ending June 30, 2022, the following amount, or
16 so much thereof as is necessary, to be used for the purposes
17 designated:

18 For problem gambling and substance-related disorder
19 prevention, treatment, and recovery services, including a
20 24-hour helpline, public information resources, professional
21 training, youth prevention, and program evaluation:

22	\$	1,750,000
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23 DIVISION IV

24 DEPARTMENT OF VETERANS AFFAIRS — FY 2021-2022

25 Sec. 5. DEPARTMENT OF VETERANS AFFAIRS. There is
26 appropriated from the general fund of the state to the
27 department of veterans affairs for the fiscal year beginning
28 July 1, 2021, and ending June 30, 2022, the following amounts,
29 or so much thereof as is necessary, to be used for the purposes
30 designated:

31 1. DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION

32 For salaries, support, maintenance, and miscellaneous
33 purposes, and for not more than the following full-time
34 equivalent positions:

35	\$	1,229,763
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1 FTEs 15.00

2 2. IOWA VETERANS HOME

3 For salaries, support, maintenance, and miscellaneous
4 purposes:

5 \$ 7,131,552

6 a. The Iowa veterans home billings involving the department
7 of human services shall be submitted to the department on at
8 least a monthly basis.

9 b. The Iowa veterans home expenditure report shall be
10 submitted monthly to the general assembly.

11 c. The Iowa veterans home shall continue to include in the
12 annual discharge report applicant information to provide for
13 the collection of demographic information including but not
14 limited to the number of individuals applying for admission and
15 admitted or denied admittance and the basis for the admission
16 or denial; the age, gender, and race of such individuals;
17 and the level of care for which such individuals applied for
18 admission including residential or nursing level of care.

19 3. HOME OWNERSHIP ASSISTANCE PROGRAM

20 For transfer to the Iowa finance authority for the
21 continuation of the home ownership assistance program for
22 persons who are or were eligible members of the armed forces of
23 the United States, pursuant to section 16.54:

24 \$ 2,000,000

25 Sec. 6. LIMITATION OF COUNTY COMMISSIONS OF VETERAN AFFAIRS
26 FUND STANDING APPROPRIATIONS. Notwithstanding the standing
27 appropriation in section 35A.16 for the fiscal year beginning
28 July 1, 2021, and ending June 30, 2022, the amount appropriated
29 from the general fund of the state pursuant to that section
30 for the following designated purposes shall not exceed the
31 following amount:

32 For the county commissions of veteran affairs fund under
33 section 35A.16:

34 \$ 990,000

35 DIVISION V

1 DEPARTMENT OF HUMAN SERVICES — FY 2021-2022
2 Sec. 7. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK
3 GRANT. There is appropriated from the fund created in section
4 8.41 to the department of human services for the fiscal year
5 beginning July 1, 2021, and ending June 30, 2022, from moneys
6 received under the federal temporary assistance for needy
7 families (TANF) block grant pursuant to the federal Personal
8 Responsibility and Work Opportunity Reconciliation Act of 1996,
9 Pub. L. No. 104-193, and successor legislation, the following
10 amounts, or so much thereof as is necessary, to be used for the
11 purposes designated:

12 1. To be credited to the family investment program account
13 and used for assistance under the family investment program
14 under chapter 239B:
15 \$ 5,002,006

16 2. To be credited to the family investment program account
17 and used for the job opportunities and basic skills (JOBS)
18 program and implementing family investment agreements in
19 accordance with chapter 239B:
20 \$ 5,412,060

21 3. To be used for the family development and
22 self-sufficiency grant program in accordance with section
23 216A.107:
24 \$ 2,888,980

25 Notwithstanding section 8.33, moneys appropriated in this
26 subsection that remain unencumbered or unobligated at the close
27 of the fiscal year shall not revert but shall remain available
28 for expenditure for the purposes designated until the close of
29 the succeeding fiscal year. However, unless such moneys are
30 encumbered or obligated on or before September 30, 2022, the
31 moneys shall revert.

32 4. For field operations:
33 \$ 31,296,232

34 5. For general administration:
35 \$ 3,744,000

1 6. For state child care assistance:
2 \$ 47,166,826
3 a. Of the funds appropriated in this subsection,
4 \$26,205,412 is transferred to the child care and development
5 block grant appropriation made by the Eighty-ninth General
6 Assembly, 2021 session, for the federal fiscal year beginning
7 October 1, 2021, and ending September 30, 2022. Of this
8 amount, \$200,000 shall be used for provision of educational
9 opportunities to registered child care home providers in order
10 to improve services and programs offered by this category
11 of providers and to increase the number of providers. The
12 department may contract with institutions of higher education
13 or child care resource and referral centers to provide
14 the educational opportunities. Allowable administrative
15 costs under the contracts shall not exceed 5 percent. The
16 application for a grant shall not exceed two pages in length.
17 b. Any funds appropriated in this subsection remaining
18 unallocated shall be used for state child care assistance
19 payments for families who are employed including but not
20 limited to individuals enrolled in the family investment
21 program.
22 7. For child and family services:
23 \$ 32,380,654
24 8. For child abuse prevention grants:
25 \$ 125,000
26 9. For pregnancy prevention grants on the condition that
27 family planning services are funded:
28 \$ 1,913,203
29 Pregnancy prevention grants shall be awarded to programs
30 in existence on or before July 1, 2021, if the programs have
31 demonstrated positive outcomes. Grants shall be awarded to
32 pregnancy prevention programs which are developed after July
33 1, 2021, if the programs are based on existing models that
34 have demonstrated positive outcomes. Grants shall comply with
35 the requirements provided in 1997 Iowa Acts, chapter 208,

1 section 14, subsections 1 and 2, including the requirement that
2 grant programs must emphasize sexual abstinence. Priority in
3 the awarding of grants shall be given to programs that serve
4 areas of the state which demonstrate the highest percentage of
5 unplanned pregnancies of females of childbearing age within the
6 geographic area to be served by the grant.

7 10. For technology needs and other resources necessary to
8 meet federal, state, and welfare reform reporting, tracking,
9 and case management requirements and other departmental needs:
10 \$ 1,037,186

11 11. a. Notwithstanding any provision to the contrary,
12 including but not limited to requirements in section 8.41 or
13 provisions in 2020 Iowa Acts or 2021 Iowa Acts regarding the
14 receipt and appropriation of federal block grants, federal
15 funds from the temporary assistance for needy families block
16 grant received by the state and not otherwise appropriated
17 in this section and remaining available for the fiscal year
18 beginning July 1, 2021, are appropriated to the department of
19 human services to the extent as may be necessary to be used in
20 the following priority order: the family investment program,
21 for state child care assistance program payments for families
22 who are employed, and for the family investment program share
23 of system costs for eligibility determination and related
24 functions. The federal funds appropriated in this paragraph
25 "a" shall be expended only after all other funds appropriated
26 in subsection 1 for assistance under the family investment
27 program, in subsection 6 for state child care assistance, or
28 in subsection 10 for technology costs related to the family
29 investment program, as applicable, have been expended. For
30 the purposes of this subsection, the funds appropriated in
31 subsection 6, paragraph "a", for transfer to the child care
32 and development block grant appropriation are considered fully
33 expended when the full amount has been transferred.

34 b. The department shall, on a quarterly basis, advise the
35 general assembly and department of management of the amount of

1 funds appropriated in this subsection that was expended in the
2 prior quarter.

3 12. Of the amounts appropriated in this section,
4 \$12,962,008 for the fiscal year beginning July 1, 2021, is
5 transferred to the appropriation of the federal social services
6 block grant made to the department of human services for that
7 fiscal year.

8 13. For continuation of the program providing categorical
9 eligibility for the food assistance program as specified
10 for the program in the section of this division of this Act
11 relating to the family investment program account:

12 \$ 14,236

13 14. The department may transfer funds allocated in this
14 section to the appropriations made in this division of this Act
15 for the same fiscal year for general administration and field
16 operations for resources necessary to implement and operate the
17 services referred to in this section and those funded in the
18 appropriation made in this division of this Act for the same
19 fiscal year for the family investment program from the general
20 fund of the state.

21 15. With the exception of moneys allocated under this
22 section for the family development and self-sufficiency grant
23 program, to the extent moneys allocated in this section are
24 deemed by the department not to be necessary to support the
25 purposes for which they are allocated, such moneys may be used
26 in the same fiscal year for any other purpose for which funds
27 are allocated in this section or in section 8 of this division
28 of this Act for the family investment program account. If
29 there are conflicting needs, priority shall first be given
30 to the family investment program account as specified under
31 subsection 1 of this section and used for the purposes of
32 assistance under the family investment program in accordance
33 with chapter 239B, followed by state child care assistance
34 program payments for families who are employed, followed by
35 other priorities as specified by the department.

1 Sec. 8. FAMILY INVESTMENT PROGRAM ACCOUNT.

2 1. Moneys credited to the family investment program (FIP)
3 account for the fiscal year beginning July 1, 2021, and
4 ending June 30, 2022, shall be used to provide assistance in
5 accordance with chapter 239B.

6 2. The department may use a portion of the moneys credited
7 to the FIP account under this section as necessary for
8 salaries, support, maintenance, and miscellaneous purposes.

9 3. The department may transfer funds allocated in
10 subsection 4, excluding the allocation under subsection 4,
11 paragraph "b", to the appropriations made in this division of
12 this Act for the same fiscal year for general administration
13 and field operations for resources necessary to implement
14 and operate the services referred to in this section and
15 those funded in the appropriations made in section 7 for the
16 temporary assistance for needy families block grant and in
17 section 9 for the family investment program from the general
18 fund of the state in this division of this Act for the same
19 fiscal year.

20 4. Moneys appropriated in this division of this Act and
21 credited to the FIP account for the fiscal year beginning July
22 1, 2021, and ending June 30, 2022, are allocated as follows:

23 a. To be retained by the department of human services to
24 be used for coordinating with the department of human rights
25 to more effectively serve participants in FIP and other shared
26 clients and to meet federal reporting requirements under the
27 federal temporary assistance for needy families block grant:
28 \$ 10,000

29 b. To the department of human rights for staffing,
30 administration, and implementation of the family development
31 and self-sufficiency grant program in accordance with section
32 216A.107:
33 \$ 7,192,834

34 (1) Of the funds allocated for the family development
35 and self-sufficiency grant program in this paragraph "b",

1 not more than 5 percent of the funds shall be used for the
2 administration of the grant program.

3 (2) The department of human rights may continue to implement
4 the family development and self-sufficiency grant program
5 statewide during fiscal year 2021-2022.

6 (3) The department of human rights may engage in activities
7 to strengthen and improve family outcomes measures and
8 data collection systems under the family development and
9 self-sufficiency grant program.

10 c. For the diversion subaccount of the FIP account:
11 \$ 1,293,000

12 A portion of the moneys allocated for the diversion
13 subaccount may be used for field operations, salaries, data
14 management system development, and implementation costs and
15 support deemed necessary by the director of human services
16 in order to administer the FIP diversion program. To the
17 extent moneys allocated in this paragraph "c" are deemed by the
18 department not to be necessary to support diversion activities,
19 such moneys may be used for other efforts intended to increase
20 engagement by family investment program participants in work,
21 education, or training activities, or for the purposes of
22 assistance under the family investment program in accordance
23 with chapter 239B.

24 d. For the food assistance employment and training program:
25 \$ 66,588

26 (1) The department shall apply the federal supplemental
27 nutrition assistance program (SNAP) employment and training
28 state plan in order to maximize to the fullest extent permitted
29 by federal law the use of the 50 percent federal reimbursement
30 provisions for the claiming of allowable federal reimbursement
31 funds from the United States department of agriculture
32 pursuant to the federal SNAP employment and training program
33 for providing education, employment, and training services
34 for eligible food assistance program participants, including
35 but not limited to related dependent care and transportation

1 expenses.

2 (2) The department shall continue the categorical federal
3 food assistance program eligibility at 160 percent of the
4 federal poverty level and continue to eliminate the asset test
5 from eligibility requirements, consistent with federal food
6 assistance program requirements. The department shall include
7 as many food assistance households as is allowed by federal
8 law. The eligibility provisions shall conform to all federal
9 requirements including requirements addressing individuals who
10 are incarcerated or otherwise ineligible.

11 e. For the JOBS program, not more than:

12 \$ 12,018,258

13 5. Of the child support collections assigned under FIP,
14 an amount equal to the federal share of support collections
15 shall be credited to the child support recovery appropriation
16 made in this division of this Act. Of the remainder of the
17 assigned child support collections received by the child
18 support recovery unit, a portion shall be credited to the FIP
19 account, a portion may be used to increase recoveries, and a
20 portion may be used to sustain cash flow in the child support
21 payments account. If as a consequence of the appropriations
22 and allocations made in this section the resulting amounts
23 are insufficient to sustain cash assistance payments and meet
24 federal maintenance of effort requirements, the department
25 shall seek supplemental funding. If child support collections
26 assigned under FIP are greater than estimated or are otherwise
27 determined not to be required for maintenance of effort, the
28 state share of either amount may be transferred to or retained
29 in the child support payments account.

30 Sec. 9. FAMILY INVESTMENT PROGRAM GENERAL FUND. There
31 is appropriated from the general fund of the state to the
32 department of human services for the fiscal year beginning July
33 1, 2021, and ending June 30, 2022, the following amount, or
34 so much thereof as is necessary, to be used for the purpose
35 designated:

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1 To be credited to the family investment program (FIP)
2 account and used for family investment program assistance
3 under chapter 239B and other costs associated with providing
4 needs-based benefits or assistance:

5 \$ 41,003,978

6 1. Of the funds appropriated in this section, \$6,606,198 is
7 allocated for the JOBS program.

8 2. Of the funds appropriated in this section, \$4,313,854 is
9 allocated for the family development and self-sufficiency grant
10 program.

11 3. a. Notwithstanding section 8.39, for the fiscal
12 year beginning July 1, 2021, if necessary to meet federal
13 maintenance of effort requirements or to transfer federal
14 temporary assistance for needy families block grant funding
15 to be used for purposes of the federal social services block
16 grant or to meet cash flow needs resulting from delays in
17 receiving federal funding or to implement, in accordance with
18 this division of this Act, activities currently funded with
19 juvenile court services, county, or community moneys and state
20 moneys used in combination with such moneys; to comply with
21 federal requirements; or to maximize the use of federal funds;
22 the department of human services may transfer funds within or
23 between any of the appropriations made in this division of this
24 Act and appropriations in law for the federal social services
25 block grant to the department for the following purposes,
26 provided that the combined amount of state and federal
27 temporary assistance for needy families block grant funding
28 for each appropriation remains the same before and after the
29 transfer:

30 (1) For the family investment program.

31 (2) For state child care assistance.

32 (3) For child and family services.

33 (4) For field operations.

34 (5) For general administration.

35 b. This subsection shall not be construed to prohibit the

1 use of existing state transfer authority for other purposes.
2 The department shall report any transfers made pursuant to this
3 subsection to the general assembly.

4 4. Of the funds appropriated in this section, \$195,000
5 shall be used for a contract for tax preparation assistance
6 to low-income Iowans to expand the usage of the earned income
7 tax credit. The purpose of the contract is to supply this
8 assistance to underserved areas of the state. The department
9 shall not retain any portion of the allocation under this
10 subsection for administrative costs.

11 5. Of the funds appropriated in this section, \$70,000 shall
12 be used for the continuation of the parenting program, as
13 specified in [441 IAC ch. 100](#), relating to parental obligations,
14 in which the child support recovery unit participates, to
15 support the efforts of a nonprofit organization committed to
16 strengthening the community through youth development, healthy
17 living, and social responsibility headquartered in a county
18 with a population over 350,000 according to the 2010 certified
19 federal census. The funds allocated in this subsection shall
20 be used by the recipient organization to develop a larger
21 community effort, through public and private partnerships, to
22 support a broad-based multi-county parenthood initiative that
23 promotes payment of child support obligations, improved family
24 relationships, and full-time employment.

25 6. The department may transfer funds appropriated in this
26 section, excluding the allocation in subsection 2 for the
27 family development and self-sufficiency grant program, to the
28 appropriations made in this division of this Act for general
29 administration and field operations as necessary to administer
30 this section, section 7 for the temporary assistance for needy
31 families block grant, and section 8 for the family investment
32 program account.

33 Sec. 10. CHILD SUPPORT RECOVERY. There is appropriated
34 from the general fund of the state to the department of human
35 services for the fiscal year beginning July 1, 2021, and ending

1 June 30, 2022, the following amount, or so much thereof as is
2 necessary, to be used for the purposes designated:

3 For child support recovery, including salaries, support,
4 maintenance, and miscellaneous purposes, and for not more than
5 the following full-time equivalent positions:

6	\$ 15,942,885
7	FTEs 459.00

8 1. The department shall expend up to \$24,000, including
9 federal financial participation, for the fiscal year beginning
10 July 1, 2021, for a child support public awareness campaign.
11 The department and the office of the attorney general shall
12 cooperate in continuation of the campaign. The public
13 awareness campaign shall emphasize, through a variety of
14 media activities, the importance of maximum involvement of
15 both parents in the lives of their children as well as the
16 importance of payment of child support obligations.

17 2. Federal access and visitation grant moneys shall be
18 issued directly to private not-for-profit agencies that provide
19 services designed to increase compliance with the child access
20 provisions of court orders, including but not limited to
21 neutral visitation sites and mediation services.

22 3. The appropriation made to the department for child
23 support recovery may be used throughout the fiscal year in the
24 manner necessary for purposes of cash flow management, and for
25 cash flow management purposes the department may temporarily
26 draw more than the amount appropriated, provided the amount
27 appropriated is not exceeded at the close of the fiscal year.

28 Sec. 11. HEALTH CARE TRUST FUND — MEDICAL ASSISTANCE —
29 FY 2021-2022. Any funds remaining in the health care trust
30 fund created in section 453A.35A for the fiscal year beginning
31 July 1, 2021, and ending June 30, 2022, are appropriated to
32 the department of human services to supplement the medical
33 assistance program appropriations made in this division of this
34 Act, for medical assistance reimbursement and associated costs,
35 including program administration and costs associated with

1 program implementation.

2 Sec. 12. MEDICAID FRAUD FUND — MEDICAL ASSISTANCE — FY
3 2021-2022. Any funds remaining in the Medicaid fraud fund
4 created in section 249A.50 for the fiscal year beginning
5 July 1, 2021, and ending June 30, 2022, are appropriated to
6 the department of human services to supplement the medical
7 assistance appropriations made in this division of this Act,
8 for medical assistance reimbursement and associated costs,
9 including program administration and costs associated with
10 program implementation.

11 Sec. 13. MEDICAL ASSISTANCE. There is appropriated from the
12 general fund of the state to the department of human services
13 for the fiscal year beginning July 1, 2021, and ending June 30,
14 2022, the following amount, or so much thereof as is necessary,
15 to be used for the purpose designated:

16 For medical assistance program reimbursement and associated
17 costs as specifically provided in the reimbursement
18 methodologies in effect on June 30, 2021, except as otherwise
19 expressly authorized by law, consistent with options under
20 federal law and regulations, and contingent upon receipt of
21 approval from the office of the governor of reimbursement for
22 each abortion performed under the program:

23 \$ 1,503,848,253

24 1. Iowans support reducing the number of abortions
25 performed in our state. Funds appropriated under this section
26 shall not be used for abortions, unless otherwise authorized
27 under this section.

28 2. The provisions of this section relating to abortions
29 shall also apply to the Iowa health and wellness plan created
30 pursuant to chapter 249N.

31 3. The department shall utilize not more than \$60,000 of
32 the funds appropriated in this section to continue the AIDS/HIV
33 health insurance premium payment program as established in 1992
34 Iowa Acts, Second Extraordinary Session, chapter 1001, section
35 409, subsection 6. Of the funds allocated in this subsection,

1 not more than \$5,000 may be expended for administrative
2 purposes.

3 4. Of the funds appropriated in this Act to the department
4 of public health for addictive disorders, \$950,000 for
5 the fiscal year beginning July 1, 2021, is transferred
6 to the department of human services for an integrated
7 substance-related disorder managed care system. The
8 departments of human services and public health shall
9 work together to maintain the level of mental health and
10 substance-related disorder treatment services provided by the
11 managed care contractors. Each department shall take the steps
12 necessary to continue the federal waivers as necessary to
13 maintain the level of services.

14 5. The department shall aggressively pursue options for
15 providing medical assistance or other assistance to individuals
16 with special needs who become ineligible to continue receiving
17 services under the early and periodic screening, diagnostic,
18 and treatment program under the medical assistance program
19 due to becoming 21 years of age who have been approved for
20 additional assistance through the department's exception to
21 policy provisions, but who have health care needs in excess
22 of the funding available through the exception to policy
23 provisions.

24 6. Of the funds appropriated in this section, up to
25 \$3,050,082 may be transferred to the field operations or
26 general administration appropriations in this division of this
27 Act for operational costs associated with Part D of the federal
28 Medicare Prescription Drug Improvement and Modernization Act
29 of 2003, Pub. L. No. 108-173.

30 7. Of the funds appropriated in this section, up to \$442,100
31 may be transferred to the appropriation in this division of
32 this Act for health program operations to be used for clinical
33 assessment services and prior authorization of services.

34 8. A portion of the funds appropriated in this section may
35 be transferred to the appropriations in this division of this

1 Act for general administration, health program operations, the
2 children's health insurance program, or field operations to be
3 used for the state match cost to comply with the payment error
4 rate measurement (PERM) program for both the medical assistance
5 and children's health insurance programs as developed by the
6 centers for Medicare and Medicaid services of the United States
7 department of health and human services to comply with the
8 federal Improper Payments Information Act of 2002, Pub. L.
9 No. 107-300, and to support other reviews and quality control
10 activities to improve the integrity of these programs.

11 9. Of the funds appropriated in this section, a sufficient
12 amount is allocated to supplement the incomes of residents of
13 nursing facilities, intermediate care facilities for persons
14 with mental illness, and intermediate care facilities for
15 persons with an intellectual disability, with incomes of less
16 than \$50 in the amount necessary for the residents to receive a
17 personal needs allowance of \$50 per month pursuant to section
18 249A.30A.

19 10. a. Hospitals that meet the conditions specified
20 in subparagraphs (1) and (2) shall either certify public
21 expenditures or transfer to the medical assistance program
22 an amount equal to provide the nonfederal share for a
23 disproportionate share hospital payment in an amount up to the
24 hospital-specific limit as approved in the Medicaid state plan.
25 The hospitals that meet the conditions specified shall receive
26 and retain 100 percent of the total disproportionate share
27 hospital payment in an amount up to the hospital-specific limit
28 as approved in the Medicaid state plan.

29 (1) The hospital qualifies for disproportionate share and
30 graduate medical education payments.

31 (2) The hospital is an Iowa state-owned hospital with more
32 than 500 beds and eight or more distinct residency specialty
33 or subspecialty programs recognized by the American college of
34 graduate medical education.

35 b. Distribution of the disproportionate share payments

1 shall be made on a monthly basis. The total amount of
2 disproportionate share payments including graduate medical
3 education, enhanced disproportionate share, and Iowa
4 state-owned teaching hospital payments shall not exceed the
5 amount of the state's allotment under Pub. L. No. 102-234.
6 In addition, the total amount of all disproportionate
7 share payments shall not exceed the hospital-specific
8 disproportionate share limits under Pub. L. No. 103-66.

9 11. One hundred percent of the nonfederal share of payments
10 to area education agencies that are medical assistance
11 providers for medical assistance-covered services provided to
12 medical assistance-covered children, shall be made from the
13 appropriation made in this section.

14 12. A portion of the funds appropriated in this section may
15 be transferred to the appropriation in this division of this
16 Act for health program operations to be used for administrative
17 activities associated with the money follows the person
18 demonstration project.

19 13. Of the funds appropriated in this section, \$349,011
20 shall be used for the administration of the health insurance
21 premium payment program, including salaries, support,
22 maintenance, and miscellaneous purposes.

23 14. a. The department may increase the amounts allocated
24 for salaries, support, maintenance, and miscellaneous purposes
25 associated with the medical assistance program, as necessary,
26 to sustain cost management efforts. The department shall
27 report any such increase to the general assembly and the
28 department of management.

29 b. If the savings to the medical assistance program from
30 ongoing cost management efforts exceed the associated cost
31 for the fiscal year beginning July 1, 2021, the department
32 may transfer any savings generated for the fiscal year due
33 to medical assistance program cost management efforts to the
34 appropriation made in this division of this Act for health
35 program operations or general administration to defray the

1 costs associated with implementing the efforts.

2 15. For the fiscal year beginning July 1, 2021, and ending
3 June 30, 2022, the replacement generation tax revenues required
4 to be deposited in the property tax relief fund pursuant to
5 section 437A.8, subsection 4, paragraph "d", and section
6 437A.15, subsection 3, paragraph "f", shall instead be credited
7 to and supplement the appropriation made in this section and
8 used for the allocations made in this section.

9 16. a. Of the funds appropriated in this section, up
10 to \$50,000 may be transferred by the department to the
11 appropriation made in this division of this Act to the
12 department for the same fiscal year for general administration
13 to be used for associated administrative expenses and for not
14 more than 1.00 full-time equivalent position, in addition to
15 those authorized for the same fiscal year, to be assigned to
16 implementing the children's mental health home project.

17 b. Of the funds appropriated in this section, up to \$400,000
18 may be transferred by the department to the appropriation made
19 to the department in this division of this Act for the same
20 fiscal year for Medicaid program-related general administration
21 planning and implementation activities. The funds may be used
22 for contracts or for personnel in addition to the amounts
23 appropriated for and the positions authorized for general
24 administration for the fiscal year.

25 c. Of the funds appropriated in this section, up to
26 \$3,000,000 may be transferred by the department to the
27 appropriations made in this division of this Act for the
28 same fiscal year for general administration or health
29 program operations to be used to support the development
30 and implementation of standardized assessment tools for
31 persons with mental illness, an intellectual disability, a
32 developmental disability, or a brain injury.

33 17. Of the funds appropriated in this section, \$150,000
34 shall be used for lodging expenses associated with care
35 provided at the university of Iowa hospitals and clinics for

1 patients with cancer whose travel distance is 30 miles or more
2 and whose income is at or below 200 percent of the federal
3 poverty level as defined by the most recently revised poverty
4 income guidelines published by the United States department of
5 health and human services. The department of human services
6 shall establish the maximum number of overnight stays and the
7 maximum rate reimbursed for overnight lodging, which may be
8 based on the state employee rate established by the department
9 of administrative services. The funds allocated in this
10 subsection shall not be used as nonfederal share matching
11 funds.

12 18. Of the funds appropriated in this section, up to
13 \$3,383,880 shall be used for administration of the state family
14 planning services program pursuant to section 217.41B, and
15 of this amount, the department may use up to \$200,000 for
16 administrative expenses.

17 19. Of the funds appropriated in this section, \$1,545,530
18 shall be used and may be transferred to other appropriations
19 in this division of this Act as necessary to administer the
20 provisions in the division of this Act relating to Medicaid
21 program administration.

22 20. The department shall comply with the centers for
23 Medicare and Medicaid services' guidance related to Medicaid
24 program and children's health insurance program maintenance
25 of effort provisions, including eligibility standards,
26 methodologies, procedures, and continuous enrollment, to
27 receive the enhanced federal medical assistance percentage
28 under section 6008(b) of the federal Families First Coronavirus
29 Response Act, Pub. L. No. 116-127. The department shall
30 utilize and implement all tools, processes, and resources
31 available to expediently return to normal eligibility and
32 enrollment operations in compliance with federal guidance and
33 expectations.

34 21. Of the funds appropriated in this section, up to
35 \$1,031,530 shall be used to implement reductions in the waiting

1 list for the children's mental health home and community-based
2 services waiver.

3 22. Of the funds appropriated in this section, a sufficient
4 amount is allocated to fund up to three full-time equivalent
5 positions to support the administrative work associated with
6 existing and potential supplemental payment programs.

7 Sec. 14. HEALTH PROGRAM OPERATIONS. There is appropriated
8 from the general fund of the state to the department of human
9 services for the fiscal year beginning July 1, 2021, and ending
10 June 30, 2022, the following amount, or so much thereof as is
11 necessary, to be used for the purpose designated:

12 For health program operations:

13 \$ 17,831,343

14 1. The department of inspections and appeals shall
15 provide all state matching funds for survey and certification
16 activities performed by the department of inspections
17 and appeals. The department of human services is solely
18 responsible for distributing the federal matching funds for
19 such activities.

20 2. Of the funds appropriated in this section, \$50,000 shall
21 be used for continuation of home and community-based services
22 waiver quality assurance programs, including the review and
23 streamlining of processes and policies related to oversight and
24 quality management to meet state and federal requirements.

25 3. Of the amount appropriated in this section, up to
26 \$200,000 may be transferred to the appropriation for general
27 administration in this division of this Act to be used for
28 additional full-time equivalent positions in the development
29 of key health initiatives such as development and oversight
30 of managed care programs and development of health strategies
31 targeted toward improved quality and reduced costs in the
32 Medicaid program.

33 4. Of the funds appropriated in this section, \$1,000,000
34 shall be used for planning and development, in cooperation with
35 the department of public health, of a phased-in program to

1 provide a dental home for children.

2 5. a. Of the funds appropriated in this section, \$573,000
3 shall be credited to the autism support program fund created
4 in section 225D.2 to be used for the autism support program
5 created in chapter 225D, with the exception of the following
6 amount of this allocation which shall be used as follows:

7 b. Of the funds allocated in this subsection, \$25,000 shall
8 be used for the public purpose of continuation of a grant to
9 a nonprofit provider of child welfare services that has been
10 in existence for more than 115 years, is located in a county
11 with a population between 200,000 and 220,000 according to the
12 2010 federal decennial census, is licensed as a psychiatric
13 medical institution for children, and provides school-based
14 programming, to be used for support services for children with
15 autism spectrum disorder and their families.

16 Sec. 15. STATE SUPPLEMENTARY ASSISTANCE.

17 1. There is appropriated from the general fund of the
18 state to the department of human services for the fiscal year
19 beginning July 1, 2021, and ending June 30, 2022, the following
20 amount, or so much thereof as is necessary, to be used for the
21 purpose designated:

22 For the state supplementary assistance program:

23 \$ 7,349,002

24 2. The department shall increase the personal needs
25 allowance for residents of residential care facilities by the
26 same percentage and at the same time as federal supplemental
27 security income and federal social security benefits are
28 increased due to a recognized increase in the cost of living.
29 The department may adopt emergency rules to implement this
30 subsection.

31 3. If during the fiscal year beginning July 1, 2021,
32 the department projects that state supplementary assistance
33 expenditures for a calendar year will not meet the federal
34 pass-through requirement specified in Tit. XVI of the federal
35 Social Security Act, section 1618, as codified in 42 U.S.C.

1 §1382g, the department may take actions including but not
2 limited to increasing the personal needs allowance for
3 residential care facility residents and making programmatic
4 adjustments or upward adjustments of the residential care
5 facility or in-home health-related care reimbursement rates
6 prescribed in this division of this Act to ensure that federal
7 requirements are met. In addition, the department may make
8 other programmatic and rate adjustments necessary to remain
9 within the amount appropriated in this section while ensuring
10 compliance with federal requirements. The department may adopt
11 emergency rules to implement the provisions of this subsection.

12 4. Notwithstanding section 8.33, moneys appropriated
13 in this section that remain unencumbered or unobligated
14 at the close of the fiscal year shall not revert but
15 shall remain available for expenditure for the purposes
16 designated, including for liability amounts associated with the
17 supplemental nutrition assistance program payment error rate,
18 until the close of the succeeding fiscal year.

19 Sec. 16. CHILDREN'S HEALTH INSURANCE PROGRAM.

20 1. There is appropriated from the general fund of the
21 state to the department of human services for the fiscal year
22 beginning July 1, 2021, and ending June 30, 2022, the following
23 amount, or so much thereof as is necessary, to be used for the
24 purpose designated:

25 For maintenance of the healthy and well kids in Iowa (hawk-i)
26 program pursuant to chapter 514I, including supplemental dental
27 services, for receipt of federal financial participation under
28 Tit. XXI of the federal Social Security Act, which creates the
29 children's health insurance program:

30 \$ 37,957,643

31 2. Of the funds appropriated in this section, \$149,189 is
32 allocated for continuation of the contract for outreach with
33 the department of public health.

34 3. A portion of the funds appropriated in this section may
35 be transferred to the appropriations made in this division of

1 this Act for field operations or health program operations to
2 be used for the integration of hawk-i program eligibility,
3 payment, and administrative functions under the purview of
4 the department of human services, including for the Medicaid
5 management information system upgrade.

6 Sec. 17. CHILD CARE ASSISTANCE. There is appropriated
7 from the general fund of the state to the department of human
8 services for the fiscal year beginning July 1, 2021, and ending
9 June 30, 2022, the following amount, or so much thereof as is
10 necessary, to be used for the purpose designated:

11 For child care programs:

12 \$ 40,816,931

13 1. Of the funds appropriated in this section, \$34,966,931
14 shall be used for state child care assistance in accordance
15 with section 237A.13.

16 2. Nothing in this section shall be construed or is
17 intended as or shall imply a grant of entitlement for services
18 to persons who are eligible for assistance due to an income
19 level consistent with the waiting list requirements of section
20 237A.13. Any state obligation to provide services pursuant to
21 this section is limited to the extent of the funds appropriated
22 in this section.

23 3. A list of the registered and licensed child care
24 facilities operating in the area served by a child care
25 resource and referral service shall be made available to the
26 families receiving state child care assistance in that area.

27 4. Of the funds appropriated in this section, \$5,850,000
28 shall be credited to the early childhood programs grants
29 account in the early childhood Iowa fund created in section
30 256I.11. The moneys shall be distributed for funding of
31 community-based early childhood programs targeted to children
32 from birth through five years of age developed by early
33 childhood Iowa areas in accordance with approved community
34 plans as provided in section 256I.8.

35 5. The department may use any of the funds appropriated

1 in this section as a match to obtain federal funds for use in
2 expanding child care assistance and related programs. For
3 the purpose of expenditures of state and federal child care
4 funding, funds shall be considered obligated at the time
5 expenditures are projected or are allocated to the department's
6 service areas. Projections shall be based on current and
7 projected caseload growth, current and projected provider
8 rates, staffing requirements for eligibility determination
9 and management of program requirements including data systems
10 management, staffing requirements for administration of the
11 program, contractual and grant obligations and any transfers
12 to other state agencies, and obligations for decategorization
13 or innovation projects.

14 6. A portion of the state match for the federal child care
15 and development block grant shall be provided as necessary to
16 meet federal matching funds requirements through the state
17 general fund appropriation made for child development grants
18 and other programs for at-risk children in section 279.51.

19 7. If a uniform reduction ordered by the governor under
20 section 8.31 or other operation of law, transfer, or federal
21 funding reduction reduces the appropriation made in this
22 section for the fiscal year, the percentage reduction in the
23 amount paid out to or on behalf of the families participating
24 in the state child care assistance program shall be equal to or
25 less than the percentage reduction made for any other purpose
26 payable from the appropriation made in this section and the
27 federal funding relating to it. The percentage reduction to
28 the other allocations made in this section shall be the same as
29 the uniform reduction ordered by the governor or the percentage
30 change of the federal funding reduction, as applicable. If
31 there is an unanticipated increase in federal funding provided
32 for state child care services, the entire amount of the
33 increase, except as necessary to meet federal requirements
34 including quality set asides, shall be used for state child
35 care assistance payments. If the appropriations made for

1 purposes of the state child care assistance program for the
2 fiscal year are determined to be insufficient, it is the intent
3 of the general assembly to appropriate sufficient funding for
4 the fiscal year in order to avoid establishment of waiting list
5 requirements.

6 8. Notwithstanding section 8.33, moneys advanced for
7 purposes of the programs developed by early childhood Iowa
8 areas, advanced for purposes of wraparound child care, or
9 received from the federal appropriations made for the purposes
10 of this section that remain unencumbered or unobligated at the
11 close of the fiscal year shall not revert to any fund but shall
12 remain available for expenditure for the purposes designated
13 until the close of the succeeding fiscal year.

14 Sec. 18. JUVENILE INSTITUTION. There is appropriated
15 from the general fund of the state to the department of human
16 services for the fiscal year beginning July 1, 2021, and ending
17 June 30, 2022, the following amounts, or so much thereof as is
18 necessary, to be used for the purposes designated:

19 1. a. For operation of the state training school at Eldora
20 and for salaries, support, maintenance, and miscellaneous
21 purposes, and for not more than the following full-time
22 equivalent positions:

23	\$ 17,397,068
24	FTEs 207.00

25 b. Of the funds appropriated in this subsection, \$91,000
26 shall be used for distribution to licensed classroom teachers
27 at this and other institutions under the control of the
28 department of human services based upon the average student
29 yearly enrollment at each institution as determined by the
30 department.

31 2. A portion of the moneys appropriated in this section
32 shall be used by the state training school at Eldora for
33 grants for adolescent pregnancy prevention activities at the
34 institution in the fiscal year beginning July 1, 2021.

35 3. Of the funds appropriated in this subsection, \$212,000

1 shall be used by the state training school at Eldora for a
2 substance use disorder treatment program at the institution for
3 the fiscal year beginning July 1, 2021.

4 4. Notwithstanding section 8.33, moneys appropriated in
5 this section that remain unencumbered or unobligated at the
6 close of the fiscal year shall not revert but shall remain
7 available for expenditure for the purposes designated until the
8 close of the succeeding fiscal year.

9 Sec. 19. CHILD AND FAMILY SERVICES.

10 1. There is appropriated from the general fund of the
11 state to the department of human services for the fiscal year
12 beginning July 1, 2021, and ending June 30, 2022, the following
13 amount, or so much thereof as is necessary, to be used for the
14 purpose designated:

15 For child and family services:

16 \$ 89,071,930

17 2. The department may transfer funds appropriated in this
18 section as necessary to pay the nonfederal costs of services
19 reimbursed under the medical assistance program, state child
20 care assistance program, or the family investment program which
21 are provided to children who would otherwise receive services
22 paid under the appropriation in this section. The department
23 may transfer funds appropriated in this section to the
24 appropriations made in this division of this Act for general
25 administration and for field operations for resources necessary
26 to implement and operate the services funded in this section.

27 3. a. Of the funds appropriated in this section, up to
28 \$31,500,000 is allocated as the statewide expenditure target
29 under section 232.143 for group foster care maintenance and
30 services. If the department projects that such expenditures
31 for the fiscal year will be less than the target amount
32 allocated in this paragraph "a", the department may reallocate
33 the excess to provide additional funding for family foster
34 care, independent living, family-centered services, shelter
35 care, or the child welfare emergency services addressed with

1 the allocation for shelter care.

2 b. If at any time after September 30, 2021, annualization
3 of a service area's current expenditures indicates a service
4 area is at risk of exceeding its group foster care expenditure
5 target under section 232.143 by more than 5 percent, the
6 department and juvenile court services shall examine all
7 group foster care placements in that service area in order to
8 identify those which might be appropriate for termination.
9 In addition, any aftercare services believed to be needed
10 for the children whose placements may be terminated shall be
11 identified. The department and juvenile court services shall
12 initiate action to set dispositional review hearings for the
13 placements identified. In such a dispositional review hearing,
14 the juvenile court shall determine whether needed aftercare
15 services are available and whether termination of the placement
16 is in the best interest of the child and the community.

17 4. In accordance with the provisions of section 232.188,
18 the department shall continue the child welfare and juvenile
19 justice funding initiative during fiscal year 2021-2022. Of
20 the funds appropriated in this section, \$1,717,000 is allocated
21 specifically for expenditure for fiscal year 2021-2022 through
22 the decategorization services funding pools and governance
23 boards established pursuant to section 232.188.

24 5. A portion of the funds appropriated in this section
25 may be used for emergency family assistance to provide other
26 resources required for a family participating in a family
27 preservation or reunification project or successor project to
28 stay together or to be reunified.

29 6. Of the funds appropriated in this section, a sufficient
30 amount is allocated for shelter care and the child welfare
31 emergency services contracting implemented to provide for or
32 prevent the need for shelter care.

33 7. Federal funds received by the state during the fiscal
34 year beginning July 1, 2021, as the result of the expenditure
35 of state funds appropriated during a previous state fiscal

1 year for a service or activity funded under this section are
2 appropriated to the department to be used as additional funding
3 for services and purposes provided for under this section.
4 Notwithstanding section 8.33, moneys received in accordance
5 with this subsection that remain unencumbered or unobligated at
6 the close of the fiscal year shall not revert to any fund but
7 shall remain available for the purposes designated until the
8 close of the succeeding fiscal year.

9 8. a. Of the funds appropriated in this section, up to
10 \$3,290,000 is allocated for the payment of the expenses of
11 court-ordered services provided to juveniles who are under the
12 supervision of juvenile court services, which expenses are a
13 charge upon the state pursuant to section 232.141, subsection
14 4. Of the amount allocated in this paragraph "a", up to
15 \$1,556,000 shall be made available to provide school-based
16 supervision of children adjudicated under chapter 232, of which
17 not more than \$15,000 may be used for the purpose of training.
18 A portion of the cost of each school-based liaison officer
19 shall be paid by the school district or other funding source as
20 approved by the chief juvenile court officer.

21 b. Of the funds appropriated in this section, up to \$748,000
22 is allocated for the payment of the expenses of court-ordered
23 services provided to children who are under the supervision
24 of the department, which expenses are a charge upon the state
25 pursuant to section 232.141, subsection 4.

26 c. Notwithstanding section 232.141 or any other provision
27 of law to the contrary, the amounts allocated in this
28 subsection shall be distributed to the judicial districts
29 as determined by the state court administrator and to the
30 department's service areas as determined by the administrator
31 of the department of human services' division of child and
32 family services. The state court administrator and the
33 division administrator shall make the determination of the
34 distribution amounts on or before June 15, 2021.

35 d. Notwithstanding chapter 232 or any other provision of

1 law to the contrary, a district or juvenile court shall not
2 order any service which is a charge upon the state pursuant
3 to section 232.141 if there are insufficient court-ordered
4 services funds available in the district court or departmental
5 service area distribution amounts to pay for the service. The
6 chief juvenile court officer and the departmental service area
7 manager shall encourage use of the funds allocated in this
8 subsection such that there are sufficient funds to pay for
9 all court-related services during the entire year. The chief
10 juvenile court officers and departmental service area managers
11 shall attempt to anticipate potential surpluses and shortfalls
12 in the distribution amounts and shall cooperatively request the
13 state court administrator or division administrator to transfer
14 funds between the judicial districts' or departmental service
15 areas' distribution amounts as prudent.

16 e. Notwithstanding any provision of law to the contrary,
17 a district or juvenile court shall not order a county to pay
18 for any service provided to a juvenile pursuant to an order
19 entered under chapter 232 which is a charge upon the state
20 under section 232.141, subsection 4.

21 f. Of the funds allocated in this subsection, not more than
22 \$83,000 may be used by the judicial branch for administration
23 of the requirements under this subsection.

24 g. Of the funds allocated in this subsection, \$17,000
25 shall be used by the department of human services to support
26 the interstate commission for juveniles in accordance with
27 the interstate compact for juveniles as provided in section
28 232.173.

29 9. Of the funds appropriated in this section, \$12,253,000 is
30 allocated for juvenile delinquent graduated sanctions services.
31 Any state funds saved as a result of efforts by juvenile court
32 services to earn a federal Tit. IV-E match for juvenile court
33 services administration may be used for the juvenile delinquent
34 graduated sanctions services.

35 10. Of the funds appropriated in this section, \$1,658,000 is

1 transferred to the department of public health to be used for
2 the child protection center grant program for child protection
3 centers located in Iowa in accordance with section 135.118.
4 The grant amounts under the program shall be equalized so that
5 each center receives a uniform base amount of \$245,000, and so
6 that the remaining funds are awarded through a funding formula
7 based upon the volume of children served. To increase access
8 to child protection center services for children in rural
9 areas, the funding formula for the awarding of the remaining
10 funds shall provide for the awarding of an enhanced amount to
11 eligible grantees to develop and maintain satellite centers in
12 underserved regions of the state.

13 11. Of the funds appropriated in this section, \$4,025,000 is
14 allocated for the preparation for adult living program pursuant
15 to section 234.46.

16 12. Of the funds appropriated in this section, \$227,000
17 shall be used for the public purpose of continuing a grant to a
18 nonprofit human services organization, providing services to
19 individuals and families in multiple locations in southwest
20 Iowa and Nebraska for support of a project providing immediate,
21 sensitive support and forensic interviews, medical exams, needs
22 assessments, and referrals for victims of child abuse and their
23 nonoffending family members.

24 13. Of the funds appropriated in this section, \$300,000
25 is allocated for the foster care youth council approach of
26 providing a support network to children placed in foster care.

27 14. Of the funds appropriated in this section, \$202,000 is
28 allocated for use pursuant to section 235A.1 for continuation
29 of the initiative to address child sexual abuse implemented
30 pursuant to 2007 Iowa Acts, chapter 218, section 18, subsection
31 21.

32 15. Of the funds appropriated in this section, \$630,000 is
33 allocated for the community partnership for child protection
34 sites.

35 16. Of the funds appropriated in this section, \$371,000

1 is allocated for the department's minority youth and family
2 projects under the redesign of the child welfare system.

3 17. Of the funds appropriated in this section, \$851,000
4 is allocated for funding of the community circle of care
5 collaboration for children and youth in northeast Iowa.

6 18. Of the funds appropriated in this section, at least
7 \$147,000 shall be used for the continuation of the child
8 welfare provider training academy, a collaboration between the
9 coalition for family and children's services in Iowa and the
10 department.

11 19. Of the funds appropriated in this section, \$211,000
12 shall be used for continuation of the central Iowa system of
13 care program grant for the purposes of funding community-based
14 services and other supports with a system of care approach for
15 children with serious emotional disturbance and their families
16 through a nonprofit provider that is located in a county
17 with a population of more than 420,000 but less than 450,000
18 according to the 2010 certified federal census, is licensed
19 as a psychiatric medical institution for children, and was a
20 system of care grantee prior to July 1, 2021.

21 20. Of the funds appropriated in this section, \$235,000
22 shall be used for the public purpose of the continuation
23 and expansion of a system of care program grant implemented
24 in Cerro Gordo and Linn counties to utilize a comprehensive
25 and long-term approach for helping children and families by
26 addressing the key areas in a child's life of childhood basic
27 needs, education and work, family, and community.

28 21. Of the funds appropriated in this section, \$110,000
29 shall be used for the public purpose of funding community-based
30 services and other supports with a system of care approach
31 for children with a serious emotional disturbance and their
32 families through a nonprofit provider of child welfare services
33 that has been in existence for more than 115 years, is located
34 in a county with a population of more than 200,000 but less
35 than 220,000 according to the 2010 certified federal census, is

1 licensed as a psychiatric medical institution for children, and
2 was a system of care grantee prior to July 1, 2021.

3 22. If a separate funding source is identified that reduces
4 the need for state funds within an allocation under this
5 section, the allocated state funds may be redistributed to
6 other allocations under this section for the same fiscal year.

7 23. Of the funds appropriated in this section, a portion may
8 be used for family-centered services for purposes of complying
9 with the federal Family First Prevention Services Act of 2018,
10 Pub. L. No. 115-123, and successor legislation.

11 Sec. 20. ADOPTION SUBSIDY.

12 1. There is appropriated from the general fund of the
13 state to the department of human services for the fiscal year
14 beginning July 1, 2021, and ending June 30, 2022, the following
15 amount, or so much thereof as is necessary, to be used for the
16 purpose designated:

17 a. For adoption subsidy payments and related costs and for
18 other services provided for under paragraph "b", subparagraph
19 (2):

20 \$ 40,596,007

21 b. (1) Of the funds appropriated in this section, a
22 sufficient amount is allocated for adoption subsidy payments
23 and related costs.

24 (2) Any funds appropriated in this section remaining after
25 the allocation under subparagraph (1) are designated and
26 allocated as state savings resulting from implementation of
27 the federal Fostering Connections to Success and Increasing
28 Adoptions Act of 2008, Pub. L. No. 110-351, and successor
29 legislation, as determined in accordance with 42 U.S.C.
30 §673(a)(8), and shall be used for post-adoption services and
31 for other purposes allowed under these federal laws, Tit. IV-B
32 or Tit. IV-E of the federal Social Security Act.

33 (a) The department of human services may transfer funds
34 allocated in this subparagraph (2) to the appropriation for
35 child and family services in this division of this Act for the

1 purposes designated in this subparagraph (2).

2 (b) Notwithstanding section 8.33, moneys allocated
3 under this subparagraph (2) shall not revert to any fund but
4 shall remain available for the purposes designated in this
5 subparagraph (2) until expended.

6 2. The department may transfer funds appropriated in
7 this section to the appropriation made in this division of
8 this Act for general administration for costs paid from the
9 appropriation relating to adoption subsidy.

10 3. Federal funds received by the state during the
11 fiscal year beginning July 1, 2021, as the result of the
12 expenditure of state funds during a previous state fiscal
13 year for a service or activity funded under this section are
14 appropriated to the department to be used as additional funding
15 for the services and activities funded under this section.
16 Notwithstanding section 8.33, moneys received in accordance
17 with this subsection that remain unencumbered or unobligated
18 at the close of the fiscal year shall not revert to any fund
19 but shall remain available for expenditure for the purposes
20 designated until the close of the succeeding fiscal year.

21 Sec. 21. JUVENILE DETENTION HOME FUND. Moneys deposited
22 in the juvenile detention home fund created in section 232.142
23 during the fiscal year beginning July 1, 2021, and ending June
24 30, 2022, are appropriated to the department of human services
25 for the fiscal year beginning July 1, 2021, and ending June 30,
26 2022, for distribution of an amount equal to a percentage of
27 the costs of the establishment, improvement, operation, and
28 maintenance of county or multicounty juvenile detention homes
29 in the fiscal year beginning July 1, 2020. Moneys appropriated
30 for distribution in accordance with this section shall be
31 allocated among eligible detention homes, prorated on the basis
32 of an eligible detention home's proportion of the costs of all
33 eligible detention homes in the fiscal year beginning July
34 1, 2020. The percentage figure shall be determined by the
35 department based on the amount available for distribution for

1 the fund. Notwithstanding section 232.142, subsection 3, the
2 financial aid payable by the state under that provision for the
3 fiscal year beginning July 1, 2021, shall be limited to the
4 amount appropriated for the purposes of this section.

5 Sec. 22. FAMILY SUPPORT SUBSIDY PROGRAM.

6 1. There is appropriated from the general fund of the
7 state to the department of human services for the fiscal year
8 beginning July 1, 2021, and ending June 30, 2022, the following
9 amount, or so much thereof as is necessary, to be used for the
10 purpose designated:

11 For the family support subsidy program subject to the
12 enrollment restrictions in section 225C.37, subsection 3:

13 \$ 949,282

14 2. At least \$899,291 of the moneys appropriated in this
15 section is transferred to the department of public health for
16 the family support center component of the comprehensive family
17 support program under chapter 225C, subchapter V.

18 3. If at any time during the fiscal year, the amount of
19 funding available for the family support subsidy program
20 is reduced from the amount initially used to establish the
21 figure for the number of family members for whom a subsidy
22 is to be provided at any one time during the fiscal year,
23 notwithstanding section 225C.38, subsection 2, the department
24 shall revise the figure as necessary to conform to the amount
25 of funding available.

26 Sec. 23. CONNER DECREE. There is appropriated from the
27 general fund of the state to the department of human services
28 for the fiscal year beginning July 1, 2021, and ending June 30,
29 2022, the following amount, or so much thereof as is necessary,
30 to be used for the purpose designated:

31 For building community capacity through the coordination
32 and provision of training opportunities in accordance with the
33 consent decree of Conner v. Branstad, No. 4-86-CV-30871(S.D.
34 Iowa, July 14, 1994):

35 \$ 33,632

1 Sec. 24. MENTAL HEALTH INSTITUTES.

2 1. There is appropriated from the general fund of the
3 state to the department of human services for the fiscal year
4 beginning July 1, 2021, and ending June 30, 2022, the following
5 amounts, or so much thereof as is necessary, to be used for the
6 purposes designated:

7 a. For operation of the state mental health institute at
8 Cherokee as required by chapters 218 and 226 for salaries,
9 support, maintenance, and miscellaneous purposes, and for not
10 more than the following full-time equivalent positions:

11	\$ 15,457,597
12	FTEs 169.00

13 b. For operation of the state mental health institute at
14 Independence as required by chapters 218 and 226 for salaries,
15 support, maintenance, and miscellaneous purposes, and for not
16 more than the following full-time equivalent positions:

17	\$ 19,652,379
18	FTEs 208.00

19 2. a. Notwithstanding sections 218.78 and 249A.11, any
20 revenue received from the state mental health institute at
21 Cherokee or the state mental health institute at Independence
22 pursuant to [42 C.F.R §438.6\(e\)](#) may be retained and expended by
23 the mental health institute.

24 b. Notwithstanding sections 218.78 and 249A.11, any
25 COVID-19 related funding received through federal funding
26 sources by the state mental health institute at Cherokee or the
27 state mental health institute at Independence may be retained
28 and expended by the mental health institute.

29 3. Notwithstanding any provision of law to the contrary,
30 a Medicaid member residing at the state mental health
31 institute at Cherokee or the state mental health institute
32 at Independence shall retain Medicaid eligibility during
33 the period of the Medicaid member's stay for which federal
34 financial participation is available.

35 4. Notwithstanding section 8.33, moneys appropriated in

1 this section that remain unencumbered or unobligated at the
2 close of the fiscal year shall not revert but shall remain
3 available for expenditure for the purposes designated until the
4 close of the succeeding fiscal year.

5 Sec. 25. STATE RESOURCE CENTERS.

6 1. There is appropriated from the general fund of the
7 state to the department of human services for the fiscal year
8 beginning July 1, 2021, and ending June 30, 2022, the following
9 amounts, or so much thereof as is necessary, to be used for the
10 purposes designated:

11 a. For the state resource center at Glenwood for salaries,
12 support, maintenance, and miscellaneous purposes:
13 \$ 14,802,873

14 b. For the state resource center at Woodward for salaries,
15 support, maintenance, and miscellaneous purposes:
16 \$ 12,237,937

17 2. The department may continue to bill for state resource
18 center services utilizing a scope of services approach used for
19 private providers of intermediate care facilities for persons
20 with an intellectual disability services, in a manner which
21 does not shift costs between the medical assistance program,
22 counties, or other sources of funding for the state resource
23 centers.

24 3. The state resource centers may expand the time-limited
25 assessment and respite services during the fiscal year.

26 4. If the department's administration and the department
27 of management concur with a finding by a state resource
28 center's superintendent that projected revenues can reasonably
29 be expected to pay the salary and support costs for a new
30 employee position, or that such costs for adding a particular
31 number of new positions for the fiscal year would be less
32 than the overtime costs if new positions would not be added,
33 the superintendent may add the new position or positions. If
34 the vacant positions available to a resource center do not
35 include the position classification desired to be filled, the

1 state resource center's superintendent may reclassify any
2 vacant position as necessary to fill the desired position. The
3 superintendents of the state resource centers may, by mutual
4 agreement, pool vacant positions and position classifications
5 during the course of the fiscal year in order to assist one
6 another in filling necessary positions.

7 5. If existing capacity limitations are reached in
8 operating units, a waiting list is in effect for a service or
9 a special need for which a payment source or other funding
10 is available for the service or to address the special need,
11 and facilities for the service or to address the special need
12 can be provided within the available payment source or other
13 funding, the superintendent of a state resource center may
14 authorize opening not more than two units or other facilities
15 and begin implementing the service or addressing the special
16 need during fiscal year 2021-2022.

17 6. Notwithstanding section 8.33, and notwithstanding
18 the amount limitation specified in section 222.92, moneys
19 appropriated in this section that remain unencumbered or
20 unobligated at the close of the fiscal year shall not revert
21 but shall remain available for expenditure for the purposes
22 designated until the close of the succeeding fiscal year.

23 Sec. 26. SEXUALLY VIOLENT PREDATORS.

24 1. There is appropriated from the general fund of the
25 state to the department of human services for the fiscal year
26 beginning July 1, 2021, and ending June 30, 2022, the following
27 amount, or so much thereof as is necessary, to be used for the
28 purpose designated:

29 For costs associated with the commitment and treatment of
30 sexually violent predators in the unit located at the state
31 mental health institute at Cherokee, including costs of legal
32 services and other associated costs, including salaries,
33 support, maintenance, and miscellaneous purposes, and for not
34 more than the following full-time equivalent positions:
35 \$ 13,643,727

1 FTEs 139.00

2 2. Unless specifically prohibited by law, if the amount
3 charged provides for recoupment of at least the entire amount
4 of direct and indirect costs, the department of human services
5 may contract with other states to provide care and treatment
6 of persons placed by the other states at the unit for sexually
7 violent predators at Cherokee. The moneys received under
8 such a contract shall be considered to be repayment receipts
9 and used for the purposes of the appropriation made in this
10 section.

11 3. Notwithstanding section 8.33, moneys appropriated in
12 this section that remain unencumbered or unobligated at the
13 close of the fiscal year shall not revert but shall remain
14 available for expenditure for the purposes designated until the
15 close of the succeeding fiscal year.

16 Sec. 27. FIELD OPERATIONS.

17 1. There is appropriated from the general fund of the
18 state to the department of human services for the fiscal year
19 beginning July 1, 2021, and ending June 30, 2022, the following
20 amount, or so much thereof as is necessary, to be used for the
21 purposes designated:

22 For field operations, including salaries, support,
23 maintenance, and miscellaneous purposes, and for not more than
24 the following full-time equivalent positions:
25 \$ 60,596,667
26 FTEs 1,539.00

27 2. Priority in filling full-time equivalent positions
28 shall be given to those positions related to child protection
29 services and eligibility determination for low-income families.

30 Sec. 28. GENERAL ADMINISTRATION. There is appropriated
31 from the general fund of the state to the department of human
32 services for the fiscal year beginning July 1, 2021, and ending
33 June 30, 2022, the following amount, or so much thereof as is
34 necessary, to be used for the purpose designated:

35 For general administration, including salaries, support,

1 maintenance, and miscellaneous purposes, and for not more than
2 the following full-time equivalent positions:

3 \$ 15,342,189
4 FTEs 294.00

5 1. The department shall report at least monthly to the
6 general assembly concerning the department's operational and
7 program expenditures.

8 2. Of the funds appropriated in this section, \$150,000 shall
9 be used for the provision of a program to provide technical
10 assistance, support, and consultation to providers of home and
11 community-based services under the medical assistance program.

12 3. Of the funds appropriated in this section, \$50,000
13 is transferred to the Iowa finance authority to be used
14 for administrative support of the council on homelessness
15 established in section 16.2D and for the council to fulfill its
16 duties in addressing and reducing homelessness in the state.

17 4. Of the funds appropriated in this section, \$200,000 shall
18 be transferred to and deposited in the administrative fund of
19 the Iowa ABLE savings plan trust created in section 12I.4, to
20 be used for implementation and administration activities of the
21 Iowa ABLE savings plan trust.

22 5. Of the funds appropriated in this section, \$200,000 is
23 transferred to the economic development authority for the Iowa
24 commission on volunteer services to continue to be used for the
25 RefugeeRISE AmeriCorps program established under section 15H.8
26 for member recruitment and training to improve the economic
27 well-being and health of economically disadvantaged refugees in
28 local communities across Iowa. Funds transferred may be used
29 to supplement federal funds under federal regulations.

30 6. Of the funds appropriated in this section, up to \$300,000
31 shall be used as follows:

32 a. To fund not more than one full-time equivalent position
33 to address the department's responsibility to support the work
34 of the children's behavioral health system state board and
35 implementation of the services required pursuant to section

1 331.397.

2 b. To support the cost of establishing and implementing new
3 or additional services required pursuant to sections 331.397
4 and 331.397A.

5 c. Of the amount allocated, \$32,000 shall be transferred
6 to the department of public health to support the costs of
7 establishing and implementing new or additional services
8 required pursuant to sections 331.397 and 331.397A.

9 7. Of the funds appropriated in this section, \$800,000 shall
10 be used for the renovation and construction of certain nursing
11 facilities, consistent with the provisions of chapter 249K.

12 Sec. 29. DEPARTMENT-WIDE DUTIES. There is appropriated
13 from the general fund of the state to the department of human
14 services for the fiscal year beginning July 1, 2021, and ending
15 June 30, 2022, the following amount, or so much thereof as is
16 necessary, to be used for the purposes designated:

17 For salaries, support, maintenance, and miscellaneous
18 purposes at facilities under the purview of the department of
19 human services:

20 \$ 2,879,274

21 Sec. 30. VOLUNTEERS. There is appropriated from the general
22 fund of the state to the department of human services for the
23 fiscal year beginning July 1, 2021, and ending June 30, 2022,
24 the following amount, or so much thereof as is necessary, to be
25 used for the purpose designated:

26 For development and coordination of volunteer services:

27 \$ 84,686

28 Sec. 31. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY
29 ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED UNDER THE
30 DEPARTMENT OF HUMAN SERVICES.

31 1. a. (1) (a) Notwithstanding any provision of law to
32 the contrary, for the fiscal year beginning July 1, 2021, the
33 department shall not rebase case-mix nursing facility rates,
34 but shall instead reimburse case-mix nursing facilities by
35 adjusting the nursing facility case-mix adjusted rates that

1 were effective July 1, 2019, using the mid-points of each of
2 the most recent cost reports submitted by the nursing facility
3 for the period ending on or before December 31, 2018, and
4 inflating these costs forward applying the inflation factor as
5 determined using the latest available quarterly publication of
6 the HCFA/SNF index, to the extent possible within the state
7 funding, including the \$19,080,860 provided for this purpose.

8 (b) For the fiscal year beginning July 1, 2021, non-case-mix
9 and special population nursing facilities shall be reimbursed
10 in accordance with the methodology in effect on June 30 of the
11 prior fiscal year.

12 (c) For managed care claims, the department of human
13 services shall adjust the payment rate floor for nursing
14 facilities, annually, to maintain a rate floor that is no
15 lower than the Medicaid fee-for-service case-mix adjusted rate
16 calculated in accordance with subparagraph division (a) and
17 441 IAC 81.6. The department shall then calculate adjusted
18 reimbursement rates, including but not limited to add-on
19 payments, annually, and shall notify Medicaid managed care
20 organizations of the adjusted reimbursement rates within 30
21 days of determining the adjusted reimbursement rates. Any
22 adjustment of reimbursement rates under this subparagraph
23 division shall be budget neutral to the state budget.

24 (d) For the fiscal year beginning July 1, 2021, Medicaid
25 managed care long-term services and supports capitation rates
26 shall be adjusted to reflect the case-mix adjusted rates
27 specified pursuant to subparagraph division (a) for the patient
28 populations residing in Medicaid-certified nursing facilities.

29 (2) Medicaid managed care organizations shall adjust
30 facility-specific rates based upon payment rate listings issued
31 by the department. The rate adjustments shall be applied
32 prospectively from the effective date of the rate letter issued
33 by the department.

34 b. (1) For the fiscal year beginning July 1, 2021,
35 contingent upon implementation of the contractual agreements

1 with Medicaid managed care organizations as described pursuant
2 to subparagraph (2), the department shall establish the
3 fee-for-service pharmacy dispensing fee reimbursement at
4 \$10.38 per prescription, until a cost of dispensing survey is
5 completed. The actual dispensing fee shall be determined by
6 a cost of dispensing survey performed by the department and
7 required to be completed by all medical assistance program
8 participating pharmacies every two years. A change in the
9 dispensing fee shall become effective following federal
10 approval of the Medicaid state plan.

11 (2) The department shall amend Medicaid managed care
12 organization contracts to authorize establishment of a managed
13 care pharmacy dispensing fee reimbursement in accordance with
14 either of the following:

15 (a) The established fee-for-service pharmacy dispensing
16 fee reimbursement per prescription as specified pursuant to
17 subparagraph (1).

18 (b) A dispensing fee determined contractually by mutual
19 agreement between the managed care organization and a
20 participating pharmacy with more than thirty locations in
21 the state and headquarters located outside the state, not to
22 exceed the established fee-for-service pharmacy dispensing
23 fee reimbursement per prescription as specified pursuant to
24 subparagraph (1).

25 (3) The department shall utilize an average acquisition
26 cost reimbursement methodology for all drugs covered under the
27 medical assistance program in accordance with 2012 Iowa Acts,
28 chapter 1133, section 33.

29 c. (1) For the fiscal year beginning July 1, 2021,
30 reimbursement rates for outpatient hospital services shall
31 remain at the rates in effect on June 30, 2021, subject to
32 Medicaid program upper payment limit rules, and adjusted
33 as necessary to maintain expenditures within the amount
34 appropriated to the department for this purpose for the fiscal
35 year.

1 (2) For the fiscal year beginning July 1, 2021,
2 reimbursement rates for inpatient hospital services shall
3 be rebased effective October 1, 2021, subject to Medicaid
4 program upper payment limit rules, and adjusted as necessary
5 to maintain expenditures within the amount appropriated to the
6 department for this purpose for the fiscal year.

7 (3) For the fiscal year beginning July 1, 2021, under
8 both fee-for-service and managed care administration of
9 the Medicaid program, critical access hospitals shall be
10 reimbursed for inpatient and outpatient services based on the
11 hospital-specific critical access hospital cost adjustment
12 factor methodology utilizing the most recent and complete cost
13 reporting period as applied prospectively within the funds
14 appropriated for such purpose for the fiscal year.

15 (4) For the fiscal year beginning July 1, 2021, the graduate
16 medical education and disproportionate share hospital fund
17 shall remain at the amount in effect on June 30, 2021, except
18 that the portion of the fund attributable to graduate medical
19 education shall be reduced in an amount that reflects the
20 elimination of graduate medical education payments made to
21 out-of-state hospitals.

22 (5) In order to ensure the efficient use of limited state
23 funds in procuring health care services for low-income Iowans,
24 funds appropriated in this Act for hospital services shall
25 not be used for activities which would be excluded from a
26 determination of reasonable costs under the federal Medicare
27 program pursuant to 42 U.S.C. §1395x(v)(1)(N).

28 d. For the fiscal year beginning July 1, 2021, reimbursement
29 rates for hospices and acute psychiatric hospitals shall be
30 increased in accordance with increases under the federal
31 Medicare program or as supported by their Medicare audited
32 costs.

33 e. For the fiscal year beginning July 1, 2021, independent
34 laboratories and rehabilitation agencies shall be reimbursed
35 using the same methodology in effect on June 30, 2021.

1 f. (1) For the fiscal year beginning July 1, 2021,
2 reimbursement rates for home health agencies shall continue to
3 be based on the Medicare low utilization payment adjustment
4 (LUPA) methodology with state geographic wage adjustments and
5 shall be adjusted to increase the rates to the extent possible
6 within the state funding, including the \$2,000,000 appropriated
7 for this purpose. The department shall continue to update the
8 rates every two years to reflect the most recent Medicare LUPA
9 rates.

10 (2) For the fiscal year beginning July 1, 2021, rates for
11 private duty nursing and personal care services under the early
12 and periodic screening, diagnostic, and treatment program
13 benefit shall be calculated based on the methodology in effect
14 on June 30, 2021.

15 g. For the fiscal year beginning July 1, 2021, federally
16 qualified health centers and rural health clinics shall receive
17 cost-based reimbursement for 100 percent of the reasonable
18 costs for the provision of services to recipients of medical
19 assistance.

20 h. For the fiscal year beginning July 1, 2021, the
21 reimbursement rates for dental services shall remain at the
22 rates in effect on June 30, 2021.

23 i. (1) For the fiscal year beginning July 1, 2021,
24 reimbursement rates for non-state-owned psychiatric medical
25 institutions for children shall be increased to the extent
26 possible within the \$3,900,000 appropriated for this purpose.

27 (2) As a condition of participation in the medical
28 assistance program, enrolled providers shall accept the medical
29 assistance reimbursement rate for any covered goods or services
30 provided to recipients of medical assistance who are children
31 under the custody of a psychiatric medical institution for
32 children.

33 j. For the fiscal year beginning July 1, 2021, unless
34 otherwise specified in this Act, all noninstitutional medical
35 assistance provider reimbursement rates shall remain at the

1 rates in effect on June 30, 2021, except for area education
2 agencies, local education agencies, infant and toddler
3 services providers, home and community-based services providers
4 including consumer-directed attendant care providers under a
5 section 1915(c) or 1915(i) waiver, targeted case management
6 providers, and those providers whose rates are required to be
7 determined pursuant to section 249A.20, or to meet federal
8 mental health parity requirements.

9 k. Notwithstanding any provision to the contrary, for the
10 fiscal year beginning July 1, 2021, the reimbursement rate for
11 anesthesiologists shall remain at the rates in effect on June
12 30, 2021, and updated on January 1, 2022, to align with the
13 most current Iowa Medicare anesthesia rate.

14 l. Notwithstanding section 249A.20, for the fiscal year
15 beginning July 1, 2021, the average reimbursement rate for
16 health care providers eligible for use of the federal Medicare
17 resource-based relative value scale reimbursement methodology
18 under section 249A.20 shall remain at the rate in effect on
19 June 30, 2021; however, this rate shall not exceed the maximum
20 level authorized by the federal government.

21 m. For the fiscal year beginning July 1, 2021, the
22 reimbursement rate for residential care facilities shall not
23 be less than the minimum payment level as established by the
24 federal government to meet the federally mandated maintenance
25 of effort requirement. The flat reimbursement rate for
26 facilities electing not to file annual cost reports shall not
27 be less than the minimum payment level as established by the
28 federal government to meet the federally mandated maintenance
29 of effort requirement.

30 n. For the fiscal year beginning July 1, 2021, the
31 reimbursement rates for inpatient mental health services
32 provided at hospitals shall be rebased effective October 1,
33 2021, subject to Medicaid program upper payment limit rules
34 and adjusted as necessary to maintain expenditures within the
35 amount appropriated to the department for this purpose for

1 the fiscal year; and psychiatrists shall be reimbursed at the
2 medical assistance program fee-for-service rate in effect on
3 June 30, 2021.

4 o. For the fiscal year beginning July 1, 2021, community
5 mental health centers may choose to be reimbursed for the
6 services provided to recipients of medical assistance through
7 either of the following options:

8 (1) For 100 percent of the reasonable costs of the services.

9 (2) In accordance with the alternative reimbursement rate
10 methodology approved by the department of human services in
11 effect on June 30, 2021.

12 p. For the fiscal year beginning July 1, 2021, the
13 reimbursement rate for providers of family planning services
14 that are eligible to receive a 90 percent federal match shall
15 remain at the rates in effect on June 30, 2021.

16 q. (1) For the fiscal year beginning July 1, 2021,
17 reimbursement rates for providers of home and community-based
18 services waiver and habilitation services shall be increased
19 to the extent possible within the \$11,002,240 appropriated for
20 this purpose.

21 (2) For the fiscal year beginning July 1, 2021,
22 reimbursement rates for providers of state plan home and
23 community-based services home-based habilitation services
24 shall be increased with the \$7,134,214 appropriated for this
25 purpose. The reimbursement rates for home-based habilitation
26 services shall be based on a fee schedule that incorporates the
27 acuity-based tiers.

28 r. For the fiscal year beginning July 1, 2021, the
29 reimbursement rates for emergency medical service providers
30 shall remain at the rates in effect on June 30, 2021, or as
31 approved by the centers for Medicare and Medicaid services of
32 the United States department of health and human services.

33 s. For the fiscal year beginning July 1, 2021, reimbursement
34 rates for substance-related disorder treatment programs
35 licensed under section 125.13 shall remain at the rates in

1 effect on June 30, 2021.

2 t. For the fiscal year beginning July 1, 2021, assertive
3 community treatment per diem rates shall remain at the rates in
4 effect on June 30, 2021.

5 u. For the fiscal year beginning July 1, 2021, the
6 reimbursement rate for family-centered services providers shall
7 be established by contract.

8 v. For the fiscal year beginning July 1, 2021, the
9 reimbursement rate for air ambulance services shall be
10 increased to the extent possible within the additional \$100,000
11 appropriated for this purpose.

12 2. For the fiscal year beginning July 1, 2021, the
13 reimbursement rate for providers reimbursed under the
14 in-home-related care program shall not be less than the minimum
15 payment level as established by the federal government to meet
16 the federally mandated maintenance of effort requirement.

17 3. Unless otherwise directed in this section, when the
18 department's reimbursement methodology for any provider
19 reimbursed in accordance with this section includes an
20 inflation factor, this factor shall not exceed the amount
21 by which the consumer price index for all urban consumers
22 increased during the calendar year ending December 31, 2002.

23 4. Notwithstanding section 234.38, for the fiscal
24 year beginning July 1, 2021, the foster family basic daily
25 maintenance rate and the maximum adoption subsidy rate for
26 children ages 0 through 5 years shall be \$16.78, the rate for
27 children ages 6 through 11 years shall be \$17.45, the rate for
28 children ages 12 through 15 years shall be \$19.10, and the
29 rate for children and young adults ages 16 and older shall
30 be \$19.35. For youth ages 18 to 23 who have exited foster
31 care, the preparation for adult living program maintenance
32 rate shall be up to \$602.70 per month as calculated based on
33 the age of the participant. The maximum payment for adoption
34 subsidy nonrecurring expenses shall be limited to \$500 and the
35 disallowance of additional amounts for court costs and other

1 related legal expenses implemented pursuant to 2010 Iowa Acts,
2 chapter 1031, section 408, shall be continued.

3 5. For the fiscal year beginning July 1, 2021, the maximum
4 reimbursement rates for social services providers under
5 contract shall remain at the rates in effect on June 30, 2021,
6 or the provider's actual and allowable cost plus inflation for
7 each service, whichever is less. However, if a new service
8 or service provider is added after June 30, 2021, the initial
9 reimbursement rate for the service or provider shall be based
10 upon a weighted average of provider rates for similar services.

11 6. a. For the fiscal year beginning July 1, 2021, the
12 reimbursement rates for resource family recruitment and
13 retention contractors shall be established by contract.

14 b. For the fiscal year beginning July 1, 2021, the
15 reimbursement rates for supervised apartment living foster care
16 providers shall be established by contract.

17 7. For the fiscal year beginning July 1, 2021, the
18 reimbursement rate for group foster care providers shall be the
19 combined service and maintenance reimbursement rate established
20 by contract.

21 8. The group foster care reimbursement rates paid for
22 placement of children out of state shall be calculated
23 according to the same rate-setting principles as those used for
24 in-state providers, unless the director of human services or
25 the director's designee determines that appropriate care cannot
26 be provided within the state. The payment of the daily rate
27 shall be based on the number of days in the calendar month in
28 which service is provided.

29 9. a. For the fiscal year beginning July 1, 2021, the
30 reimbursement rate paid for shelter care and the child welfare
31 emergency services implemented to provide or prevent the need
32 for shelter care shall be established by contract.

33 b. For the fiscal year beginning July 1, 2021, the combined
34 service and maintenance components of the reimbursement rate
35 paid for shelter care services shall be based on the financial

1 and statistical report submitted to the department. The
2 maximum reimbursement rate shall be \$101.83 per day. The
3 department shall reimburse a shelter care provider at the
4 provider's actual and allowable unit cost, plus inflation, not
5 to exceed the maximum reimbursement rate.

6 c. Notwithstanding section 232.141, subsection 8, for the
7 fiscal year beginning July 1, 2021, the amount of the statewide
8 average of the actual and allowable rates for reimbursement of
9 juvenile shelter care homes that is utilized for the limitation
10 on recovery of unpaid costs shall remain at the amount in
11 effect for this purpose in the fiscal year beginning July 1,
12 2020.

13 10. For the fiscal year beginning July 1, 2021, the
14 department shall calculate reimbursement rates for intermediate
15 care facilities for persons with an intellectual disability
16 at the 80th percentile. Beginning July 1, 2021, the rate
17 calculation methodology shall utilize the consumer price index
18 inflation factor applicable to the fiscal year beginning July
19 1, 2021.

20 11. Effective July 1, 2021, the department of human services
21 shall set the reimbursement rate of child care providers whose
22 reimbursement rates are below the fiftieth percentile of the
23 most recent market rate survey at the fiftieth percentile of
24 the most recent market rate survey. Reimbursement rates of
25 child care providers whose reimbursement rates are at or above
26 the fiftieth percentile of the most recent market rate survey
27 shall remain at the rates in effect on June 30, 2021. The
28 department shall also adjust quality rating system bonuses to
29 reflect increased child care provider reimbursement rates as
30 appropriate. The department shall set rates in a manner so as
31 to provide incentives for a nonregistered provider to become
32 registered by applying any increase only to registered and
33 licensed providers.

34 12. The department may adopt emergency rules to implement
35 this section.

1 Sec. 32. EMERGENCY RULES.

2 1. If necessary to comply with federal requirements
3 including time frames, or if specifically authorized by a
4 provision of this division of this Act, the department of
5 human services or the mental health and disability services
6 commission may adopt administrative rules under section 17A.4,
7 subsection 3, and section 17A.5, subsection 2, paragraph "b",
8 to implement the provisions of this division of this Act and
9 the rules shall become effective immediately upon filing or
10 on a later effective date specified in the rules, unless the
11 effective date of the rules is delayed or the applicability
12 of the rules is suspended by the administrative rules review
13 committee. Any rules adopted in accordance with this section
14 shall not take effect before the rules are reviewed by the
15 administrative rules review committee. The delay authority
16 provided to the administrative rules review committee under
17 section 17A.4, subsection 7, and section 17A.8, subsections
18 9 and 10, shall be applicable to a delay imposed under this
19 section, notwithstanding a provision in those subsections
20 making them inapplicable to section 17A.5, subsection 2,
21 paragraph "b". Any rules adopted in accordance with the
22 provisions of this section shall also be published as a notice
23 of intended action as provided in section 17A.4.

24 2. If during a fiscal year, the department of human
25 services is adopting rules in accordance with this section
26 or as otherwise directed or authorized by state law, and
27 the rules will result in an expenditure increase beyond the
28 amount anticipated in the budget process or if the expenditure
29 was not addressed in the budget process for the fiscal
30 year, the department shall notify the general assembly and
31 the department of management concerning the rules and the
32 expenditure increase. The notification shall be provided at
33 least 30 calendar days prior to the date notice of the rules
34 is submitted to the administrative rules coordinator and the
35 administrative code editor.

1 Sec. 33. REPORTS. Unless otherwise provided, any reports or
2 other information required to be compiled and submitted under
3 this Act during the fiscal year beginning July 1, 2021, shall
4 be submitted on or before the dates specified for submission
5 of the reports or information.

6 Sec. 34. EFFECTIVE UPON ENACTMENT. The following provision
7 of this division of this Act, being deemed of immediate
8 importance, takes effect upon enactment:

9 1. The provision relating to section 232.141 and directing
10 the state court administrator and the division administrator of
11 the department of human services division of child and family
12 services to make the determination, by June 15, 2021, of the
13 distribution of funds allocated for the payment of the expenses
14 of court-ordered services provided to juveniles which are a
15 charge upon the state.

16 DIVISION VI

17 HEALTH CARE ACCOUNTS AND FUNDS — FY 2021-2022

18 Sec. 35. PHARMACEUTICAL SETTLEMENT ACCOUNT. There is
19 appropriated from the pharmaceutical settlement account created
20 in section 249A.33 to the department of human services for the
21 fiscal year beginning July 1, 2021, and ending June 30, 2022,
22 the following amount, or so much thereof as is necessary, to be
23 used for the purpose designated:

24 Notwithstanding any provision of law to the contrary, to
25 supplement the appropriations made in this Act for health
26 program operations under the medical assistance program for the
27 fiscal year beginning July 1, 2021, and ending June 30, 2022:
28 \$ 234,193

29 Sec. 36. QUALITY ASSURANCE TRUST FUND — DEPARTMENT OF HUMAN
30 SERVICES. Notwithstanding any provision to the contrary and
31 subject to the availability of funds, there is appropriated
32 from the quality assurance trust fund created in section
33 249L.4 to the department of human services for the fiscal year
34 beginning July 1, 2021, and ending June 30, 2022, the following
35 amounts, or so much thereof as is necessary, for the purposes

1 designated:

2 To supplement the appropriation made in this Act from the
3 general fund of the state to the department of human services
4 for medical assistance for the same fiscal year:

5 \$ 56,305,139

6 Sec. 37. HOSPITAL HEALTH CARE ACCESS TRUST FUND —

7 DEPARTMENT OF HUMAN SERVICES. Notwithstanding any provision to
8 the contrary and subject to the availability of funds, there is
9 appropriated from the hospital health care access trust fund
10 created in section 249M.4 to the department of human services
11 for the fiscal year beginning July 1, 2021, and ending June
12 30, 2022, the following amounts, or so much thereof as is
13 necessary, for the purposes designated:

14 To supplement the appropriation made in this Act from the
15 general fund of the state to the department of human services
16 for medical assistance for the same fiscal year:

17 \$ 33,920,554

18 Sec. 38. MEDICAL ASSISTANCE PROGRAM — NONREVERSION

19 FOR FY 2021-2022. Notwithstanding section 8.33, if moneys
20 appropriated for purposes of the medical assistance program for
21 the fiscal year beginning July 1, 2021, and ending June 30,
22 2022, from the general fund of the state, the quality assurance
23 trust fund, and the hospital health care access trust fund, are
24 in excess of actual expenditures for the medical assistance
25 program and remain unencumbered or unobligated at the close
26 of the fiscal year, the excess moneys shall not revert but
27 shall remain available for expenditure for the purposes of the
28 medical assistance program until the close of the succeeding
29 fiscal year.

30 DIVISION VII

31 NURSING FACILITY REIMBURSEMENT METHODOLOGY — FISCAL PERIOD
32 JULY 1, 2023, THROUGH JUNE 30, 2025

33 Sec. 39. NURSING FACILITY REIMBURSEMENT METHODOLOGY —
34 FISCAL PERIOD JULY 1, 2023, THROUGH JUNE 30, 2025.

35 Notwithstanding any provision of law to the contrary, for the

1 fiscal period beginning July 1, 2023, and ending June 30, 2025,
2 the department of human services shall rebase case-mix nursing
3 facility rates beginning July 1, 2023, using the Medicaid cost
4 reports on file for the period ending December 31, 2022, and
5 applying a minimum occupancy factor of 70 percent.

6 DIVISION VIII

7 NURSING FACILITY REIMBURSEMENT STUDY

8 Sec. 40. NURSING FACILITY CASE-MIX REIMBURSEMENT — STUDY
9 AND RECOMMENDATIONS. The department of human services shall
10 convene a workgroup including representatives of nursing
11 facilities, managed care organizations, and other appropriate
12 stakeholders to review the case-mix reimbursement methodology
13 and process for nursing facilities, including but not limited
14 to rebasing, the use of cost reports, and the application
15 of quarterly case-mix index adjustments, and shall submit
16 recommendations to the governor and the general assembly by
17 December 1, 2021, for improvements including those related to
18 the methodology, the process, the use of prospective payments,
19 and the applicable time frames to increase efficiencies
20 and accuracy in the determination of reimbursements, reduce
21 duplication of effort, more adequately reflect the actual costs
22 of care, address changes in patient acuity levels without
23 reliance on retroactive rate adjustments, and incentivize
24 quality outcomes.

25 DIVISION IX

26 MEDICAID-ELIGIBLE CHILDREN — PEDIATRIC HEALTH CARE SERVICES

27 Sec. 41. MEDICAID-ELIGIBLE CHILDREN — PROVISION OF
28 PEDIATRIC HEALTH CARE SERVICES — REVIEW AND REPORT. The
29 department of human services shall review federal Medicare
30 and state law and administrative rule restrictions related
31 to the provision of physical therapy, occupational therapy,
32 speech-language pathology, applied behavior analysis, and other
33 pediatric health care services to Medicaid-eligible children
34 to determine necessary changes in law and policy to ensure
35 that these services are provided consistent with the early and

1 periodic screening, diagnostic, and treatment program. The
2 department shall submit a report including the findings of the
3 review and recommendations to the governor and the general
4 assembly by October 1, 2021.

5 DIVISION X

6 DECATEGORYIZATION CARRYOVER FUNDING

7 Sec. 42. DECATEGORYIZATION CARRYOVER FUNDING FY 2019 —
8 TRANSFER TO MEDICAID PROGRAM. Notwithstanding section 232.188,
9 subsection 5, paragraph "b", any state-appropriated moneys in
10 the funding pool that remained unencumbered or unobligated
11 at the close of the fiscal year beginning July 1, 2018, and
12 were deemed carryover funding to remain available for the two
13 succeeding fiscal years that still remain unencumbered or
14 unobligated at the close of the fiscal year beginning July 1,
15 2020, shall not revert but shall be transferred to the medical
16 assistance program for the fiscal year beginning July 1, 2021.

17 Sec. 43. EFFECTIVE DATE. This division of this Act, being
18 deemed of immediate importance, takes effect upon enactment.

19 Sec. 44. RETROACTIVE APPLICABILITY. This division of this
20 Act applies retroactively to July 1, 2020.

21 DIVISION XI

22 PRIOR APPROPRIATIONS AND OTHER PROVISIONS

23 COURT-ORDERED SERVICES REIMBURSEMENT BY MANAGED CARE

24 ORGANIZATIONS

25 Sec. 45. 2018 Iowa Acts, chapter 1165, section 128,
26 subsection 2, paragraph a, is amended to read as follows:

27 a. If a Medicaid member is receiving court-ordered services
28 ~~or treatment~~ for a substance-related disorder pursuant to
29 ~~chapter 125~~ or for a mental illness pursuant to ~~chapter 229~~,
30 such services ~~or treatment~~ shall be provided and reimbursed
31 for an initial period of three days before a managed care
32 organization may apply medical necessity criteria to determine
33 the most appropriate services, ~~treatment~~, or placement for the
34 Medicaid member.

35 FAMILY INVESTMENT PROGRAM ACCOUNT

1 Sec. 46. 2019 Iowa Acts, chapter 85, section 9, as amended
2 by 2020 Iowa Acts, chapter 1121, section 20, is amended by
3 adding the following new subsection:

4 NEW SUBSECTION. 8. Notwithstanding section 8.33, moneys
5 appropriated in this section that remain unencumbered or
6 unobligated at the close of the fiscal year shall not revert
7 but shall remain available for expenditure for the purposes
8 designated, and may be transferred to other appropriations made
9 in this division of this Act as necessary to carry out the
10 initiatives included in the report submitted on nonreversion
11 of funds required pursuant to 2020 Iowa Acts, chapter 1121,
12 section 43, until the close of the succeeding fiscal year.

13 CHILD AND FAMILY SERVICES

14 Sec. 47. 2019 Iowa Acts, chapter 85, section 19, as amended
15 by 2020 Iowa Acts, chapter 1121, section 23, is amended by
16 adding the following new subsection:

17 NEW SUBSECTION. 25. Notwithstanding section 8.33, moneys
18 appropriated in this section that remain unencumbered or
19 unobligated at the close of the fiscal year shall not revert
20 but shall remain available for expenditure for the purpose of
21 the redesign of the child welfare system, until the close of
22 the succeeding fiscal year.

23 FIELD OPERATIONS

24 Sec. 48. 2019 Iowa Acts, chapter 85, section 27, as amended
25 by 2020 Iowa Acts, chapter 1121, section 25, is amended by
26 adding the following new subsection:

27 NEW SUBSECTION. 5. Notwithstanding section 8.33, moneys
28 appropriated in this section that remain unencumbered or
29 unobligated at the close of the fiscal year shall not revert
30 but shall remain available for expenditure for the purposes
31 designated until the close of the succeeding fiscal year.

32 GENERAL ADMINISTRATION

33 Sec. 49. 2019 Iowa Acts, chapter 85, section 28, as amended
34 by 2020 Iowa Acts, chapter 1121, section 26, is amended by
35 adding the following new subsection:

1 NEW SUBSECTION. 8. Notwithstanding section 8.33, moneys
2 appropriated in this section that remain unencumbered or
3 unobligated at the close of the fiscal year shall not revert
4 but shall remain available for expenditure for the purposes
5 designated until the close of the succeeding fiscal year.

6 Sec. 50. EFFECTIVE DATE. This division of this Act, being
7 deemed of immediate importance, takes effect upon enactment.

8

DIVISION XII

9 EXTENSION OF FUTURE REPEAL — HOSPITAL HEALTH CARE ACCESS
10 ASSESSMENT PROGRAM

11 Sec. 51. Section 249M.5, Code 2021, is amended to read as
12 follows:

13 **249M.5 Future repeal.**

14 This chapter is repealed July 1, ~~2021~~ 2023.

15 Sec. 52. EFFECTIVE DATE. This division of this Act, being
16 deemed of immediate importance, takes effect upon enactment.

17

DIVISION XIII

18 PUBLIC HEALTH EMERGENCY PROVISIONS COVID-19 REGULATIONS

19 Sec. 53. COVID-19 FEDERAL REGULATIONS. For the time
20 period beginning on the effective date of this division of
21 this Act, and ending June 30, 2022, notwithstanding state
22 administrative rules to the contrary, to the extent federal
23 regulations relating to the COVID-19 pandemic differ from state
24 administrative rules, including applicable federal waivers,
25 the federal regulations are controlling during the pendency of
26 the federally declared state of emergency and for such period
27 of time following the end of the federally declared state of
28 emergency applicable to the respective federal regulations.

29

DIVISION XIV

30 FOSTER HOME INSURANCE FUND

31 Sec. 54. Section 237.13, subsection 2, Code 2021, is amended
32 to read as follows:

33 2. The foster home insurance fund shall be administered by
34 the department of human services. The fund shall consist of
35 all moneys appropriated by the general assembly for deposit

1 in the fund. The department shall use moneys in the fund to
2 provide home and property coverage for foster parents to cover
3 damages to property resulting from the actions of a foster
4 child residing in a foster home or to reimburse foster parents
5 for the cost of purchasing foster care liability insurance and
6 to perform the administrative functions necessary to carry out
7 this section. The department may establish limitations of
8 liability for individual claims as deemed reasonable by the
9 department.

10

DIVISION XV

11 MENTAL HEALTH AND DISABILITY SERVICES — TRANSFER OF FUNDS

12 Sec. 55. MENTAL HEALTH AND DISABILITY SERVICES — TRANSFER
13 OF FUNDS. Notwithstanding section 331.432, a county with a
14 population of over 300,000 based on the 2010 federal decennial
15 census may transfer funds from any other fund of the county to
16 the mental health and disability regional services fund for the
17 purposes of providing mental health and disability services for
18 the fiscal year beginning July 1, 2021, and ending June 30,
19 2022. The county shall submit a report to the governor and the
20 general assembly by September 1, 2022, including the source of
21 any funds transferred, the amount of the funds transferred, and
22 the mental health and disability services provided with the
23 transferred funds. The county shall work with the department
24 to maximize the use of the medical assistance program and other
25 third-party payment sources, including but not limited to
26 identifying individuals enrolled with or eligible for Medicaid
27 whose Medicaid-covered services are being paid by the county or
28 could be converted to Medicaid-covered services.

29

DIVISION XVI

30 IN-PERSON SUPERVISION REQUIREMENTS FOR LICENSURE — CERTAIN
31 PROFESSIONALS

32 Sec. 56. Section 154C.3, subsection 1, paragraph c,
33 subparagraph (5), subparagraph division (a), Code 2021, is
34 amended by adding the following new subparagraph subdivision:
35 NEW SUBPARAGRAPH SUBDIVISION. (0ii) By a person licensed

1 under section 154D.2 to practice marital and family therapy
2 without supervision or mental health counseling without
3 supervision.

4 Sec. 57. Section 154C.3, Code 2021, is amended by adding the
5 following new subsection:

6 NEW SUBSECTION. 4. *Supervision.* The board shall not, by
7 rule or other means, require that supervision be completed in
8 person as a condition for an applicant to receive a license, a
9 reciprocal license, or a renewed license under this chapter.

10 Sec. 58. Section 154D.2, Code 2021, is amended to read as
11 follows:

12 **154D.2 Licensure — marital and family therapy — mental**
13 **health counseling.**

14 1. An applicant for a license to practice marital and family
15 therapy or mental health counseling shall be granted a license
16 by the board when the applicant satisfies all of the following
17 requirements:

18 ~~1-~~ a. Possesses a master's degree in marital and family
19 therapy or mental health counseling, as applicable, consisting
20 of at least sixty semester hours, or its equivalent, from a
21 nationally accredited institution or from a program approved
22 by the board.

23 ~~2-~~ b. Has at least two years of supervised clinical
24 experience or its equivalent as approved by the board.
25 Standards for supervision, including the required
26 qualifications for supervisors, shall be determined in
27 accordance with subsection 2 and by the board by rule, provided
28 that a supervisor may be a person licensed under this section
29 to practice marital and family therapy or mental health
30 counseling without supervision or a licensed independent social
31 worker licensed under chapter 154C.

32 ~~3-~~ c. Passes an examination approved by the board.

33 2. The board shall not, by rule or other means, require any
34 in-person supervised clinical experience.

35 Sec. 59. Section 154D.4, subsection 2, paragraph b, Code

1 2021, is amended to read as follows:

2 *b.* A person who practices marital and family therapy or
3 mental health counseling under the supervision of a person
4 licensed under this chapter as part of a clinical experience as
5 described in section 154D.2, subsection ~~2~~ 1, paragraph *"b"*.

6 Sec. 60. BOARD OF SOCIAL WORK AND BOARD OF BEHAVIORAL
7 SCIENCE — RULES. The board of social work and the board
8 of behavioral science shall amend their administrative
9 rules pursuant to chapter 17A to remove any requirement for
10 supervised clinical experience and supervised professional
11 practice to be completed in person as a condition for the
12 licensure of marital and family therapists, mental health
13 counselors, and social workers pursuant to chapters 154C and
14 154D. The board of social work and the board of behavioral
15 science shall replace all licensing requirements for in-person
16 supervision with the ability to have supervision requirements
17 completed electronically.

18 Sec. 61. EMERGENCY RULES.

19 1. The board of social work and the board of behavioral
20 science shall adopt emergency rules under section 17A.4,
21 subsection 3, and section 17A.5, subsection 2, to implement
22 the sections of this division of this Act amending section
23 154C.3 and section 154D.2, and the rules shall be effective
24 immediately upon filing unless a later date is specified in the
25 rules. Any emergency rules adopted in accordance with this
26 section shall also be published as a notice of intended action
27 as provided in section 17A.4, subsection 1.

28 2. The board of social work and the board of behavioral
29 science shall jointly develop rules adopted pursuant to this
30 subsection through a collaborative process. The respective
31 boards may establish subcommittees or designate other personnel
32 to facilitate such a process. Such rules shall consist of
33 substantively identical standards applicable to the professions
34 regulated by the respective boards and shall, to the greatest
35 extent possible, consist of substantially similar language

1 in a substantially similar format. Prior to a vote to adopt
2 such rules by either board, each board shall, by a separate
3 vote, approve the language to be adopted by the other board.
4 Neither board shall vote to adopt such rules until the rules
5 to be adopted by both boards have been so approved. Such rules
6 shall have the same effective date and shall be submitted to
7 the administrative rules coordinator and the administrative
8 code editor for publication in the same issue of the Iowa
9 administrative bulletin pursuant to sections 17A.4 and 17A.5.

10 Sec. 62. EFFECTIVE DATE. This division of this Act, being
11 deemed of immediate importance, takes effect upon enactment.

12 DIVISION XVII

13 MEDICAL RESIDENCY LIABILITY COSTS

14 Sec. 63. Section 135.176, subsection 1, Code 2021, is
15 amended by adding the following new paragraph:

16 NEW PARAGRAPH. *d.* For the period beginning July 1, 2021,
17 and ending June 30, 2026, the payment by the sponsor of medical
18 residency program liability costs subject to provision by the
19 sponsor of dollar-for-dollar matching funds used for payment
20 of such costs. This paragraph shall not apply to medical
21 residency programs to which chapter 669 applies.

22 Sec. 64. Section 135.176, subsection 2, paragraphs e and f,
23 Code 2021, are amended to read as follows:

24 *e.* The maximum award of grant funds to a particular
25 individual sponsor per year. An individual sponsor that
26 establishes a new or alternative campus accredited medical
27 residency training program as defined in subsection 1,
28 paragraph "a", shall not receive more than fifty percent
29 of the state matching funds available each year to support
30 the program. An individual sponsor proposing the provision
31 of a new residency position within an existing accredited
32 medical residency or fellowship training program as specified
33 in subsection 1, paragraph "b", ~~or~~ the funding of residency
34 positions which are in excess of the federal residency cap as
35 defined in subsection 1, paragraph "c", or the funding of the

1 payment by the sponsor of medical residency program liability
2 costs subject to provision by the sponsor of dollar-for-dollar
3 matching funds used for payment of such costs as specified
4 in subsection 1, paragraph "d", shall not receive more than
5 twenty-five percent of the state matching funds available each
6 year to support the program.

7 *f.* Use of the funds awarded. Funds may be used to pay the
8 costs of establishing, expanding, or supporting an accredited
9 graduate medical education program as specified in this
10 section, including but not limited to the costs associated
11 with residency stipends and physician faculty stipends. For
12 the period beginning July 1, 2021, and ending June 30, 2026,
13 use of the funds awarded may include payment by the sponsor of
14 medical residency program liability costs in accordance with
15 subsection 1, paragraph "d", and subject to provision by the
16 sponsor of dollar-for-dollar matching funds used for payment
17 of such costs.

18 DIVISION XVIII

19 REPORT ON NONREVERSION OF FUNDS

20 Sec. 65. REPORT ON NONREVERSION OF FUNDS. The department
21 of human services shall report the expenditure of any moneys
22 for which nonreversion authorization was provided for the
23 fiscal year beginning July 1, 2020, and ending June 30, 2021,
24 for field operations or general administration to the general
25 assembly on a quarterly basis beginning October 1, 2021.

26 DIVISION XIX

27 PHYSICIAN ORDERS FOR SCOPE OF TREATMENT

28 Sec. 66. Section 144D.2, subsection 1, paragraph e,
29 subparagraph (4), Code 2021, is amended by striking the
30 subparagraph.>

By MARK COSTELLO

[S-3212](#) FILED MAY 17, 2021

ADOPTED

SENATE FILE 619

S-3209

1 Amend Senate File 619 as follows:

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

4 <DIVISION I

5 FUTURE TAX CONTINGENCIES

6 Section 1. 2018 Iowa Acts, chapter 1161, section 133, is
7 amended by striking the section and inserting in lieu thereof
8 the following:

9 SEC. 133. EFFECTIVE DATE. This division of this Act takes
10 effect January 1, 2023.

11 DIVISION II

12 CHILD DEPENDENT AND DEVELOPMENT TAX CREDITS

13 Sec. 2. Section 422.12C, subsection 1, paragraphs f and g,
14 Code 2021, are amended to read as follows:

15 *f.* For a taxpayer with net income of forty thousand dollars
16 or more but less than ~~forty-five~~ ninety thousand dollars,
17 thirty percent.

18 *g.* For a taxpayer with net income of ~~forty-five~~ ninety
19 thousand dollars or more, zero percent.

20 Sec. 3. Section 422.12C, subsection 2, paragraph a, Code
21 2021, is amended to read as follows:

22 *a.* The taxes imposed under this subchapter, less the amounts
23 of nonrefundable credits allowed under this subchapter, may
24 be reduced by an early childhood development tax credit equal
25 to twenty-five percent of the first one thousand dollars
26 which the taxpayer has paid to others for each dependent, as
27 defined in the Internal Revenue Code, ages three through five
28 for early childhood development expenses. In determining the
29 amount of early childhood development expenses for the tax year
30 beginning in the 2006 calendar year only, such expenses paid
31 during November and December of the previous tax year shall
32 be considered paid in the tax year for which the tax credit
33 is claimed. This credit is available to a taxpayer whose net
34 income is less than ~~forty-five~~ ninety thousand dollars. If the
35 early childhood development tax credit is claimed for a tax

1 year, the taxpayer and the taxpayer's spouse shall not claim
2 the child and dependent care credit under subsection 1.

3 Sec. 4. RETROACTIVE APPLICABILITY. This division of this
4 Act applies retroactively to tax years beginning on or after
5 January 1, 2021.

6 DIVISION III

7 COVID-19 RELATED GRANTS — TAXATION

8 Sec. 5. Section 422.7, subsection 62, Code 2021, is amended
9 to read as follows:

10 62. a. Subtract, to the extent included, the amount of
11 any ~~financial assistance~~ qualifying COVID-19 grant provided to
12 ~~an eligible small~~ issued to an individual or business by the
13 economic development authority ~~under the Iowa small business~~
14 ~~relief grant program created during calendar year 2020 to~~
15 ~~provide financial assistance to eligible small businesses~~
16 ~~economically impacted by the COVID-19 pandemic, the Iowa~~
17 finance authority, or the department of agriculture and land
18 stewardship.

19 b. For purposes of this subsection, "qualifying COVID-19
20 grant" includes any grant that was issued between March 17,
21 2020, and December 31, 2021, identified by the department
22 by rule under a grant program created to primarily provide
23 COVID-19 related financial assistance to economically
24 impacted individuals and businesses located in this state,
25 and administered by the economic development authority, Iowa
26 finance authority, or the department of agriculture and land
27 stewardship.

28 c. The economic development authority, Iowa finance
29 authority, or the department of agriculture and land
30 stewardship shall notify the department of any COVID-19 grant
31 program that may qualify under this subsection in the manner
32 and form prescribed by the department.

33 d. This subsection is repealed January 1, 2024, and does not
34 apply to tax years beginning on or after that date.

35 Sec. 6. Section 422.35, subsection 30, Code 2021, is amended

1 to read as follows:

2 30. a. Subtract, to the extent included, the amount of
3 any ~~financial assistance~~ qualifying COVID-19 grant provided
4 ~~to an eligible small~~ issued to a business by the economic
5 development authority ~~under the Iowa small business relief~~
6 ~~grant program created during calendar year 2020 to provide~~
7 ~~financial assistance to eligible small businesses economically~~
8 ~~impacted by the COVID-19 pandemic,~~ the Iowa finance authority,
9 or the department of agriculture and land stewardship.

10 b. For purposes of this subsection, "qualifying COVID-19
11 grant" means the same as defined in section 422.7, subsection
12 62, paragraph "b".

13 c. The economic development authority, Iowa finance
14 authority, or the department of agriculture and land
15 stewardship shall notify the department of any COVID-19 grant
16 program that may qualify under this subsection in the manner
17 and form prescribed by the department.

18 d. This subsection is repealed January 1, 2024, and does not
19 apply to tax years beginning on or after that date.

20 Sec. 7. EFFECTIVE DATE. This division of this Act, being
21 deemed of immediate importance, takes effect upon enactment.

22 Sec. 8. RETROACTIVE APPLICABILITY. This division of this
23 Act applies retroactively to March 17, 2020, for tax years
24 ending on or after that date.

25 DIVISION IV

26 FEDERAL PAYCHECK PROTECTION PROGRAM

27 Sec. 9. FEDERAL PAYCHECK PROTECTION PROGRAM.

28 Notwithstanding any other provision of the law to the contrary,
29 for any tax year ending after March 27, 2020, Division N, Tit.
30 II, subtit. B, §276 and §278(a), of the federal Consolidated
31 Appropriations Act, 2021, Pub. L. No. 116-260, applies in
32 computing net income for state tax purposes under section 422.7
33 or 422.35.

34 Sec. 10. EFFECTIVE DATE. This division of this Act, being
35 deemed of immediate importance, takes effect upon enactment.

DIVISION V

STATE INHERITANCE TAX

1
2
3 Sec. 11. Section 450.10, Code 2021, is amended by adding the
4 following new subsection:

5 NEW SUBSECTION. 7. *a.* In lieu of each rate of tax imposed
6 in subsections 1 through 4, for property passing from the
7 estate of a decedent dying on or after January 1, 2021, but
8 before January 1, 2022, there shall be imposed a rate of tax
9 equal to the applicable tax rate in subsections 1 through
10 4, reduced by twenty percent, and rounded to the nearest
11 one-hundredth of one percent.

12 *b.* In lieu of each rate of tax imposed in subsections 1
13 through 4, for property passing from the estate of a decedent
14 dying on or after January 1, 2022, but before January 1, 2023,
15 there shall be imposed a rate of tax equal to the applicable
16 tax rate in subsections 1 through 4, reduced by forty percent,
17 and rounded to the nearest one-hundredth of one percent.

18 *c.* In lieu of each rate of tax imposed in subsections 1
19 through 4, for property passing from the estate of a decedent
20 dying on or after January 1, 2023, but before January 1, 2024,
21 there shall be imposed a rate of tax equal to the applicable
22 tax rate in subsections 1 through 4, reduced by sixty percent,
23 and rounded to the nearest one-hundredth of one percent.

24 *d.* In lieu of each rate of tax imposed in subsections 1
25 through 4, for property passing from the estate of a decedent
26 dying on or after January 1, 2024, but before January 1, 2025,
27 there shall be imposed a rate of tax equal to the applicable
28 tax rate in subsections 1 through 4, reduced by eighty percent,
29 and rounded to the nearest one-hundredth of one percent.

30 Sec. 12. NEW SECTION. 450.98 **Tax repealed.**

31 Effective January 1, 2025, this chapter shall not apply to
32 property of estates of decedents dying on or after January 1,
33 2025. The inheritance tax shall not be imposed under this
34 chapter in the event the decedent dies on or after January 1,
35 2025, and, to this extent, this chapter is repealed.

1 Sec. 13. NEW SECTION. **450B.8 Tax repealed.**

2 Effective January 1, 2025, this chapter shall not apply to
3 property of estates of decedents dying on or after January 1,
4 2025. The qualified use inheritance tax shall not be imposed
5 under this chapter in the event the decedent dies on or after
6 January 1, 2025, and, to this extent, this chapter is repealed.

7 Sec. 14. DEPARTMENT OF REVENUE. The department of revenue
8 is directed to review references to Code chapters 450 and 450B
9 and submit proposed corrections to such references in bill form
10 to the general assembly by the 2022 regular session of the
11 eighty-ninth general assembly.

12 Sec. 15. EFFECTIVE DATE. This division of this Act, being
13 deemed of immediate importance, takes effect upon enactment.

14 Sec. 16. RETROACTIVE APPLICABILITY. This division of this
15 Act applies retroactively to the estates of decedents dying on
16 or after January 1, 2021.

17 DIVISION VI

18 HOUSING TRUST FUND

19 Sec. 17. Section 428A.8, subsection 3, Code 2021, is amended
20 to read as follows:

21 3. Notwithstanding subsection 2, the amount of money that
22 shall be transferred pursuant to this section to the housing
23 trust fund in any one fiscal year shall not exceed three seven
24 million dollars. Any money that otherwise would be transferred
25 pursuant to this section to the housing trust fund in excess
26 of that amount shall be deposited in the general fund of the
27 state.

28 DIVISION VII

29 HIGH QUALITY JOBS PROGRAM — DAY CARE CENTERS

30 Sec. 18. Section 15.327, Code 2021, is amended by adding the
31 following new subsection:

32 NEW SUBSECTION. 016. "*Licensed center*" means the same as
33 defined in section 237A.1.

34 Sec. 19. Section 15.329, Code 2021, is amended by adding the
35 following new subsection:

1 NEW SUBSECTION. 3A. In addition to the factors in
2 subsection 3, in determining the eligibility of a business to
3 participate in the program the authority may consider whether a
4 proposed project will provide a licensed center for use by the
5 business's employees.

6 DIVISION VIII

7 TELEHEALTH

8 Sec. 20. Section 514C.34, subsection 1, Code 2021, is
9 amended by adding the following new paragraphs:

10 NEW PARAGRAPH. 0a. "*Covered person*" means the same as
11 defined in section 514J.102.

12 NEW PARAGRAPH. 00a. "*Facility*" means the same as defined in
13 section 514J.102.

14 NEW PARAGRAPH. 0c. "*Health carrier*" means the same as
15 defined in section 514J.102.

16 Sec. 21. Section 514C.34, subsection 1, paragraph c, Code
17 2021, is amended to read as follows:

18 c. "*Telehealth*" means the delivery of health care services
19 through the use of real-time interactive audio and video, or
20 other real-time interactive electronic media, regardless of
21 where the health care professional and the covered person are
22 each located. "*Telehealth*" does not include the delivery of
23 health care services delivered solely through an audio-only
24 telephone, electronic mail message, or facsimile transmission.

25 Sec. 22. Section 514C.34, Code 2021, is amended by adding
26 the following new subsection:

27 NEW SUBSECTION. 3A. a. A health carrier shall reimburse
28 a health care professional and a facility for health care
29 services provided by telehealth to a covered person for a
30 mental health condition, illness, injury, or disease on the
31 same basis and at the same rate as the health carrier would
32 apply to the same health care services for a mental health
33 condition, illness, injury, or disease provided in person to a
34 covered person by the health care professional or the facility.

35 b. As a condition of reimbursement pursuant to paragraph

1 "a", a health carrier shall not require that an additional
2 health care professional be located in the same room as a
3 covered person while health care services for a mental health
4 condition, illness, injury, or disease are provided via
5 telehealth by another health care professional to the covered
6 person.

7 Sec. 23. EFFECTIVE DATE. This division of this Act, being
8 deemed of immediate importance, takes effect upon enactment.

9 Sec. 24. RETROACTIVE APPLICABILITY. This division of
10 this Act applies to health care services for a mental health
11 condition, illness, injury, or disease provided by a health
12 care professional or a facility to a covered person by
13 telehealth on or after January 1, 2021.

14 DIVISION IX

15 HIGH QUALITY JOBS AND RENEWABLE CHEMICAL PRODUCTION TAX CREDITS

16 Sec. 25. Section 15.119, subsection 2, paragraph a,
17 subparagraphs (2) and (3), Code 2021, are amended to read as
18 follows:

19 (2) In allocating tax credits pursuant to this subsection
20 ~~for each fiscal year of the fiscal period beginning July 1,~~
21 ~~2016, and ending June 30, 2021~~ the fiscal year beginning July
22 1, 2021, and for each fiscal year thereafter, the authority
23 shall not allocate more than ~~one hundred five~~ seventy million
24 dollars for purposes of this paragraph. ~~This subparagraph (2)~~
25 ~~is repealed July 1, 2021.~~

26 ~~(3) (a) In allocating tax credits pursuant to this~~
27 ~~subsection for the fiscal year beginning July 1, 2021, and~~
28 ~~ending June 30, 2022, the authority shall not allocate more~~
29 ~~than one hundred five million dollars for purposes of this~~
30 ~~paragraph if the aggregate amount of renewable chemical~~
31 ~~production tax credits under section 15.319 that were awarded~~
32 ~~on or after July 1, 2018, but before July 1, 2021, equals or~~
33 ~~exceeds twenty-seven million dollars.~~

34 ~~(b) As soon as practicable after June 30, 2021, the~~
35 ~~authority shall notify the general assembly of the aggregate~~

1 ~~amount of renewable chemical production tax credits awarded~~
2 ~~under section 15.319 on or after July 1, 2018, but before~~
3 ~~July 1, 2021, and whether or not the tax credit allocation~~
4 ~~limitation described in subparagraph division (a) is~~
5 ~~applicable.~~

6 ~~(c) This subparagraph (3) is repealed July 1, 2022.~~

7 Sec. 26. Section 15.119, subsection 2, paragraph h, Code
8 2021, is amended to read as follows:

9 h. The renewable chemical production tax credit program
10 administered pursuant to sections 15.315 through 15.322. In
11 allocating tax credits pursuant to this subsection for the
12 fiscal year beginning July 1, 2021, and for each fiscal year
13 thereafter, the authority shall not allocate more than ~~ten~~ five
14 million dollars for purposes of this paragraph. This paragraph
15 is repealed July 1, 2030.

16 Sec. 27. EFFECTIVE DATE. This division of this Act, being
17 deemed of immediate importance, takes effect upon enactment.

18 DIVISION X

19 HIGH QUALITY JOBS — ELIGIBILITY REQUIREMENTS

20 Sec. 28. HIGH QUALITY JOBS — REDUCTIONS IN OPERATIONS.

21 1. Notwithstanding section 15.329, subsection 1, paragraph
22 "b", subparagraph (2), the economic development authority shall
23 not presume that a reduction in operations is a reduction in
24 operations while simultaneously applying for assistance with
25 regard to a business that submits an application on or before
26 June 30, 2022, if the business demonstrates to the satisfaction
27 of the authority all of the following:

28 a. That the reduction in operations occurred after March 1,
29 2020.

30 b. That the reduction in operations was caused by the
31 COVID-19 pandemic.

32 2. The economic development authority shall consider
33 whether the benefit of the project proposed by a business
34 under subsection 1 outweighs any negative impact related to
35 the business's reduction in operations. The business shall

1 remain subject to all other eligibility requirements pursuant
2 to section 15.329.

3 3. This section is repealed July 1, 2022.

4 DIVISION XI

5 MANUFACTURING 4.0

6 Sec. 29. NEW SECTION. 15.371 Manufacturing 4.0 technology
7 investment program.

8 1. This section shall be known as and may be cited as the
9 *"Manufacturing 4.0 Technology Investment Program"*.

10 2. For purposes of this section unless the context otherwise
11 requires:

12 a. *"Financial assistance"* means the same as defined in
13 section 15.102.

14 b. *"Manufacturing 4.0 technology investments"* means projects
15 that are intended to lead to the adoption of, and integration
16 of, smart technologies into existing manufacturing operations
17 located in the state by mitigating the risk to the manufacturer
18 of significant technology investments. Projects may include
19 investments in specialized hardware, software, or other
20 equipment intended to assist a manufacturer in increasing the
21 manufacturer's productivity, efficiency, and competitiveness.

22 3. a. A manufacturing 4.0 technology investment fund
23 is created within the state treasury under the control of
24 the authority for the purpose of financing manufacturing 4.0
25 technology investments as described in this section.

26 b. The fund may be administered as a revolving fund and
27 may consist of any moneys appropriated by the general assembly
28 for purposes of this section and any other moneys that are
29 lawfully available to the authority. Any moneys appropriated
30 to the fund shall be used for purposes of the manufacturing
31 4.0 technology investment program. The authority may use all
32 other moneys in the fund, including interest, earnings, and
33 recaptures, for purposes of this section.

34 c. Notwithstanding section 8.33, moneys appropriated in this
35 section that remain unencumbered or unobligated at the close of

1 the fiscal year shall not revert but shall remain available for
2 expenditure for the purposes designated until the close of the
3 succeeding fiscal year.

4 *d.* Notwithstanding any law to the contrary, the authority
5 may transfer any unobligated and unencumbered moneys in the
6 fund, except for moneys appropriated for purposes of this
7 section, to any fund created pursuant to section 15.106A,
8 subsection 1, paragraph "o".

9 4. The authority shall establish and administer a
10 manufacturing 4.0 technology investment program and shall use
11 moneys in the fund to award financial assistance to eligible
12 manufacturers for manufacturing 4.0 technology investments.

13 5. To be eligible for a financial assistance award under the
14 manufacturing 4.0 technology investment program, a manufacturer
15 must do all of the following:

16 *a.* Manufacture goods at a facility located in this state.

17 *b.* Have a North American industry classification system
18 number within the manufacturing sector range of 31-33.

19 *c.* Have been an established business for a minimum of three
20 years prior to the date of application to the program.

21 *d.* Derive a minimum of fifty-one percent of the
22 manufacturer's gross revenue from the sale of manufactured
23 goods.

24 *e.* Employ a minimum of three full-time employees and no
25 more than seventy-five full-time employees across all of the
26 manufacturer's locations.

27 *f.* Have an assessment of the manufacturer's proposed
28 manufacturing 4.0 technology investment completed by the center
29 for industrial research and service at Iowa state university of
30 science and technology.

31 *g.* Demonstrate the ability to provide matching financial
32 support for the manufacturer's manufacturing 4.0 technology
33 investment on a one-to-one basis. The matching financial
34 support must be obtained from private sources.

35 6. Eligible manufacturers shall submit applications to the

1 manufacturing 4.0 technology investment program in the manner
2 prescribed by the authority by rule.

3 7. a. The authority may accept applications during one
4 or more application periods each fiscal year as determined by
5 the authority. All completed applications shall be reviewed
6 and scored on a competitive basis pursuant to rules adopted by
7 the authority. The authority may engage an outside technical
8 review panel to complete technical reviews of applications.
9 The board shall review the recommendations of the authority
10 and of the technical review panel, if applicable, and shall
11 approve, defer, or deny each application.

12 b. In making recommendations to the board, the authority and
13 the technical review panel, if applicable, shall consider all
14 of the following:

15 (1) The completeness of the manufacturer's application.

16 (2) Whether the board should approve or deny an application.

17 (3) If the board approves an application, the type and
18 amount of financial assistance that should to be awarded to the
19 applicant.

20 (4) The percentage of the manufacturer's gross revenue
21 that is derived from the sale of manufactured goods pursuant
22 to subsection 5, paragraph "d".

23 (5) Whether the manufacturer's proposed manufacturing
24 4.0 technology investment is consistent with the assessment
25 completed by the center for industrial research and service at
26 Iowa state university of science and technology pursuant to
27 subsection 5, paragraph "f".

28 c. The board shall not approve an application for financial
29 assistance for a manufacturing 4.0 technology investment that
30 was made prior to the date of the application.

31 8. From moneys appropriated to the manufacturing 4.0
32 technology investment fund from the general fund of the state
33 and any other state moneys lawfully available to the authority
34 for the manufacturing 4.0 technology investment program, the
35 maximum amount of financial assistance awarded from such moneys

1 to an eligible manufacturer shall not exceed seventy-five
2 thousand dollars.

3 9. The authority shall adopt rules pursuant to chapter 17A
4 necessary to implement and administer this section.

5 DIVISION XII

6 ENERGY INFRASTRUCTURE REVOLVING LOAN PROGRAM

7 Sec. 30. Section 476.10A, subsection 2, Code 2021, is
8 amended to read as follows:

9 2. Notwithstanding section 8.33, any unexpended moneys
10 remitted to the treasurer of state under this section shall be
11 retained for the purposes designated. ~~Notwithstanding section~~
12 ~~12C.7, subsection 2, interest or earnings on investments or~~
13 ~~time deposits of the moneys remitted under this section shall~~
14 ~~be retained and used for the purposes designated, pursuant to~~
15 ~~section 476.46.~~

16 Sec. 31. Section 476.46, subsection 2, paragraph e,
17 subparagraph (3), Code 2021, is amended to read as follows:

18 (3) Interest on the fund shall be deposited in the fund.
19 ~~A portion of the interest on the fund, not to exceed fifty~~
20 ~~percent of the total interest accrued, shall be used for~~
21 ~~promotion and administration of the fund.~~

22 Sec. 32. Section 476.46, Code 2021, is amended by adding the
23 following new subsections:

24 NEW SUBSECTION. 3. The Iowa energy center shall not
25 initiate any new loans under this section after June 30, 2021.

26 NEW SUBSECTION. 4. Loan payments received under this
27 section on or after July 1, 2021, and any other moneys in the
28 fund on or after July 1, 2021, shall be deposited in the energy
29 infrastructure revolving loan fund created in section 476.46A.

30 Sec. 33. NEW SECTION. 476.46A Energy infrastructure
31 revolving loan program.

32 1. a. An energy infrastructure revolving loan fund is
33 created in the office of the treasurer of state and shall be
34 administered by the Iowa energy center established in section
35 15.120.

1 *b.* The fund may be administered as a revolving fund and may
2 consist of any moneys appropriated by the general assembly for
3 purposes of this section and any other moneys that are lawfully
4 directed to the fund.

5 *c.* Moneys in the fund shall be used to provide financial
6 assistance for the development and construction of energy
7 infrastructure, including projects that support electric or gas
8 generation transmission, storage, or distribution; electric
9 grid modernization; energy-sector workforce development;
10 emergency preparedness for rural and underserved areas; the
11 expansion of biomass, biogas, and renewable natural gas;
12 innovative technologies; and the development of infrastructure
13 for alternative fuel vehicles.

14 *d.* Notwithstanding section 8.33, moneys appropriated in this
15 section that remain unencumbered or unobligated at the close of
16 the fiscal year shall not revert but shall remain available for
17 expenditure for the purposes designated until the close of the
18 succeeding fiscal year.

19 *e.* Notwithstanding section 12C.7, subsection 2, interest or
20 earnings on moneys in the fund shall be credited to the fund.

21 2. *a.* The Iowa energy center shall establish and administer
22 an energy infrastructure revolving loan program to encourage
23 the development of energy infrastructure within the state.

24 *b.* An individual, business, rural electric cooperative, or
25 municipal utility located and operating in this state shall be
26 eligible for financial assistance under the program. With the
27 approval of the Iowa energy center governing board established
28 under section 15.120, subsection 2, the economic development
29 authority shall determine the amount and the terms of all
30 financial assistance awarded to an individual, business, rural
31 electric cooperative, or municipal utility under the program.
32 All agreements and administrative authority shall be vested in
33 the Iowa energy center governing board.

34 *c.* The economic development authority may use not more than
35 five percent of the moneys in the fund at the beginning of each

1 fiscal year for purposes of administrative costs, marketing,
2 technical assistance, and other program support.

3 3. For the purposes of this section:

4 a. "Energy infrastructure" means land, buildings, physical
5 plant and equipment, and services directly related to the
6 development of projects used for, or useful for, electricity or
7 gas generation, transmission, storage, or distribution.

8 b. "Financial assistance" means the same as defined in
9 section 15.102.

10 Sec. 34. ALTERNATE ENERGY REVOLVING LOAN FUND — MONEYS
11 TRANSFERRED AND APPROPRIATED. Any unencumbered or unobligated
12 moneys remaining after June 30, 2021, in the alternate energy
13 revolving loan fund created pursuant to section 476.46, are
14 transferred and appropriated to the energy infrastructure
15 revolving loan fund created pursuant to section 476.46A, to be
16 used for purposes of the energy infrastructure revolving loan
17 program.

18 DIVISION XIII

19 WORKFORCE HOUSING TAX INCENTIVES

20 Sec. 35. Section 15.119, subsection 2, paragraph g, Code
21 2021, is amended to read as follows:

22 g. (1) The workforce housing tax incentives program
23 administered pursuant to sections 15.351 through 15.356.
24 In allocating tax credits pursuant to this subsection, the
25 authority shall not allocate more than ~~twenty-five~~ thirty-five
26 million dollars for purposes of this paragraph. Of the moneys
27 allocated under this paragraph, ~~ten~~ seventeen million five
28 hundred thousand dollars shall be reserved for allocation to
29 qualified housing projects in small cities, as defined in
30 section 15.352, that are registered on or after July 1, 2017.

31 (2) (a) Notwithstanding subparagraph (1), in allocating
32 tax credits pursuant to this subsection for the fiscal year
33 beginning July 1, 2021, and ending June 30, 2022, the authority
34 shall not allocate more than forty million dollars for the
35 purposes of this paragraph. Of the moneys allocated under

1 this paragraph for the fiscal year beginning July 1, 2021, and
2 ending June 30, 2022, twelve million dollars shall be reserved
3 for allocation to qualified housing projects in small cities,
4 as defined in section 15.352, that are registered on or after
5 July 1, 2017.

6 (b) This subparagraph is repealed July 1, 2022.

7 Sec. 36. Section 15.354, subsection 3, paragraph d, Code
8 2021, is amended to read as follows:

9 d. Upon completion of a housing project, an a housing
10 business shall submit all of the following to the authority:

11 (1) An examination of the project in accordance with the
12 American institute of certified public accountants' statements
13 on standards for attestation engagements, completed by a
14 certified public accountant authorized to practice in this
15 state, shall be submitted to the authority.

16 (2) A statement of the final amount of qualifying new
17 investment for the housing project.

18 (3) Any information the authority deems necessary to ensure
19 compliance with the agreement signed by the housing business
20 pursuant to paragraph "a", the requirements of this part,
21 and rules the authority and the department of revenue adopt
22 pursuant to section 15.356.

23 Sec. 37. Section 15.354, subsection 3, paragraph e,
24 subparagraph (1), Code 2021, is amended to read as follows:

25 (1) Upon review of the examination, and verification of
26 the amount of the qualifying new investment, and review of
27 any other information submitted pursuant to paragraph "d",
28 subparagraph (3), the authority may notify the housing business
29 of the amount that the housing business may claim as a refund
30 of the sales and use tax under section 15.355, subsection 2,
31 and may issue a tax credit certificate to the housing business
32 stating the amount of workforce housing investment tax credits
33 under section 15.355, subsection 3, the eligible housing
34 business may claim. The sum of the amount that the housing
35 business may claim as a refund of the sales and use tax and

1 the amount of the tax credit certificate shall not exceed the
2 amount of the tax incentive award.

3 Sec. 38. Section 15.354, subsection 6, paragraphs b and c,
4 Code 2021, are amended to read as follows:

5 *b.* Notwithstanding subsection 1, the authority may accept
6 ~~applications for disaster recovery housing projects on a~~
7 ~~continuous basis~~ establish a disaster recovery application
8 period following the declaration of a major disaster by the
9 president of the United States for a county in Iowa.

10 *c.* ~~Notwithstanding subsection 2, paragraphs "a", "b", and~~
11 ~~"d", upon~~ Upon review of a housing business's application,
12 and scoring of all applications received during a disaster
13 recovery application period, the authority may make a tax
14 incentive award to a disaster recovery housing project. The
15 tax incentive award shall represent the maximum amount of tax
16 incentives that the disaster recovery housing project may
17 qualify for under the program. In determining a tax incentive
18 award, the authority shall not use an amount of project costs
19 that exceeds the amount included in the application of the
20 housing business. Tax incentive awards shall be approved by
21 the director of the authority.

22 Sec. 39. Section 15.355, subsection 2, Code 2021, is amended
23 to read as follows:

24 2. A housing business may claim a refund of the sales and
25 use taxes paid under chapter 423 that are directly related to
26 a housing project and specified in the agreement. The refund
27 available pursuant to this subsection shall be as provided in
28 section 15.331A, excluding subsection 2, paragraph "c", of
29 that section. For purposes of the program, the term "*project*
30 *completion*", as used in section 15.331A, shall mean the date
31 on which the authority notifies the department of revenue that
32 all applicable requirements of ~~an~~ the agreement entered into
33 pursuant to section 15.354, subsection 3, paragraph "a", and
34 all applicable requirements of this part, including the rules
35 the authority and the department of revenue adopted pursuant to

1 section 15.356, are satisfied.

2 DIVISION XIV

3 BROWNFIELDS AND GRAYFIELDS

4 Sec. 40. Section 15.119, subsection 3, Code 2021, is amended
5 to read as follows:

6 3. In allocating the amount of tax credits authorized
7 pursuant to subsection 1 among the programs specified in
8 subsection 2, the authority shall not allocate more than ~~ten~~
9 fifteen million dollars for purposes of subsection 2, paragraph
10 "f".

11 Sec. 41. Section 15.293A, subsection 8, Code 2021, is
12 amended to read as follows:

13 8. This section is repealed on June 30, ~~2021~~ 2031.

14 Sec. 42. Section 15.293B, Code 2021, is amended by adding
15 the following new subsection:

16 NEW SUBSECTION. 5A. a. Tax credits revoked under
17 subsection 3 including tax credits revoked up to five years
18 prior to the effective date of this division of this Act, and
19 tax credits not awarded under subsection 4 or 5, may be awarded
20 in the next annual application period established in subsection
21 1, paragraph "c".

22 b. Tax credits awarded pursuant to paragraph "a" shall not
23 be counted against the limit under section 15.119, subsection
24 3.

25 Sec. 43. Section 15.293B, subsection 7, Code 2021, is
26 amended to read as follows:

27 7. This section is repealed on June 30, ~~2021~~ 2031.

28 Sec. 44. EFFECTIVE DATE. The following, being deemed of
29 immediate importance, take effect upon enactment:

30 1. The section of this division of this Act amending section
31 15.293A, subsection 8.

32 2. The section of this division of this Act amending section
33 15.293B, subsection 7.

34 DIVISION XV

35 DOWNTOWN LOAN GUARANTEE PROGRAM

1 Sec. 45. NEW SECTION. 15.431 Downtown loan guarantee
2 program.

3 1. The economic development authority, in partnership with
4 the Iowa finance authority, shall establish and administer a
5 downtown loan guarantee program to encourage Iowa downtown
6 businesses and banks to reinvest and reopen following the
7 COVID-19 pandemic.

8 2. In order for a loan to be guaranteed, all of the
9 following conditions must be true:

10 *a.* The loan finances an eligible downtown resource center
11 community catalyst building remediation grant project or main
12 street Iowa challenge grant within a designated district.

13 *b.* The loan finances a rehabilitation project, or finances
14 acquisition or refinancing costs associated with the project.

15 *c.* At least twenty-five percent of the project costs are
16 used for construction on the project or renovation.

17 *d.* The project includes a housing component.

18 *e.* The loan is used for construction of the project,
19 permanent financing of the project, or both.

20 *f.* A federally insured financial lending institution issued
21 the loan.

22 *g.* The loan does not reimburse the borrower for working
23 capital, operations, or similar expenses.

24 *h.* The project meets downtown resource center and main
25 street Iowa design review.

26 3. *a.* For a loan amount less than or equal to five hundred
27 thousand dollars, the economic development authority may
28 guarantee up to fifty percent of the loan amount.

29 *b.* For a loan amount greater than five hundred thousand
30 dollars, the economic development authority may provide a
31 maximum loan guarantee of up to two hundred fifty thousand
32 dollars.

33 4. A project loan must be secured by a mortgage against the
34 project property.

35 5. The economic development authority may guarantee loans

1 for up to five years. The economic development authority
2 may extend the loan guarantee for an additional five years
3 if an underwriting review finds that an extension would be
4 beneficial.

5 6. The lender shall pay an annual loan guarantee fee as set
6 forth by rule.

7 7. The economic development authority reserves the right
8 to deny a loan guarantee for unreasonable bank loan fees or
9 interest rate.

10 8. The loan must not be insured or guaranteed by another
11 local, state, or federal guarantee program.

12 9. The loan guarantee is not transferable if the loan or the
13 project is sold or transferred.

14 10. In the event of a loss due to default, the loan
15 guarantee proportionally pays the guarantee percentage of the
16 loss to the lender.

17 11. Moneys for the program may consist of any moneys
18 appropriated by the general assembly for purposes of this
19 section, and any other moneys that are lawfully available
20 to the economic development authority, including moneys
21 transferred or deposited from other funds created pursuant to
22 section 15.106A, subsection 1, paragraph "o".

23 DIVISION XVI

24 DISASTER RECOVERY HOUSING ASSISTANCE

25 Sec. 46. NEW SECTION. 16.57A **Transfer of unobligated or**
26 **unencumbered funds — report.**

27 1. Notwithstanding any other provision of law to the
28 contrary, the authority may transfer any unobligated and
29 unencumbered moneys in any revolving loan program fund created
30 pursuant to section 16.46, 16.47, 16.48, or 16.49, for deposit
31 in the disaster recovery housing assistance fund created in
32 section 16.57B.

33 2. Notwithstanding section 8.39, and any other law to
34 the contrary, with the prior written consent and approval of
35 the governor, the executive director of the authority may

1 transfer any unobligated and unencumbered moneys in any fund
2 created pursuant to section 16.5, subsection 1, paragraph
3 "s", for deposit in the disaster recovery housing assistance
4 fund created in section 16.57B. The prior written consent and
5 approval of the director of the department of management shall
6 not be required to transfer the unobligated and unencumbered
7 moneys.

8 3. Notwithstanding section 8.39, and any other law to the
9 contrary, with the prior written approval of the governor, the
10 director of the economic development authority may transfer
11 any unobligated and unencumbered moneys in any fund created
12 pursuant to section 15.106A, subsection 1, paragraph "o",
13 for deposit in the disaster recovery housing assistance fund
14 created in section 16.57B.

15 4. Any transfer made under this section shall be reported in
16 the same manner as provided in section 8.39, subsection 5.

17 Sec. 47. NEW SECTION. **16.57B Disaster recovery housing**
18 **assistance program — fund.**

19 1. *Definitions.* As used in this section, unless the context
20 otherwise requires:

21 a. "*Disaster-affected home*" means a primary residence that
22 is destroyed or damaged due to a natural disaster that occurs
23 on or after the effective date of this division of this Act,
24 and the primary residence is located in a county that is the
25 subject of a state of disaster emergency proclamation by the
26 governor that authorizes disaster recovery housing assistance.

27 b. "*Fund*" means the disaster recovery housing assistance
28 fund.

29 c. "*Local program administrator*" means any of the following:

30 (1) The cities of Ames, Cedar Falls, Cedar Rapids, Council
31 Bluffs, Davenport, Des Moines, Dubuque, Iowa City, Waterloo,
32 and West Des Moines.

33 (2) A council of governments whose territory includes at
34 least one county that is the subject of a state of disaster
35 emergency proclamation by the governor that authorizes disaster

1 recovery housing assistance or the eviction prevention program
2 under section 16.57C on or after the effective date of this
3 division of this Act.

4 (3) A community action agency as defined in section 216A.91
5 and whose territory includes at least one county that is the
6 subject of a state of disaster emergency proclamation by the
7 governor that authorizes disaster recovery housing assistance
8 or the eviction prevention program under section 16.57C on or
9 after the effective date of this division of this Act.

10 (4) A qualified local organization or governmental entity
11 as determined by rules adopted by the authority.

12 *d.* "Program" means the disaster recovery housing assistance
13 program.

14 *e.* "Replacement housing" means housing purchased
15 by a homeowner or leased by a renter needed to replace
16 a disaster-affected home that is destroyed or damaged
17 beyond reasonable repair as determined by a local program
18 administrator.

19 *f.* "State of disaster emergency" means the same as described
20 in section 29C.6, subsection 1.

21 2. *Fund.*

22 *a.* (1) A disaster recovery housing assistance fund is
23 created within the authority. The moneys in the fund shall be
24 used by the authority for the development and operation of a
25 forgivable loan and grant program for homeowners and renters
26 with disaster-affected homes, and for the eviction prevention
27 program pursuant to section 16.57C.

28 (2) Notwithstanding section 12C.7, subsection 2, interest
29 or earnings on moneys deposited in the fund shall be credited
30 to the fund. Notwithstanding section 8.33, moneys credited to
31 the fund shall not revert at the close of a fiscal year.

32 *b.* Moneys transferred by the authority for deposit in the
33 fund, moneys appropriated to the fund, and any other moneys
34 available to and obtained or accepted by the authority for
35 placement in the fund shall be deposited in the fund.

1 *c.* The authority shall not use more than five percent of
2 the moneys in the fund on July 1 of a fiscal year for purposes
3 of administrative costs and other program support during the
4 fiscal year.

5 3. *Program.*

6 *a.* The authority shall establish and administer a disaster
7 recovery housing assistance program and shall use moneys in
8 the fund to award forgivable loans to eligible homeowners and
9 grants to eligible renters of disaster-affected homes. Moneys
10 in the fund may be expended following a state of disaster
11 emergency proclamation by the governor pursuant to section
12 29C.6 that authorizes disaster recovery housing assistance.

13 *b.* The authority may enter into an agreement with one or
14 more local program administrators to administer the program.

15 4. *Registration required.* To be considered for a forgivable
16 loan or grant under the program, a homeowner or renter must
17 register for the disaster case management program established
18 pursuant to section 29C.20B. The disaster case manager may
19 refer the homeowner or renter to the appropriate local program
20 administrator.

21 5. *Homeowners.*

22 *a.* To be eligible for a forgivable loan under the program,
23 all of the following requirements shall apply:

24 (1) The homeowner's disaster-affected home must have
25 sustained damage greater than the damage that is covered by the
26 homeowner's property and casualty insurance policy insuring the
27 home plus any other state or federal disaster-related financial
28 assistance that the homeowner is eligible to receive.

29 (2) A local official must either deem the disaster-affected
30 home suitable for rehabilitation or damaged beyond reasonable
31 repair.

32 (3) The disaster-affected home is not eligible for buyout by
33 the county or city where the disaster-affected home is located,
34 or the disaster-affected home is eligible for a buyout by the
35 county or city where the disaster-affected home is located, but

1 the homeowner is requesting a forgivable loan for the repair
2 or rehabilitation of the homeowner's disaster-affected home in
3 lieu of a buyout.

4 (4) Assistance under the program must not duplicate
5 benefits provided by any local, state, or federal disaster
6 recovery assistance program.

7 *b.* If a homeowner is referred to the authority or to a
8 local program administrator by the disaster case manager of the
9 homeowner, the authority may award a forgivable loan to the
10 eligible homeowner for any of the following purposes:

11 (1) Repair or rehabilitation of the disaster-affected home.

12 (2) (a) Down payment assistance on the purchase of
13 replacement housing, and the cost of reasonable repairs to be
14 performed on the replacement housing to render the replacement
15 housing decent, safe, sanitary, and in good repair.

16 (b) Replacement housing shall not be located in a
17 one-hundred-year floodplain.

18 (c) For purposes of this subparagraph, "*decent, safe,*
19 *sanitary, and in good repair*" means the same as described in 24
20 C.F.R. §5.703.

21 *c.* The authority shall determine the interest rate for the
22 forgivable loan.

23 *d.* If a homeowner who has been awarded a forgivable loan
24 sells a disaster-affected home or replacement housing for which
25 the homeowner received the forgivable loan prior to the end
26 of the loan term, the remaining principal on the forgivable
27 loan shall be due and payable pursuant to rules adopted by the
28 authority.

29 6. *Renters.*

30 *a.* To be eligible for a grant under the program, all of the
31 following requirements shall apply:

32 (1) A local program administrator either deems
33 the disaster-affected home of the renter suitable for
34 rehabilitation but unsuitable for current short-term
35 habitation, or the disaster-affected home is damaged beyond

1 reasonable repair.

2 (2) Assistance under the program must not duplicate
3 benefits provided by any local, state, or federal disaster
4 recovery assistance program.

5 *b.* If a renter is referred to the authority or to a local
6 program administrator by the disaster case manager of the
7 renter, the authority may award a grant to the eligible renter
8 to provide short-term financial assistance for the payment of
9 rent for replacement housing.

10 7. *Report.* On or before January 31 of each year, the
11 authority shall submit a report to the general assembly
12 that identifies all of the following for the calendar year
13 immediately preceding the year of the report:

14 *a.* The date of each state of disaster emergency proclamation
15 by the governor that authorized disaster recovery housing
16 assistance under this section.

17 *b.* The total number of forgivable loans and grants awarded.

18 *c.* The total number of forgivable loans, and the amount of
19 each loan awarded for repair or rehabilitation.

20 *d.* The total number of forgivable loans, and the amount of
21 each loan, awarded for down payment assistance on the purchase
22 of replacement housing and the cost of reasonable repairs to be
23 performed on the replacement housing to render the replacement
24 housing decent, safe, sanitary, and in good repair.

25 *e.* The total number of grants, and the amount of each grant,
26 awarded for rental assistance.

27 *f.* The total number of forgivable loans and grants awarded
28 in each county in which at least one homeowner or renter has
29 been awarded a forgivable loan or grant.

30 *g.* Each local program administrator involved in the
31 administration of the program.

32 *h.* The total amount of forgivable loan principal repaid.

33 Sec. 48. NEW SECTION. 16.57C Eviction prevention program.

34 1. *a.* "*Eligible renter*" means a renter whose income meets
35 the qualifications of the program, who is at risk of eviction,

1 and who resides in a county that is the subject of a state of
2 disaster emergency proclamation by the governor that authorizes
3 the eviction prevention program.

4 *b.* "Eviction prevention partner" means a qualified local
5 organization or governmental entity as determined by rule by
6 the authority.

7 2. The authority shall establish and administer an eviction
8 prevention program. Under the eviction prevention program,
9 the authority shall award grants to eligible renters and to
10 eviction prevention partners for purposes of this section.
11 Grants may be awarded upon a state of disaster emergency
12 proclamation by the governor that authorizes the eviction
13 prevention program. Eviction prevention assistance shall be
14 paid out of the fund established in section 16.57B.

15 3. *a.* Grants awarded to eligible renters pursuant to this
16 section shall be used for short-term financial rent assistance
17 to keep eligible renters in the current residences of such
18 renters.

19 *b.* Grants awarded to eviction prevention partners pursuant
20 to this section shall be used to pay for rent or services
21 provided to eligible renters for the purpose of preventing the
22 eviction of eligible renters.

23 4. The authority may enter into an agreement with one or
24 more local program administrators to administer the program.

25 Sec. 49. NEW SECTION. 16.57D Rules.

26 The authority shall adopt rules pursuant to chapter 17A to
27 implement and administer this part, including rules to do all
28 of the following:

29 1. Establish the maximum forgivable loan and grant amounts
30 awarded under the program.

31 2. Establish the terms of any forgivable loan provided under
32 the program.

33 3. Income qualifications of eligible renters in the
34 eviction prevention program.

35 Sec. 50. CODE EDITOR DIRECTIVE. The Code editor shall

1 designate sections 16.57A through 16.57D, as enacted by
2 this division of this Act, as a new part within chapter 16,
3 subchapter VIII, and may redesignate the new and preexisting
4 parts, replace references to sections 16.57A through 16.57D
5 with references to the new part, and correct internal
6 references as necessary, including references in subchapter or
7 part headnotes.

8 Sec. 51. EFFECTIVE DATE. This division of this Act, being
9 deemed of immediate importance, takes effect upon enactment.

10 DIVISION XVII

11 BONUS DEPRECIATION

12 Sec. 52. Section 422.7, subsection 39A, Code 2021, is
13 amended by striking the subsection.

14 Sec. 53. Section 422.35, subsection 19A, Code 2021, is
15 amended by striking the subsection.

16 Sec. 54. RETROACTIVE APPLICABILITY. This division of this
17 Act applies retroactively to January 1, 2021, for tax years
18 beginning on or after that date, and for qualified property
19 placed in service on or after that date.

20 DIVISION XVIII

21 BUSINESS INTEREST EXPENSE DEDUCTION

22 Sec. 55. Section 422.7, subsection 60, paragraph b, Code
23 2021, is amended by striking the paragraph.

24 Sec. 56. Section 422.35, subsection 27, paragraph b, Code
25 2021, is amended by striking the paragraph.

26 Sec. 57. RETROACTIVE APPLICABILITY. This division of this
27 Act applies retroactively to January 1, 2021, for tax years
28 beginning on or after that date.

29 DIVISION XIX

30 BEGINNING FARMER TAX CREDIT

31 Sec. 58. Section 16.58, subsections 1, 2, and 3, Code 2021,
32 are amended to read as follows:

33 1. "*Agricultural assets*" means agricultural land,
34 agricultural improvements, depreciable agricultural property,
35 crops, or livestock.

1 2. "~~Agricultural improvements~~" improvement" means any
2 improvements, including buildings, structures, or fixtures
3 suitable for use in farming ~~which are,~~ if located on any size
4 parcel of agricultural land.

5 3. "Agricultural land" means land suitable for use in
6 farming, any portion of which may include an agricultural
7 improvement.

8 Sec. 59. Section 16.77, subsection 2, Code 2021, is amended
9 to read as follows:

10 2. "Agricultural lease agreement" or "agreement" means an
11 agreement for the transfer of agricultural assets, ~~that must at~~
12 ~~least include a lease of agricultural land,~~ from an eligible
13 taxpayer to a qualified beginning farmer as provided in section
14 16.79A.

15 Sec. 60. Section 16.79A, subsection 1, Code 2021, is amended
16 to read as follows:

17 1. a. A beginning farmer tax credit is allowed only for
18 agricultural assets that are subject to an agricultural lease
19 agreement entered into by an eligible taxpayer and a qualifying
20 beginning farmer participating in the beginning farmer tax
21 credit program established pursuant to section 16.78.

22 b. The tax credit is allowed regardless of whether the
23 principle agricultural asset is soil, pasture, or a building or
24 other structure used in farming.

25 Sec. 61. Section 16.79A, subsection 2, Code 2021, is amended
26 to read as follows:

27 2. The agreement must include the lease of agricultural
28 land located in this state, ~~including any or agricultural~~
29 improvements located in this state, and may provide for the
30 rental of agricultural equipment as defined in section 322F.1.

31 Sec. 62. Section 16.79A, subsection 3, paragraph c, Code
32 2021, is amended to read as follows:

33 c. The agreement must be for at least two years, but not
34 more than five years. The agreement may be renewed any number
35 of times by the eligible taxpayer and qualified beginning

1 farmer for a term of at least two years, but not more than five
2 years. However, an eligible taxpayer shall not participate in
3 the program for more than fifteen years.

4 Sec. 63. Section 16.81, subsection 4, Code 2021, is amended
5 by striking the subsection.

6 Sec. 64. Section 16.81, subsection 6, Code 2021, is amended
7 to read as follows:

8 6. The authority shall approve all beginning farmer tax
9 credit applications that meet the requirements of this subpart
10 and make tax credit awards on a first-come, first-served basis,
11 subject to the limitations in section 16.82A. An eligible
12 taxpayer may apply and be approved to enter into agreements
13 with different qualified beginning farmers.

14 Sec. 65. Section 16.82, subsection 5, Code 2021, is amended
15 to read as follows:

16 5. The amount of tax credits that may be awarded to an
17 eligible taxpayer for any one year under ~~all agreements~~ an
18 agreement shall not exceed fifty thousand dollars.

19 Sec. 66. BEGINNING FARMER TAX CREDIT PROGRAM — FORMER
20 PERIOD OF PARTICIPATION EXTENDED. An eligible taxpayer first
21 participating in the beginning farmer tax credit program on or
22 after January 1, 2019, as provided in 2019 Iowa Acts, chapter
23 161, for a tax year beginning on or after that date, may
24 participate in the program for not more than fifteen years in
25 the same manner as provided in section 16.79A, as amended by
26 this division of this Act.

27 Sec. 67. EFFECTIVE DATE. This division of this Act takes
28 effect January 1, 2022.

29 DIVISION XX

30 PROMOTIONAL PLAY

31 Sec. 68. Section 99F.1, subsections 1, 25, and 30, Code
32 2021, are amended to read as follows:

33 1. "*Adjusted gross receipts*" means the gross receipts on
34 gambling games less winnings paid to wagerers on gambling games
35 and less promotional play receipts on gambling games. However,

1 for each fiscal year during the time period beginning July 1,
2 2021, and ending June 30, 2026, "adjusted gross receipts" does
3 not shall include promotional play receipts ~~received after the~~
4 ~~date in any fiscal year that the commission determines that~~
5 ~~the wagering tax imposed pursuant to section 99F.11 on all~~
6 ~~licensees in that fiscal year on promotional play receipts~~
7 ~~exceeds twenty-five million eight hundred twenty thousand~~
8 dollars on gambling games.

9 25. "*Promotional play receipts*" means the total sums wagered
10 ~~on gambling games~~ with tokens, chips, electronic credits, or
11 other forms of cashless wagering provided by the licensee
12 without an exchange of money as described in section 99F.9,
13 subsection 3.

14 30. "*Sports wagering net receipts*" means the gross receipts
15 less winnings paid to wagerers and less promotional play
16 receipts on sports wagering.

17 Sec. 69. Section 99F.6, subsection 4, paragraph a,
18 subparagraphs (3) and (5), Code 2021, are amended to read as
19 follows:

20 (3) The commission shall authorize, subject to the debt
21 payments for horse racetracks and the provisions of paragraph
22 "b" for dog racetracks, a licensee who is also licensed to
23 conduct pari-mutuel dog or horse racing to use receipts
24 from gambling games and sports wagering within the racetrack
25 enclosure to supplement purses for races particularly for
26 Iowa-bred horses pursuant to an agreement which shall be
27 negotiated between the licensee and representatives of the
28 dog or horse owners. For agreements subject to commission
29 approval concerning purses for horse racing beginning on or
30 after January 1, 2006, the agreements shall provide that total
31 annual purses for all horse racing shall be four percent of
32 sports wagering net receipts and promotional play receipts on
33 sports wagering and no less than eleven percent of the first
34 two hundred million dollars of net receipts, and six percent of
35 net receipts above two hundred million dollars. In addition,

1 live standardbred horse racing shall not be conducted at the
2 horse racetrack in Polk county, but the purse moneys designated
3 for standardbred racing pursuant to section 99D.7, subsection
4 5, paragraph "b", shall be included in calculating the total
5 annual purses required to be paid pursuant to this subsection.
6 Agreements that are subject to commission approval concerning
7 horse purses for a period of time beginning on or after January
8 1, 2006, shall be jointly submitted to the commission for
9 approval.

10 (5) For purposes of this paragraph, "net receipts" means
11 the annual adjusted gross receipts from all gambling games
12 and, beginning July 1, 2026, promotional play receipts on all
13 gambling games less the annual amount of money pledged by the
14 owner of the facility to fund a project approved to receive
15 vision Iowa funds as of July 1, 2004.

16 Sec. 70. Section 99F.11, Code 2021, is amended by adding the
17 following new subsection:

18 NEW SUBSECTION. 2A. a. Notwithstanding any provision
19 of this section to the contrary, the tax rate imposed on a
20 licensee each fiscal year on any amount of promotional play
21 receipts on gambling games included as adjusted gross receipts
22 shall be determined by multiplying the adjusted percentage
23 by the wagering tax applicable to the licensee pursuant to
24 subsection 2.

25 b. For purposes of this subsection, "adjusted percentage"
26 means as follows:

27 (1) For the fiscal year beginning July 1, 2021, and ending
28 June 30, 2022, eighty-three and one-third percent.

29 (2) For the fiscal year beginning July 1, 2022, and ending
30 June 30, 2023, sixty-six and two-thirds percent.

31 (3) For the fiscal year beginning July 1, 2023, and ending
32 June 30, 2024, fifty percent.

33 (4) For the fiscal year beginning July 1, 2024, and ending
34 June 30, 2025, thirty-three and one-third percent.

35 (5) For the fiscal year beginning July 1, 2025, and ending

1 June 30, 2026, sixteen and two-thirds percent.

2 c. This subsection is repealed July 1, 2026.

3 DIVISION XXI

4 TARGETED JOBS WITHHOLDING CREDIT

5 Sec. 71. Section 403.19A, subsection 3, paragraph c,
6 subparagraph (2), Code 2021, is amended to read as follows:

7 (2) The pilot project city and the economic development
8 authority shall not enter into a withholding agreement after
9 June 30, ~~2021~~ 2024.

10 DIVISION XXII

11 FOOD BANKS

12 Sec. 72. Section 423.3, Code 2021, is amended by adding the
13 following new subsection:

14 NEW SUBSECTION. 107. The sales price of the sale or
15 rental of tangible personal property sold to and of services
16 furnished to a nonprofit food bank, if the property or
17 services are used by the nonprofit food bank for a charitable
18 purpose. For purposes of this subsection, "*nonprofit food*
19 *bank*" means an organization organized under chapter 504 and
20 qualifying under section 501(c)(3) of the Internal Revenue
21 Code as an organization exempt from federal income tax under
22 section 501(a) of the Internal Revenue Code that maintains
23 an established operation involving the provision of food or
24 edible commodities or the products thereof on a regular basis
25 to persons in need or to food pantries, soup kitchens, hunger
26 relief centers, or other food or feeding centers that, as an
27 integral part of their normal activities, provide meals or food
28 on a regular basis to persons in need.

29 DIVISION XXIII

30 EMERGENCY VOLUNTEER — TAX CREDIT

31 Sec. 73. Section 422.12, subsection 2, paragraph c,
32 subparagraph (1), Code 2021, is amended to read as follows:

33 (1) A volunteer fire fighter and volunteer emergency
34 medical services personnel member credit equal to ~~one~~ two
35 hundred fifty dollars to compensate the taxpayer for the

1 voluntary services if the volunteer served for the entire
2 tax year. A taxpayer who is a paid employee of an emergency
3 medical services program or a fire department and who is also
4 a volunteer emergency medical services personnel member or
5 volunteer fire fighter in a city, county, or area governed
6 by an agreement pursuant to chapter 28E where the emergency
7 medical services program or fire department performs services,
8 shall qualify for the credit provided under this paragraph "c".

9 Sec. 74. Section 422.12, subsection 2, paragraph d,
10 subparagraph (1), Code 2021, is amended to read as follows:

11 (1) A reserve peace officer credit equal to ~~one~~ two hundred
12 fifty dollars to compensate the taxpayer for services as a
13 reserve peace officer if the reserve peace officer served for
14 the entire tax year.

15 Sec. 75. RETROACTIVE APPLICABILITY. This division of this
16 Act applies retroactively to January 1, 2021, for tax years
17 beginning on or after that date.

18 DIVISION XXIV

19 INDIVIDUAL INCOME TAX CHECKOFFS

20 Sec. 76. Section 173.22, subsection 2, Code 2021, is amended
21 to read as follows:

22 2. A foundation fund is created within the state treasury
23 composed of moneys appropriated or available to and obtained
24 or accepted by the foundation. The foundation fund shall also
25 include moneys ~~credited~~ transferred to the fund as ~~provided in~~
26 ~~section 422.12I~~.

27 Sec. 77. NEW SECTION. 422.12D Income tax checkoff for the
28 Iowa state fair foundation fund.

29 1. A person who files an individual or a joint income tax
30 return with the department of revenue under section 422.13
31 may designate one dollar or more to be paid to the foundation
32 fund of the Iowa state fair foundation as established in
33 section 173.22. If the refund due on the return or the payment
34 remitted with the return is insufficient to pay the amount
35 designated by the taxpayer to the foundation fund, the amount

1 designated shall be reduced to the remaining amount of the
2 refund or the remaining amount remitted with the return. The
3 designation of a contribution to the foundation fund under this
4 section is irrevocable.

5 2. The director of revenue shall draft the income tax form
6 to allow the designation of contributions to the foundation
7 fund on the tax return. The department, on or before January
8 31, shall transfer the total amount designated on the tax
9 form due in the preceding year to the foundation fund.
10 However, before a checkoff pursuant to this section shall be
11 permitted, all liabilities on the books of the department of
12 administrative services and accounts identified as owing under
13 section 8A.504 shall be satisfied.

14 3. The Iowa state fair board may authorize payment from
15 the foundation fund for purposes of supporting foundation
16 activities.

17 4. The department of revenue may adopt rules to implement
18 this section.

19 5. This section is subject to repeal under section 422.12E.

20 Sec. 78. NEW SECTION. **422.12L Joint income tax checkoff for**
21 **veterans trust fund and volunteer fire fighter preparedness fund.**

22 1. A person who files an individual or a joint income tax
23 return with the department of revenue under section 422.13 may
24 designate one dollar or more to be paid jointly to the veterans
25 trust fund created in section 35A.13 and to the volunteer fire
26 fighter preparedness fund created in section 100B.13. If the
27 refund due on the return or the payment remitted with the
28 return is insufficient to pay the additional amount designated
29 by the taxpayer, the amount designated shall be reduced to the
30 remaining amount of refund or the remaining amount remitted
31 with the return. The designation of a contribution under this
32 section is irrevocable.

33 2. The director of revenue shall draft the income tax form
34 to allow the designation of contributions to the veterans trust
35 fund and to the volunteer fire fighter preparedness fund as

1 one checkoff on the tax return. The department of revenue,
2 on or before January 31, shall transfer one-half of the total
3 amount designated on the tax return forms due in the preceding
4 calendar year to the veterans trust fund and the remaining
5 one-half to the volunteer fire fighter preparedness fund.
6 However, before a checkoff pursuant to this section shall be
7 permitted, all liabilities on the books of the department of
8 administrative services and accounts identified as owing under
9 section 8A.504 shall be satisfied.

10 3. The department of revenue may adopt rules to administer
11 this section.

12 4. This section is subject to repeal under section 422.12E.

13 DIVISION XXV

14 MENTAL HEALTH FUNDING

15 Sec. 79. Section 123.38, subsection 2, paragraph b, Code
16 2021, is amended to read as follows:

17 b. For purposes of this subsection, any portion of license
18 or permit fees used for the purposes authorized in section
19 331.424, subsection 1, paragraph "a", subparagraphs (1) and
20 (2), ~~and in section 331.424A~~, shall not be deemed received
21 either by the division or by a local authority.

22 Sec. 80. Section 218.99, Code 2021, is amended to read as
23 follows:

24 **218.99 Counties to be notified of patients' personal**
25 **accounts.**

26 The administrator in control of a state institution shall
27 direct the business manager of each institution under the
28 administrator's jurisdiction which is mentioned in section
29 331.424, subsection 1, paragraph "a", subparagraphs (1) and
30 (2), and for which services are paid ~~under section 331.424A~~
31 by the county of residence or a mental health and disability
32 services region, to quarterly inform the county of residence
33 of any patient or resident who has an amount in excess of two
34 hundred dollars on account in the patients' personal deposit
35 fund and the amount on deposit. The administrators shall

1 direct the business manager to further notify the county of
2 residence at least fifteen days before the release of funds in
3 excess of two hundred dollars or upon the death of the patient
4 or resident. If the patient or resident has no residency in
5 this state or the person's residency is unknown, notice shall
6 be made to the director of human services and the administrator
7 in control of the institution involved.

8 Sec. 81. Section 225.24, Code 2021, is amended to read as
9 follows:

10 **225.24 Collection of preliminary expense.**

11 Unless a committed private patient or those legally
12 responsible for the patient's support offer to settle the
13 amount of the claims, the regional administrator for the
14 person's county of residence shall collect, by action if
15 necessary, the amount of all claims for per diem and expenses
16 that have been approved by the regional administrator for the
17 county and paid by the regional administrator as provided under
18 section 225.21. Any amount collected shall be credited to the
19 ~~county~~ mental health and ~~disabilities~~ disability services fund
20 region combined account created in accordance with section
21 ~~331.424A~~ 331.391.

22 Sec. 82. Section 225C.4, subsection 1, paragraph i, Code
23 2021, is amended to read as follows:

24 *i.* Administer and distribute state appropriations in
25 connection with the mental health and disability services
26 regional ~~services~~ service fund established by section 225C.7A.

27 Sec. 83. Section 225C.7A, Code 2021, is amended by striking
28 the section and inserting in lieu thereof the following:

29 **225C.7A Mental health and disability services regional**
30 **service fund — region incentive fund.**

31 1. A mental health and disability services regional service
32 fund is created in the office of the treasurer of state under
33 the authority of the department. The fund shall be separate
34 from the general fund of the state and the balance in the fund
35 shall not be considered part of the balance of the general

1 fund of the state. Moneys in the fund include appropriations
2 made to the fund and other moneys deposited into the fund.
3 Moneys in the fund shall be used solely for purposes of making
4 regional service payments and incentive payments under this
5 section.

6 2. a. For each fiscal year beginning on or after July 1,
7 2021, there is appropriated from the general fund of the state
8 to the mental health and disability services regional service
9 fund an amount necessary to make all regional service payments
10 under this section for that fiscal year.

11 b. The department shall distribute the moneys appropriated
12 from the mental health and disability services regional
13 service fund to mental health and disability services regions
14 for funding of services in accordance with performance-based
15 contracts with the regions and in the manner provided in this
16 section.

17 c. The performance-based contracts between the department
18 and each mental health and disability services region shall be
19 in effect beginning January 1, 2022, and shall include all of
20 the following:

21 (1) Authority for the department to approve, deny, or revise
22 each mental health and disability services region's annual
23 service and budget plan under section 331.393.

24 (2) A requirement for the mental health and disability
25 services region to provide access to all core services under
26 section 331.397.

27 (3) A requirement that the mental health and disability
28 services region utilize all federal government funding,
29 including Medicaid funding, third-party payment sources, and
30 other nongovernmental funding prior to using regional service
31 payments received under this section.

32 (4) An annual review of the mental health and disability
33 services region's administrative costs conducted by the
34 department.

35 (5) Authority for the department to establish outcome

1 improvement goals for populations served by the region
2 including but not limited to decreases in emergency department
3 visits, improved use of mobile crisis response and jail
4 diversion programs, and improved employment-based outcomes.

5 (6) Provisions authorizing the department, in response to
6 a mental health and disability services region's violation of
7 the contract, to implement the actions described under section
8 331.389, subsection 5, paragraph "a".

9 3. For each fiscal year beginning on or after July 1, 2021,
10 the moneys available in a fiscal year in the mental health and
11 disability services regional service fund, except for moneys in
12 the region incentive fund under subsection 8, are appropriated
13 to the department and shall be distributed to each region on
14 a per capita basis calculated under subsection 4 using each
15 region's population, as defined in section 331.388, for that
16 fiscal year.

17 4. The amount of each region's regional service payment
18 shall be determined as follows:

19 a. For the fiscal year beginning July 1, 2021, an amount
20 equal to the product of fifteen dollars and eighty-six cents
21 multiplied by the sum of the region's population for the fiscal
22 year.

23 b. For the fiscal year beginning July 1, 2022, an amount
24 equal to the product of thirty-eight dollars multiplied by the
25 sum of the region's population for the fiscal year.

26 c. For the fiscal year beginning July 1, 2023, an amount
27 equal to the product of forty dollars multiplied by the sum of
28 the region's population for the fiscal year.

29 d. For the fiscal year beginning July 1, 2024, an amount
30 equal to the product of forty-two dollars multiplied by the sum
31 of the region's population for the fiscal year.

32 e. (1) For the fiscal year beginning July 1, 2025, and each
33 succeeding fiscal year, an amount equal to the product of the
34 sum of the region's population for the fiscal year multiplied
35 by the sum of the dollar amount used to calculate the regional

1 service payments under this subsection for the immediately
2 preceding fiscal year plus the regional service growth factor
3 for the fiscal year.

4 (2) For purposes of this paragraph, "*regional service growth*
5 *factor*" for a fiscal year is an amount equal to the product
6 of the dollar amount used to calculate the regional service
7 payments under this subsection for the immediately preceding
8 fiscal year multiplied by the percent increase, if any, in the
9 amount of sales tax revenue deposited into the general fund of
10 the state under section 423.2A, subsection 1, paragraph "a",
11 less the transfers required under section 423.2A, subsection
12 2, between the fiscal year beginning three years prior to
13 the applicable fiscal year and the fiscal year beginning two
14 years prior to the applicable year, but not to exceed one and
15 one-half percent.

16 5. Regional service payments received by a region
17 shall be deposited in the region's combined account under
18 section 331.391 and used solely for providing mental health
19 and disability services under the regional service system
20 management plan.

21 6. Regional service payments from the mental health
22 and disability services regional service fund shall be
23 paid in quarterly installments to the appropriate regional
24 administrator in July, October, January, and April of each
25 fiscal year.

26 7. a. For the fiscal year beginning July 1, 2021, each
27 mental health and disability services region for which the
28 amount certified during the fiscal year under section 331.391,
29 subsection 4, paragraph "b", exceeds forty percent of the actual
30 expenditures of the region for the fiscal year preceding the
31 fiscal year in progress, the remaining quarterly payments of
32 the region's regional service payment shall be reduced by
33 an amount equal to the amount by which the region's amount
34 certified under section 331.391, subsection 4, paragraph "b",
35 exceeds forty percent of the actual expenditures of the region

1 for the fiscal year preceding the fiscal year in progress, but
2 the amount of the reduction shall not exceed the total amount
3 of the region's regional service payment for the fiscal year.
4 If the region's remaining quarterly payments are insufficient
5 to effectuate the required reductions under this paragraph, the
6 region is required to pay to the department of human services
7 any amount for which the reduction in quarterly payments could
8 not be made. The amount of reductions to quarterly payments
9 and amounts paid to the department under this paragraph shall
10 be transferred and credited to the region incentive fund under
11 subsection 8.

12 *b.* For the fiscal year beginning July 1, 2022, each mental
13 health and disability services region for which the amount
14 certified during the fiscal year under section 331.391,
15 subsection 4, paragraph "b", exceeds twenty percent of the
16 actual expenditures of the region for the fiscal year preceding
17 the fiscal year in progress, the remaining quarterly payments
18 of the region's regional service payment shall be reduced by
19 an amount equal to the amount by which the region's amount
20 certified under section 331.391, subsection 4, paragraph "b",
21 exceeds twenty percent of the actual expenditures of the region
22 for the fiscal year preceding the fiscal year in progress, but
23 the amount of the reduction shall not exceed the total amount
24 of the region's regional service payment for the fiscal year.
25 If the region's remaining quarterly payments are insufficient
26 to effectuate the required reductions under this paragraph, the
27 region is required to pay to the department of human services
28 any amount for which the reduction in quarterly payments could
29 not be made. The amount of reductions to quarterly payments
30 and amounts paid to the department under this paragraph shall
31 be transferred and credited to the region incentive fund under
32 subsection 8.

33 *c.* For the fiscal year beginning July 1, 2023, and each
34 succeeding fiscal year, each mental health and disability
35 services region for which the amount certified during the

1 fiscal year under section 331.391, subsection 4, paragraph "b",
2 exceeds five percent of the actual expenditures of the region
3 for the fiscal year preceding the fiscal year in progress, the
4 remaining quarterly payments of the region's regional service
5 payment shall be reduced by an amount equal to the amount by
6 which the region's amount certified under section 331.391,
7 subsection 4, paragraph "b", exceeds five percent of the actual
8 expenditures of the region for the fiscal year preceding the
9 fiscal year in progress, but the amount of the reduction
10 shall not exceed the total amount of the region's regional
11 service payment for the fiscal year. If the region's remaining
12 quarterly payments are insufficient to effectuate the required
13 reductions under this paragraph, the region is required to
14 pay to the department of human services any amount for which
15 the reduction in quarterly payments could not be made. The
16 amount of reductions to quarterly payments and amounts paid to
17 the department under this paragraph shall be transferred and
18 credited to the region incentive fund under subsection 8.

19 8. a. A region incentive fund is created in the mental
20 health and disability services regional service fund under
21 subsection 1. The incentive fund shall consist of the
22 moneys appropriated or credited to the incentive fund by
23 law, including amounts credited to the incentive fund under
24 subsection 7. Notwithstanding section 8.33, moneys in the
25 incentive fund at the end of each fiscal year shall not revert
26 to any other fund but shall remain in the incentive fund for
27 use in subsequent fiscal years. For fiscal years beginning on
28 or after July 1, 2021, there is appropriated from the general
29 fund of the state to the incentive fund the following amounts
30 to be used for the purposes of this subsection:

31 (1) For the fiscal year beginning July 1, 2021, three
32 million dollars.

33 (2) (a) For each fiscal year beginning on or after July
34 1, 2025, an amount equal to the incentive fund growth factor
35 multiplied by the ending balance of the incentive fund at

1 the conclusion of the fiscal year ending June 30 immediately
2 preceding the application deadline under paragraph "b" for the
3 fiscal year for which the appropriation is made.

4 (b) For purposes of this subparagraph, the "*incentive fund*
5 *growth factor*" for each fiscal year is the percent increase,
6 if any, in the amount of sales tax revenue deposited into the
7 general fund of the state under section 423.2A, subsection
8 1, paragraph "a", less the transfers required under section
9 423.2A, subsection 2, between the fiscal year beginning three
10 years prior to the applicable fiscal year and the fiscal year
11 beginning two years prior to the applicable year, minus one and
12 one-half percent, and the incentive fund growth factor for any
13 fiscal year shall not exceed three and one-half percent.

14 b. To receive funding from the incentive fund, a regional
15 administrator must submit to the department sufficient data
16 to demonstrate that the region has met the standards outlined
17 in the region's performance-based contract. The purpose of
18 the incentive fund shall be to provide appropriate financial
19 incentives for outcomes met from services provided by the
20 regional administrator's mental health and disability services
21 region. The department shall make its final decisions on or
22 before December 15 regarding acceptance or rejection of the
23 submissions for incentive funds applications for assistance and
24 the total amount accepted shall be considered obligated.

25 c. In addition to incentive submission requirements under
26 paragraphs "d", "e", and "g", basic eligibility for incentive
27 funds requires that a mental health and disability services
28 region meet all of the following conditions:

29 (1) The mental health and disability services region is in
30 compliance with the regional service system management plan
31 requirements of section 331.393.

32 (2) (a) In the fiscal year that commenced two years prior
33 to the fiscal year of application for incentive funds, the
34 ending balance, under generally accepted accounting principles,
35 of the mental health and disability services region's combined

1 services funds was equal to or less than the ending balance
2 threshold under subparagraph division (b) for the fiscal year
3 for which assistance is requested.

4 (b) For purposes of this subparagraph (2), "*ending balance*
5 *threshold*" means the following:

6 (i) For applications for the fiscal year beginning July 1,
7 2021, forty percent of the actual expenditures of the mental
8 health and disability services region for the fiscal year that
9 commenced two years prior to the fiscal year of application for
10 assistance.

11 (ii) For applications for the fiscal year beginning July 1,
12 2022, twenty percent of the actual expenditures of the mental
13 health and disability services region for the fiscal year that
14 commenced two years prior to the fiscal year of application for
15 assistance.

16 (iii) For applications for fiscal years beginning on or
17 after July 1, 2023, five percent of the actual expenditures
18 of the mental health and disability services region for the
19 fiscal year that commenced two years prior to the fiscal year
20 of application for assistance.

21 *d.* The department shall review the fiscal year-end financial
22 records for all mental health and disability services regions
23 that are granted incentive funds. If the department determines
24 a mental health and disability services region's actual need
25 for incentive funds was less than the amount of incentive funds
26 granted to the mental health and disability services region,
27 the mental health and disability services region shall refund
28 the difference between the amount of assistance granted and
29 the actual need. The mental health and disability services
30 region shall submit the refund within thirty days of receiving
31 notice from the department. Refunds shall be credited to the
32 incentive fund.

33 *e.* The department shall determine application requirements
34 to ensure prudent use of the incentive fund. The department
35 may accept or reject an application for incentive funds in

1 whole or in part. The decision of the department is final.

2 *f.* The total amount of incentive funds approved shall be
3 limited to the amount available in the incentive fund for a
4 fiscal year. Any unobligated balance in the incentive fund at
5 the close of a fiscal year shall remain in the incentive fund
6 for distribution in the succeeding fiscal year.

7 *g.* Incentive funds shall only be made available to address
8 one or more of the following circumstances:

9 (1) To reimburse regions for reductions in available
10 funding for core services as the result of the reduction and
11 elimination of the levy under section 331.424A, Code 2021, if
12 the region has an operating deficit. The department shall
13 prioritize approval of incentive funds for the circumstances
14 specified in this subparagraph.

15 (2) To incentivize quality core services that meet or exceed
16 the defined outcomes in the performance-based contract.

17 (3) To support regional efforts to fund non-core services
18 that support the defined outcomes of core services in the
19 performance-based contract.

20 (4) To support non-core services to maintain an individual
21 in a community setting or that would create a risk that the
22 individuals needing services and supports would be placed in
23 more restrictive, higher-cost settings.

24 *h.* Subject to the amount available and obligated from
25 the incentive fund for a fiscal year, the department shall
26 annually calculate the amount of moneys due to eligible mental
27 health and disability services regions in accordance with the
28 department's decisions and that amount is appropriated from the
29 incentive fund to the department for payment of the moneys due.
30 The department shall distribute incentive funds payable to the
31 mental health and disability services regions for the amounts
32 due on or before January 1.

33 *i.* On or before March 1 and September 1 of each fiscal
34 year, the department shall provide the governor's office and
35 the general assembly with a report of the financial condition

1 of the incentive fund. The report shall include but is not
2 limited to an itemization of the funding source's balances,
3 types and amount of revenues credited, and payees and payment
4 amounts for the expenditures made from the funding source
5 during the reporting period.

6 *j.* If the department has made its decisions but has
7 determined that there are otherwise qualifying requests for
8 incentive funds that are beyond the amount available in the
9 incentive fund for a fiscal year, the department shall compile
10 a list of such requests and the supporting information for
11 the requests. The list and information shall be submitted to
12 the commission, the children's behavioral health system state
13 board, and the general assembly.

14 9. The commission shall consult with regional
15 administrators and the director in prescribing forms and
16 adopting rules to administer this section.

17 Sec. 84. Section 249N.8, subsection 1, Code 2021, is amended
18 to read as follows:

19 1. Biennially, a report of the results of a review, by
20 county and region, of mental health services previously funded
21 through taxes levied by counties pursuant to section 331.424A,
22 Code 2021, or funds administered by a mental health and
23 disability services region that are funded during the reporting
24 period under the Iowa health and wellness plan.

25 Sec. 85. Section 331.389, subsection 1, paragraph b, Code
26 2021, is amended to read as follows:

27 *b.* If a county has been exempted prior to July 1, 2014, from
28 the requirement to enter into a regional service system, the
29 county and the county's board of supervisors shall fulfill all
30 requirements and be eligible as a region under this chapter and
31 ~~chapter~~ chapters 222, 225, 225C, 226, 227, 229, and 230 for a
32 regional service system, regional service system management
33 plan, regional governing board, and regional administrator,
34 and any other provisions applicable to a region of counties
35 providing local mental health and disability services.

1 Additionally, a county exempted under this subsection shall be
2 considered a region for purposes of chapter 426B.

3 Sec. 86. Section 331.389, subsection 5, paragraph a,
4 subparagraph (2), Code 2021, is amended to read as follows:

5 (2) Reduce the amount of the annual state funding provided
6 for the regional service system or exempted county, including
7 amounts received under section 225C.7A, not to exceed fifteen
8 percent of the amount.

9 Sec. 87. Section 331.391, subsections 1 and 3, Code 2021,
10 are amended to read as follows:

11 1. The funding under the control of the governing board
12 shall be maintained in a combined account, ~~in separate county~~
13 ~~accounts that are under the control of the governing board, or~~
14 ~~pursuant to other arrangements authorized by law that limit the~~
15 ~~administrative burden of such control while facilitating public~~
16 ~~scrutiny of financial processes.~~ A county exempted under
17 section 331.389, subsection 1, shall maintain a county mental
18 health and disability services fund for the deposit of funding
19 received under section 225C.7A and appropriations specifically
20 authorized to be made from the county mental health and
21 disability services fund shall not be made from any other fund
22 of the county. A county mental health and disability services
23 fund established by an exempt county, to the extent feasible,
24 shall be considered to be the same as a region combined account
25 and shall be subject to the same requirements as a region's
26 combined account.

27 3. The funding provided pursuant to appropriations from the
28 mental health and disability services regional ~~services~~ service
29 fund created in section 225C.7A and from performance-based
30 contracts with the department shall be credited to the account
31 ~~or accounts~~ under the control of the governing board.

32 Sec. 88. Section 331.391, subsection 4, paragraphs a, b, and
33 c, Code 2021, are amended to read as follows:

34 a. If a region is meeting the financial obligations for
35 implementation of its regional service system management plan

1 for a fiscal year and residual funding is anticipated, the
2 regional administrator ~~shall~~ may reserve an adequate amount of
3 unobligated and unencumbered funds for cash flow of expenditure
4 obligations in the next fiscal year.

5 *b.* Each region shall certify to the department of ~~management~~
6 human services on or before December 1, ~~2022~~ 2021, and each
7 December 1 thereafter, the amount of the region's cash flow
8 amount in the combined account ~~that is attributable to each~~
9 ~~county within the region based upon each county's proportionate~~
10 ~~amount of funding and contributions to the region or other~~
11 ~~methodology specified in the regional governance agreement~~
12 ~~or certify the cash flow amount for each separate county~~
13 ~~account that is under the control of the governing board at the~~
14 conclusion of the most recently completed fiscal year.

15 *c.* For fiscal years beginning on or after July 1, 2023,
16 the region's cash flow amount, ~~either reserved in the region's~~
17 ~~combined account or reserved among all separate county accounts~~
18 ~~under the control of the governing board,~~ shall not exceed
19 forty five percent of the gross actual expenditures from the
20 combined account ~~or from all separate county accounts under~~
21 ~~control of the governing board~~ for the fiscal year preceding
22 the fiscal year in progress.

23 Sec. 89. Section 331.392, subsection 4, paragraph a, Code
24 2021, is amended to read as follows:

25 *a.* Methods for pooling, management, and expenditure of the
26 funding under the control of the regional administrator. ~~If~~
27 ~~the agreement does not provide for pooling of the participating~~
28 ~~county moneys in a single fund, the agreement shall specify how~~
29 ~~the participating county moneys will be subject to the control~~
30 ~~of the regional administrator.~~

31 Sec. 90. Section 331.393, subsection 10, Code 2021, is
32 amended to read as follows:

33 10. The director's approval of a regional plan shall not be
34 construed to constitute certification of the ~~respective county~~
35 ~~budgets or of the region's budget.~~

1 Sec. 91. Section 331.394, subsection 4, Code 2021, is
2 amended to read as follows:

3 4. ~~If a county of residence is part of a mental health and~~
4 ~~disability services region that has agreed to pool funding and~~
5 ~~liability for services, the~~ The responsibilities of the county
6 under law regarding such mental health and disability services
7 shall be performed on behalf of the county by the regional
8 administrator. ~~The county of residence or the county's mental~~
9 ~~health and disability services region, as applicable, is~~
10 responsible for paying the public costs of the mental health
11 and disability services that are not covered by the medical
12 assistance program under chapter 249A and are provided in
13 accordance with the region's approved service management plan
14 to persons who are residents of the ~~county or~~ region.

15 Sec. 92. Section 331.398, subsection 1, Code 2021, is
16 amended to read as follows:

17 1. The financing of a regional mental health and disability
18 service system is limited to a fixed budget amount. The fixed
19 budget amount shall be the amount identified in a regional
20 service system management plan and budget for the fiscal year.
21 ~~A region shall receive state funding for growth in non-Medicaid~~
22 ~~expenditures through the mental health and disability regional~~
23 ~~services fund created in section 225C.7A to address increased~~
24 ~~service costs, additional service populations, additional core~~
25 ~~service domains, and increased numbers of persons receiving~~
26 ~~services.~~

27 Sec. 93. NEW SECTION. 331.400 **Quarterly reports.**

28 Beginning with the fiscal year, beginning July 1, 2022,
29 the department shall deliver on a quarterly basis a report to
30 the general assembly that provides a summary of the status of
31 implementing core services in each region, the accessibility
32 of core services in each region, how each region is using the
33 funding provided under section 225C.7A, and recommendations
34 for improvements to the mental health and disability services
35 system in order to attain the outcome improvement goals set

1 by the department consistent with the goals specified in the
2 performance-based contracts under section 225C.7A, subsection
3 2, paragraph "c", subparagraph (5).

4 Sec. 94. Section 331.424A, subsection 1, paragraph b, Code
5 2021, is amended by striking the paragraph.

6 Sec. 95. Section 331.424A, subsection 3, Code 2021, is
7 amended to read as follows:

8 3. a. County revenues from taxes and other sources
9 designated by a county for mental health and disabilities
10 services shall be credited to the county mental health and
11 disabilities services fund which shall be created by the
12 county. ~~The~~ Until the required transfer of funds under
13 paragraph "b", the board shall make appropriations from the fund
14 for payment of services provided under the regional service
15 system management plan approved pursuant to section 331.393.
16 ~~The~~ For fiscal years beginning before July 1, 2022, the county
17 may pay for the services in cooperation with other counties
18 by pooling appropriations from the county services fund with
19 appropriations from the county services fund of other counties
20 through the county's regional administrator, or through another
21 arrangement specified in the regional governance agreement
22 entered into by the county under section 331.392.

23 b. Notwithstanding section 331.432, subsection 3, upon
24 conclusion of the fiscal year beginning July 1, 2021, except
25 for an exempt county under section 331.391, subsection 1,
26 the county treasurer shall transfer the remaining balance of
27 the county's county services fund created under paragraph
28 "a", including all unobligated and unencumbered funds, to the
29 county's region to which the county belongs in the fiscal year
30 beginning July 1, 2022, for deposit in the region's combined
31 account under section 331.391.

32 Sec. 96. Section 331.424A, subsection 4, paragraph a, Code
33 2021, is amended to read as follows:

34 a. An amount of unobligated and unencumbered funds, as
35 specified in the regional governance agreement entered into

1 by the county under section 331.392, shall, for fiscal years
2 beginning before July 1, 2022, be reserved in the county
3 services fund to address cash flow obligations in the next
4 fiscal year, ~~subject to the limitations of this subsection.~~

5 Sec. 97. Section 331.424A, subsection 4, paragraphs c and d,
6 Code 2021, are amended by striking the paragraphs.

7 Sec. 98. Section 331.424A, subsections 5, 6, and 9, Code
8 2021, are amended to read as follows:

9 5. Receipts from the state or federal government for fiscal
10 years beginning before July 1, 2022, for the mental health
11 and disability services administered or paid for by a county
12 shall be credited to the county services fund, including moneys
13 distributed to the county from the department of human services
14 and moneys allocated under chapter 426B.

15 6. For each fiscal year beginning before July 1, 2022, the
16 county shall certify a levy for payment of services. For each
17 such fiscal year, county revenues from taxes imposed by the
18 county credited to the county services fund shall not exceed an
19 amount equal to the county budgeted amount for the fiscal year.
20 A levy certified under this section is not subject to the
21 appeal provisions of section 331.426 or to any other provision
22 in law authorizing a county to exceed, increase, or appeal a
23 property tax levy limit.

24 9. a. For the fiscal year beginning July 1, 2017, and
25 each subsequent fiscal year beginning before July 1, 2022, the
26 county budgeted amount determined for each county shall be the
27 amount necessary to meet the county's financial obligations for
28 the payment of services provided under the regional service
29 system management plan approved pursuant to section 331.393,
30 not to exceed an amount equal to the product of ~~the regional~~
31 ~~per capita expenditure target amount~~ twenty-one dollars and
32 fourteen cents multiplied by the county's population, ~~and, for~~
33 ~~fiscal years beginning on or after July 1, 2023, reduced by~~
34 ~~the amount of the county's cash flow reduction amount for the~~
35 ~~fiscal year calculated under subsection 4, if applicable.~~

1 *b.* If a county officially joins a different region, the
2 county's budgeted amount for a fiscal year beginning before
3 July 1, 2022, shall be the amount necessary to meet the
4 county's financial obligations for payment of services provided
5 under the new region's regional service system management plan
6 approved pursuant to section 331.393, not to exceed an amount
7 equal to the product of ~~the new region's regional per capita~~
8 ~~expenditure target amount~~ twenty-one dollars and fourteen cents
9 multiplied by the county's population, ~~and, for fiscal years~~
10 ~~beginning on or after July 1, 2023, reduced by the amount of~~
11 ~~the county's cash flow reduction amount for the fiscal year~~
12 ~~calculated under subsection 4, if applicable.~~

13 Sec. 99. Section 331.424A, Code 2021, is amended by adding
14 the following new subsection:

15 NEW SUBSECTION. 10. This section is repealed July 1, 2022.

16 Sec. 100. Section 331.432, subsection 3, Code 2021, is
17 amended to read as follows:

18 3. *a.* Except as authorized in section 331.477, transfers
19 of moneys between the county services fund created pursuant
20 to section 331.424A and any other fund are prohibited. This
21 ~~subsection~~ paragraph does not apply to appropriations made or
22 the value of in-kind care and treatment provided pursuant to
23 section 347.7, subsection 1, paragraph "*c*", Code 2021, or to
24 transfers from a county public hospital fund under section
25 347.7. This paragraph is repealed July 1, 2022.

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

33 Sec. 101. Section 347.7, subsection 1, paragraph *c*, Code
34 2021, is amended by striking the paragraph.

35 Sec. 102. Section 426B.1, subsection 2, Code 2021, is

1 amended to read as follows:

2 2. Moneys shall be distributed from the property tax relief
3 fund to ~~counties~~ for the mental health and disability regional
4 service system for mental health and disabilities services, in
5 accordance with the appropriations made to the fund and other
6 statutory requirements.

7 Sec. 103. Section 426B.2, Code 2021, is amended to read as
8 follows:

9 **426B.2 Property tax relief fund payments.**

10 The director of human services shall draw warrants on the
11 property tax relief fund, payable to the ~~county treasurer~~
12 regional administrator in the amount due to a ~~county~~ mental
13 health and disability services region in accordance with
14 statutory requirements, and mail the warrants to the ~~county~~
15 ~~auditors~~ regional administrator in July and January of each
16 year.

17 Sec. 104. Section 426B.4, Code 2021, is amended to read as
18 follows:

19 **426B.4 Rules.**

20 The mental health and disability services commission shall
21 consult with ~~county representatives~~ regional administrators
22 and the director of human services in prescribing forms and
23 adopting rules pursuant to chapter 17A to administer this
24 chapter.

25 Sec. 105. ADJUSTMENT TO PROPERTY TAXES CERTIFIED UNDER
26 SECTION 331.424A — FY 2021-2022. For each county for which
27 the amount of taxes certified for levy for the purposes
28 of section 331.424A for the fiscal year beginning July 1,
29 2021, exceeds the product of the population of the county as
30 determined under section 331.424A, subsection 1, paragraph
31 "e", multiplied by twenty-one dollars and fourteen cents,
32 the department of management shall reduce the amount of such
33 taxes certified for levy to an amount not to exceed the
34 product of the population of the county as determined under
35 section 331.424A, subsection 1, paragraph "e", multiplied by

1 twenty-one dollars and fourteen cents and shall revise the rate
2 of taxation as necessary to raise the reduced amount. The
3 department of management shall report the reduction in the
4 certified taxes and the revised rate of taxation to the county
5 auditors by June 15, 2021.

6 Sec. 106. IMPLEMENTATION OF REGION INCENTIVE FUND UNDER
7 SECTION 225C.7A — EMERGENCY RULEMAKING.

8 1. In order to timely implement the provisions of this
9 division of this Act establishing the region incentive fund
10 under section 225C.7A, subsection 8, for mental health and
11 disability services regions for funding the fiscal year
12 beginning July 1, 2021, and the fiscal year beginning July
13 1, 2022, the director of human services shall establish
14 alternative application deadlines and expedited application
15 review and approval timelines.

16 2. The department of human services may adopt
17 administrative rules under section 17A.4, subsection 3, and
18 section 17A.5, subsection 2, paragraph "b", to implement
19 provisions of this division of this Act and the rules shall
20 become effective immediately upon filing or on a later
21 effective date specified in the rules, unless the effective
22 date of the rules is delayed or the applicability of the rules
23 is suspended by the administrative rules review committee. Any
24 rules adopted in accordance with this section shall not take
25 effect before the rules are reviewed by the administrative
26 rules review committee. The delay authority provided to
27 the administrative rules review committee under section
28 17A.8, subsections 9 and 10, shall be applicable to a delay
29 imposed under this section, notwithstanding a provision in
30 those subsections making them inapplicable to section 17A.5,
31 subsection 2, paragraph "b". Any rules adopted in accordance
32 with the provisions of this section shall also be published as
33 a notice of intended action as provided in section 17A.4.

34 Sec. 107. DEPARTMENT OF HUMAN SERVICES — MENTAL HEALTH AND
35 DISABILITY REGIONS STUDY. The department of human services

1 shall convene a study committee to evaluate the current mental
2 health and disability region structure and operations in the
3 context of the changes made and the funding provided by this
4 division of this Act. The study shall, at a minimum, review
5 how effectively each mental health and disability services
6 region has implemented the core services outlined in sections
7 331.397 and 331.397A, including the degree of uniformity of
8 the core services between the regions. The department shall
9 be authorized to contract with and retain the services of an
10 independent contractor in order to conduct the study. The
11 department shall submit a report detailing the study's findings
12 and recommendations to the general assembly and the governor no
13 later than December 15, 2022.

14 Sec. 108. EFFECTIVE DATE. This division of this Act, being
15 deemed of immediate importance, takes effect upon enactment.

16

DIVISION XXVI

17 COMMERCIAL AND INDUSTRIAL PROPERTY TAX REPLACEMENT PAYMENTS

18 Sec. 109. Section 2.48, subsection 3, paragraph f,
19 subparagraph (6), Code 2021, is amended by striking the
20 subparagraph.

21 Sec. 110. Section 331.512, subsection 15, Code 2021, is
22 amended by striking the subsection.

23 Sec. 111. Section 331.559, subsection 27, Code 2021, is
24 amended by striking the subsection.

25 Sec. 112. Section 441.21A, subsection 1, paragraph a, Code
26 2021, is amended to read as follows:

27 a. For each fiscal year beginning on or after July 1, 2014,
28 but before July 1, 2029, there is appropriated from the general
29 fund of the state to the department of revenue an amount
30 necessary for the payment of all commercial and industrial
31 property tax replacement claims under this section for the
32 fiscal year. However, for a the fiscal year years beginning
33 on or after July 1, 2017, July 1, 2018, July 1, 2019, July 1,
34 2020, and July 1, 2021, the total amount of moneys appropriated
35 from the general fund of the state to the department of revenue

1 for the payment of commercial and industrial property tax
2 replacement claims in ~~that~~ each fiscal year shall not exceed
3 the total amount of money necessary to pay all commercial and
4 industrial property tax replacement claims for the fiscal year
5 beginning July 1, 2016.

6 Sec. 113. Section 441.21A, subsections 2 and 3, Code 2021,
7 are amended to read as follows:

8 2. a. ~~Beginning with the~~ For each fiscal year beginning
9 on or after July 1, 2014, but before July 1, 2022, each county
10 treasurer shall be paid by the department of revenue an
11 amount equal to the amount of the commercial and industrial
12 property tax replacement claims in the county, as calculated
13 in subsection 4. If an amount appropriated for ~~a~~ the fiscal
14 year beginning on July 1, 2017, July 1, 2018, July 1, 2019,
15 July 1, 2020, or July 1, 2021, is insufficient to pay all
16 replacement claims for the fiscal year, the director of revenue
17 shall prorate the payment of replacement claims to the county
18 treasurers and shall notify the county auditors of the pro rata
19 percentage on or before September 30.

20 b. For each fiscal year beginning on or after July 1, 2022,
21 but before July 1, 2029, each county treasurer shall be paid
22 by the department of revenue an amount equal to the sum of the
23 commercial and industrial property tax replacement claims for
24 all taxing authorities, or portion thereof, located in the
25 county, as calculated in subsection 4A. The county treasurer
26 shall pay to each taxing authority the taxing authority's
27 commercial and industrial property tax replacement claim, or
28 portion thereof, as calculated in subsection 4A.

29 3. a. On or before July 1 of each fiscal year beginning on
30 or after July 1, 2014, but before July 1, 2022, the assessor
31 shall report to the county auditor the total actual value of
32 all commercial property and industrial property in the county
33 that is subject to assessment and taxation for the assessment
34 year used to calculate the taxes due and payable in that fiscal
35 year.

1 b. On or before July 1, 2022, the department of management
2 shall calculate and report to the department of revenue for
3 each taxing authority in this state that is a city or a county
4 all of the following:

5 (1) The total assessed value as of January 1, 2012, of
6 all taxable property located in the taxing authority that is
7 subject to assessment and taxation used to calculate taxes
8 which are due and payable in the fiscal year beginning July 1,
9 2013, excluding property subject to the statewide property tax
10 imposed under section 437A.18 or 437B.14.

11 (2) The total assessed value as of January 1, 2019, of
12 all taxable property located in the taxing authority that is
13 subject to assessment and taxation used to calculate taxes
14 which are due and payable in the fiscal year beginning July 1,
15 2020, excluding property subject to the statewide property tax
16 imposed under section 437A.18 or 437B.14.

17 Sec. 114. Section 441.21A, subsection 4, unnumbered
18 paragraph 1, Code 2021, is amended to read as follows:

19 On or before a date established by rule of the department
20 of revenue of each fiscal year beginning on or after July
21 1, 2014, but before July 1, 2022, the county auditor shall
22 prepare a statement, based upon the report received pursuant to
23 subsection 3, paragraph "a", listing for each taxing district
24 in the county:

25 Sec. 115. Section 441.21A, Code 2021, is amended by adding
26 the following new subsection:

27 NEW SUBSECTION. 4A. a. As used in this subsection, unless
28 the context clearly requires otherwise:

29 (1) *"Qualified taxing authority"* means any of the following:

30 (a) A taxing authority that is not a city or a county.

31 (b) A taxing authority that is a city or county for which
32 the amount determined under subsection 3, paragraph "b",

33 subparagraph (2), is less than one hundred thirty-one and

34 twenty-four hundredths percent of the amount determined under

35 subsection 3, paragraph "b", subparagraph (1).

1 (2) "Taxing authority" means a city, county, community
2 college, or other governmental entity or political subdivision
3 in this state authorized to certify a levy on property located
4 within such authority, but does not include a school district.

5 b. For fiscal years beginning on or after July 1, 2022,
6 but before July 1, 2029, the amount of each taxing authority's
7 replacement claim is as follows:

8 (1) If the taxing authority is a qualified taxing authority:

9 (a) For the fiscal year beginning July 1, 2022,
10 seven-eighths of the amount received by the taxing authority
11 under this section for the fiscal year beginning July 1, 2021.

12 (b) For the fiscal year beginning July 1, 2023, six-eighths
13 of the amount received by the taxing authority under this
14 section for the fiscal year beginning July 1, 2021.

15 (c) For the fiscal year beginning July 1, 2024, five-eighths
16 of the amount received by the taxing authority under this
17 section for the fiscal year beginning July 1, 2021.

18 (d) For the fiscal year beginning July 1, 2025, four-eighths
19 of the amount received by the taxing authority under this
20 section for the fiscal year beginning July 1, 2021.

21 (e) For the fiscal year beginning July 1, 2026,
22 three-eighths of the amount received by the taxing authority
23 under this section for the fiscal year beginning July 1, 2021.

24 (f) For the fiscal year beginning July 1, 2027, two-eighths
25 of the amount received by the taxing authority under this
26 section for the fiscal year beginning July 1, 2021.

27 (g) For the fiscal year beginning July 1, 2028, one-eighth
28 of the amount received by the taxing authority under this
29 section for the fiscal year beginning July 1, 2021.

30 (2) If the taxing authority is not a qualified taxing
31 authority:

32 (a) For the fiscal year beginning July 1, 2022, four-fifths
33 of the amount received by the taxing authority under this
34 section for the fiscal year beginning July 1, 2021.

35 (b) For the fiscal year beginning July 1, 2023, three-fifths

1 of the amount received by the taxing authority under this
2 section for the fiscal year beginning July 1, 2021.

3 (c) For the fiscal year beginning July 1, 2024, two-fifths
4 of the amount received by the taxing authority under this
5 section for the fiscal year beginning July 1, 2021.

6 (d) For the fiscal year beginning July 1, 2025, one-fifth of
7 the amount received by the taxing authority under this section
8 for the fiscal year beginning July 1, 2021.

9 (e) For the fiscal year beginning July 1, 2026, and each
10 succeeding fiscal year beginning before July 1, 2029, zero.

11 (3) The department of management shall calculate and report
12 to the department of revenue the amount received by each
13 taxing authority in this state as the result of commercial and
14 industrial property tax replacement claims paid for the fiscal
15 year beginning July 1, 2021, and the portion of the amount
16 attributable to each county where the taxing authority is
17 located, if applicable.

18 Sec. 116. Section 441.21A, subsection 5, Code 2021, is
19 amended to read as follows:

20 5. For purposes of computing replacement amounts under
21 this section for fiscal years beginning on or after July 1,
22 2014, but before July 1, 2022, that portion of an urban renewal
23 area defined as the sum of the assessed valuations defined in
24 section 403.19, subsections 1 and 2, shall be considered a
25 taxing district.

26 Sec. 117. Section 441.21A, subsection 6, paragraph a, Code
27 2021, is amended to read as follows:

28 a. ~~The~~ For fiscal years beginning on or after July 1, 2014,
29 but before July 1, 2022, the county auditor shall certify
30 and forward one copy of the statement to the department of
31 revenue not later than a date of each year established by the
32 department of revenue by rule.

33 Sec. 118. Section 441.21A, subsection 6, Code 2021, is
34 amended by adding the following new paragraph:

35 NEW PARAGRAPH. f. This subsection shall apply to the

1 apportionment of replacement claim amounts for fiscal years
2 beginning on or after July 1, 2014, but before July 1, 2022.

3 Sec. 119. Section 441.21A, Code 2021, is amended by adding
4 the following new subsections:

5 NEW SUBSECTION. 7. *a.* For fiscal years beginning on
6 or after July 1, 2022, but before July 1, 2029, each taxing
7 authority's replacement claim calculated under subsection 4A,
8 or portion thereof, shall be paid to the appropriate county
9 treasurer, as provided in subsection 2, paragraph "b", in equal
10 installments in September and March of each year.

11 *b.* After payment by the county treasurer to the taxing
12 authority, the taxing authority's replacement claim shall be
13 apportioned and credited by the governing body of the taxing
14 authority among the taxing authority's tax levies in the same
15 proportion that each property tax levy bears to the total of
16 all property tax levies imposed by the taxing authority for the
17 fiscal year for which the payment is received.

18 *c.* Of the amounts allocated and credited to each property
19 tax levy that is subject to division under section 403.19,
20 the total amount paid into the fund for the taxing authority
21 as taxes by or for the taxing authority into which all other
22 property taxes are paid and the special fund of the applicable
23 municipality under section 403.19, subsection 2, shall be an
24 amount of the replacement claim that is proportionate to the
25 amount of the total sum of the assessed value of the taxable
26 commercial and industrial property in the urban renewal area as
27 a share of total assessed value of all taxable property in the
28 taxing authority and shall be apportioned as follows:

29 (1) To the fund for the taxing authority as taxes by or for
30 the taxing authority into which all other property taxes are
31 paid, an amount proportionate to the amount of actual value of
32 the commercial and industrial property in the urban renewal
33 area as determined in section 403.19, subsection 1, that was
34 subtracted pursuant to section 403.20, as it bears to the
35 total amount of actual value of the commercial and industrial

1 property in the urban renewal area that was subtracted pursuant
2 to section 403.20 for the assessment year for property taxes
3 due and payable in the fiscal year for which the replacement
4 claim is computed.

5 (2) (a) To the special fund of the applicable municipality
6 under section 403.19, subsection 2, the remaining amount, if
7 any.

8 (b) The amount allocated under subparagraph division (a)
9 shall not exceed the amount equal to the amount certified to
10 the county auditor under section 403.19 for the fiscal year in
11 which the claim is paid, after deduction of the amount of other
12 revenues committed for payment on that amount for the fiscal
13 year. The amount not allocated as a result of the operation of
14 this subparagraph division (b) shall be allocated to and paid
15 into the fund for the taxing authority as taxes by or for the
16 taxing authority in the manner provided in subparagraph (1).

17 NEW SUBSECTION. 8. This section is repealed July 1, 2029.

18 Sec. 120. EFFECTIVE DATE. The following take effect July
19 1, 2029:

20 1. The section of this division of this Act amending section
21 331.512.

22 2. The section of this division of this Act amending section
23 331.559.

24 DIVISION XXVII

25 SCHOOL FOUNDATION PERCENTAGE

26 Sec. 121. Section 257.1, subsection 2, paragraph b, Code
27 2021, is amended to read as follows:

28 *b.* For the budget year commencing July 1, 1999, and for
29 each succeeding budget year beginning before July 1, 2022,
30 the regular program foundation base per pupil is eighty-seven
31 and five-tenths percent of the regular program state cost per
32 pupil. For the budget year commencing July 1, 2022, and for
33 each succeeding budget year, the regular program foundation
34 base per pupil is eighty-eight and four-tenths percent of the
35 regular program state cost per pupil. For the budget year

1 commencing July 1, 1991, and for each succeeding budget year
2 the special education support services foundation base is
3 seventy-nine percent of the special education support services
4 state cost per pupil. The combined foundation base is the sum
5 of the regular program foundation base, the special education
6 support services foundation base, the total teacher salary
7 supplement district cost, the total professional development
8 supplement district cost, the total early intervention
9 supplement district cost, the total teacher leadership
10 supplement district cost, the total area education agency
11 teacher salary supplement district cost, and the total area
12 education agency professional development supplement district
13 cost.

14 Sec. 122. Section 257.3, subsection 1, paragraph d, Code
15 2021, is amended by striking the paragraph.

16 Sec. 123. EFFECTIVE DATE. The section of this division of
17 this Act amending section 257.3, subsection 1, paragraph "d",
18 takes effect July 1, 2022.

19 DIVISION XXVIII

20 ELDERLY PROPERTY TAX CREDIT

21 Sec. 124. Section 25B.7, subsection 2, paragraph b, Code
22 2021, is amended to read as follows:

23 *b.* Low-income property tax credit and elderly and disabled
24 property tax credit pursuant to sections 425.16 through 425.40,
25 subject to the limitation of section 425.39, subsection 1,
26 paragraph "b".

27 Sec. 125. Section 425.17, subsection 2, Code 2021, is
28 amended to read as follows:

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

30 (1) A person filing a claim for credit ~~or reimbursement~~
31 under this subchapter who has attained the age of sixty-five
32 years but who has not attained the age of seventy years on
33 or before December 31 of the base year ~~or,~~ a person filing a
34 claim for credit or reimbursement under this subchapter who
35 is totally disabled and was totally disabled on or before

1 December 31 of the base year, or a person filing a claim for
2 reimbursement under this subchapter who has attained the age of
3 sixty-five years on or before December 31 of the base year and
4 who is domiciled in this state at the time the claim is filed or
5 at the time of the person's death in the case of a claim filed
6 by the executor or administrator of the claimant's estate.

7 (2) A person filing a claim for credit or reimbursement
8 under this subchapter who has attained the age of twenty-three
9 years on or before December 31 of the base year or was a head
10 of household on December 31 of the base year, as defined in
11 the Internal Revenue Code, but has not attained the age or
12 disability status described in ~~this paragraph "a",~~ subparagraph
13 (1) or the age status and eligibility criteria of subparagraph
14 (3), and is domiciled in this state at the time the claim is
15 filed or at the time of the person's death in the case of a
16 claim filed by the executor or administrator of the claimant's
17 estate, and was not claimed as a dependent on any other
18 person's tax return for the base year.

19 (3) A person filing a claim for credit under this subchapter
20 who has attained the age of seventy years on or before December
21 31 of the base year, who has a household income of less than
22 two hundred fifty percent of the federal poverty level, as
23 defined by the most recently revised poverty income guidelines
24 published by the United States department of health and human
25 services, and is domiciled in this state at the time the claim
26 is filed or at the time of the person's death in the case of a
27 claim filed by the executor or administrator of the claimant's
28 estate.

29 *b. "Claimant"* under paragraph *"a",* ~~subparagraph (1) or (2),~~
30 includes a vendee in possession under a contract for deed and
31 may include one or more joint tenants or tenants in common.
32 In the case of a claim for rent constituting property taxes
33 paid, the claimant shall have rented the property during any
34 part of the base year. In the case of a claim for property
35 taxes due, the claimant shall have occupied the property during

1 any part of the fiscal year beginning July 1 of the base year.
2 If a homestead is occupied by two or more persons, and more
3 than one person is able to qualify as a claimant, the persons
4 may each file a claim based upon each person's income and rent
5 constituting property taxes paid or property taxes due.

6 Sec. 126. Section 425.23, subsection 1, paragraph a,
7 unnumbered paragraph 1, Code 2021, is amended to read as
8 follows:

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

14 Sec. 127. Section 425.23, subsection 1, Code 2021, is
15 amended by adding the following new paragraph:

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

19 (1) The amount of the credit under the schedule specified
20 in paragraph "a" of this subsection as if the claimant was a
21 claimant as defined in section 425.17, subsection 2, paragraph
22 "a", subparagraph (1), filing for a credit under paragraph "a"
23 of this subsection.

24 (2) The difference between the actual amount of property
25 taxes due on the homestead during the fiscal year next
26 following the base year minus the actual amount of property
27 taxes due on the homestead during the first fiscal year for
28 which the claimant filed a claim for a credit calculated under
29 this paragraph "c" and for which the property taxes due on the
30 homestead were calculated on an assessed valuation that was
31 not a partial assessment and if the claimant has filed for the
32 credit calculated under this paragraph "c" for each of the
33 subsequent fiscal years after the first credit claimed.

34 Sec. 128. Section 425.23, subsection 4, paragraph a, Code
35 2021, is amended to read as follows:

1 a. For the base year beginning in the 1999 calendar year
2 and for each subsequent base year, the dollar amounts set
3 forth in ~~subsections~~ subsection 1, paragraphs "a" and "b", and
4 subsection 3 shall be multiplied by the cumulative adjustment
5 factor for that base year. "*Cumulative adjustment factor*" means
6 the product of the annual adjustment factor for the 1998 base
7 year and all annual adjustment factors for subsequent base
8 years. The cumulative adjustment factor applies to the base
9 year beginning in the calendar year for which the latest annual
10 adjustment factor has been determined.

11 Sec. 129. Section 425.24, Code 2021, is amended to read as
12 follows:

13 **425.24 Maximum property tax for purpose of credit or**
14 **reimbursement.**

15 ~~In~~ For claimants under section 425.17, subsection 2,
16 paragraph "a", subparagraphs (1) and (2), and for the
17 calculation under section 425.23, subsection 1, paragraph "c",
18 subparagraph (1), in any case in which property taxes due or
19 rent constituting property taxes paid for any household exceeds
20 one thousand dollars, the amount of property taxes due or rent
21 constituting property taxes paid shall be deemed to have been
22 one thousand dollars for purposes of this subchapter.

23 Sec. 130. Section 425.39, subsection 1, as amended by 2021
24 Iowa Acts, House File 368, section 33, is amended to read as
25 follows:

26 1. a. The elderly and disabled property tax credit fund is
27 created. There is appropriated annually from the general fund
28 of the state to the department of revenue to be credited to the
29 elderly and disabled property tax credit fund, from funds not
30 otherwise appropriated, an amount sufficient to implement this
31 subchapter for credits for property taxes due for claimants
32 described in section 425.17, subsection 2, paragraph "a",
33 ~~subparagraph~~ subparagraphs (1) and (3), subject to paragraph
34 "b".

35 b. Regardless of the amount of the credit determined under

S-3209 (Continued)

1 section 425.23, subsection 1, paragraph "c", the amount paid by
2 the director of revenue to each county treasurer for credits
3 for claimants described under section 425.17, subsection 2,
4 paragraph "a", subparagraph (3), shall not exceed the amount
5 calculated for the claimant under section 425.23, subsection 1,
6 paragraph "c", subparagraph (1), and section 25B.7, subsection
7 1, shall not apply to the amount of the credit in excess of the
8 amount paid by the director of revenue.

9 Sec. 131. APPLICABILITY. This division of this Act applies
10 to claims under chapter 425, subchapter II, filed on or after
11 January 1, 2022.>

12 2. Title page, line 3, after <tax,> by inserting <the sales
13 and use tax relating to food banks, the tax on promotional play
14 receipts,>

By DAN DAWSON

[S-3209](#) FILED MAY 17, 2021

ADOPTED

SENATE FILE 619

S-3211

- 1 Amend the amendment, S-3209, to Senate File 619, as follows:
- 2 1. By striking page 53, line 16, through page 59, line 23.
- 3 2. Page 64, after line 14 by inserting:
- 4 <___. Title page, lines 4 and 5, by striking <commercial and
- 5 industrial property tax replacement payments,>>
- 6 3. By renumbering as necessary.

By JACKIE SMITH

S-3211 FILED MAY 17, 2021

LOST

SENATE FILE 619

S-3213

1 Amend the amendment, S-3209, to Senate File 619, as follows:

2 1. Page 64, after line 11 by inserting:

3 <DIVISION ____

4 SOLAR ENERGY SYSTEM STATE TAX CREDIT

5 Sec. ____ . Section 422.11L, Code 2021, is amended by striking
6 the section and inserting in lieu thereof the following:

7 **422.11L Solar energy system tax credits.**

8 1. As used in this section:

9 *a. "Commercial solar energy system"* means a solar energy
10 system on property that is not residential or multiresidential.

11 *b. "Residential solar energy system"* means a solar energy
12 system on residential property or multiresidential property.

13 *c. "Solar energy system"* means a system of equipment capable
14 of collecting and converting incident solar radiation into
15 thermal, mechanical, or electrical energy and transporting the
16 energy by a separate apparatus to storage or to a point of use.

17 2. Beginning with installations completed on or after
18 January 1, 2021, the taxes imposed under this subchapter, less
19 the credits allowed under section 422.12, shall be reduced by
20 a solar energy system tax credit equal to fifteen percent of
21 the gross cost of the solar energy system, not to exceed the
22 following amounts:

23 *a.* For a residential solar energy system, five thousand
24 dollars.

25 *b.* For a commercial solar energy system, twenty thousand
26 dollars.

27 3. Any credit in excess of the tax liability is not
28 refundable but the excess for the tax year may be credited
29 to the tax liability for the following ten years or until
30 depleted, whichever is earlier.

31 4. *a.* An individual may claim the tax credit allowed a
32 partnership, limited liability company, S corporation, estate,
33 or trust electing to have the income taxed directly to the
34 individual. The amount claimed by the individual shall be
35 based upon the pro rata share of the individual's earnings of

1 the partnership, limited liability company, S corporation,
2 estate, or trust.

3 *b.* A taxpayer who is eligible to claim a credit under this
4 section shall not be eligible to claim a renewable energy tax
5 credit under chapter 476C.

6 *c.* A taxpayer may claim more than one credit under this
7 section, but may claim only one credit per separate and
8 distinct solar energy system installation. The department
9 shall establish criteria, by rule, for determining what
10 constitutes a separate and distinct installation.

11 *d.* (1) A taxpayer must submit an application to the
12 department for each separate and distinct solar energy
13 system installation. The application must be approved by the
14 department in order to claim the tax credit. The application
15 must be filed by May 1 following the year of the installation
16 of the solar energy system.

17 (2) The department shall accept and approve applications
18 on a first-come, first-served basis until the maximum amount
19 of tax credits that may be claimed pursuant to subsection 5
20 is reached. If for a tax year the aggregate amount of tax
21 credits applied for exceeds the amount specified in subsection
22 5, the department shall establish a wait list for tax credits.
23 Valid applications filed by the taxpayer by May 1 following the
24 year of the installation but not approved by the department
25 shall be placed on a wait list in the order the applications
26 were received and those applicants shall be given priority
27 for having their applications approved in succeeding years.
28 Placement on a wait list pursuant to this subparagraph shall
29 not constitute a promise binding the state. The availability
30 of a tax credit and approval of a tax credit application
31 pursuant to this section in a future year is contingent upon
32 the availability of tax credits in that particular year.

33 5. *a.* The cumulative value of tax credits claimed annually
34 by applicants pursuant to this section shall not exceed ten
35 million dollars.

1 *b.* If an amount of tax credits available for a tax year
2 pursuant to paragraph "a" goes unclaimed, the amount of the
3 unclaimed tax credits shall be made available for the following
4 tax year in addition to, and cumulated with, the amount
5 available pursuant to paragraph "a" for the following tax year.

6 6. On or before January 1, annually, the department shall
7 submit a written report to the governor and the general
8 assembly regarding the number and value of tax credits claimed
9 under this section, and any other information the department
10 may deem relevant and appropriate.

11 7. The director shall adopt rules pursuant to chapter 17A to
12 administer this section.

13 Sec. _____. Section 422.33, subsection 29, paragraph a, Code
14 2021, is amended to read as follows:

15 *a.* The Beginning with installations completed on or after
16 January 1, 2021, the taxes imposed under this subchapter shall
17 be reduced by a solar energy system tax credit equal to sixty
18 percent of the federal energy credit related to solar energy
19 systems provided in section 48(a)(2)(A)(i)(II) and section
20 48(a)(2)(A)(i)(III) of the Internal Revenue Code, not to exceed
21 twenty thousand dollars. For installations occurring on or
22 after January 1, 2016, the applicable percentage of the federal
23 energy credit related to solar energy systems shall be fifty
24 percent allowed under section 422.11L.

25 Sec. _____. Section 422.60, subsection 12, paragraph a, Code
26 2021, is amended to read as follows:

27 *a.* The Beginning with the installations completed on or
28 after January 1, 2021, the taxes imposed under this subchapter
29 shall be reduced by a solar energy system tax credit equal to
30 sixty percent of the federal energy credit related to solar
31 energy systems provided in section 48(a)(2)(A)(i)(II) and
32 section 48(a)(2)(A)(i)(III) of the Internal Revenue Code, not
33 to exceed twenty thousand dollars. For installations occurring
34 on or after January 1, 2016, the applicable percentage of the
35 federal energy credit related to solar energy systems shall be

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1 ~~fifty percent~~ allowed under section 422.11L.

2 Sec. _____. Section 533.329, subsection 2, paragraph k, Code
3 2021, is amended to read as follows:

4 k. The Beginning with the installations completed on or
5 after January 1, 2021, the moneys and credits tax imposed under
6 this section shall be reduced by a solar energy system tax
7 credit allowed under section 422.11L.

8 Sec. _____. WAIT LIST FOR CLAIMS PRIOR TO JANUARY 1,
9 2021. The wait list pursuant to section 422.11L, subsection 3,
10 paragraph "d", subparagraph (2), Code 2021, in existence prior
11 to January 1, 2021, shall remain in effect, and an applicant
12 from that wait list shall be given priority on any new wait
13 list based upon the date the application for the credit was
14 received by the department.

15 Sec. _____. EFFECTIVE DATE. This division of this Act, being
16 deemed of immediate importance, takes effect upon enactment.

17 Sec. _____. RETROACTIVE APPLICABILITY. This division of this
18 Act applies retroactively to January 1, 2021, for tax years
19 ending on or after that date.>

20 2. By renumbering as necessary.

By KEVIN KINNEY

[S-3213](#) FILED MAY 17, 2021

LOST

HOUSE FILE 860

S-3206

1 Amend House File 860, as amended, passed, and reprinted by
2 the House, as follows:

3 1. Page 1, line 14, by striking <18,538,199> and inserting
4 <18,538,194>

5 2. Page 4, line 8, by striking <1,000,000> and inserting
6 <750,000>

7 3. Page 5, by striking lines 1 through 14 and inserting:
8 <Sec. _____. LOESS HILLS DEVELOPMENT AND CONSERVATION FUND.

9 1. There is appropriated from the general fund of the state
10 to the department of agriculture and land stewardship for the
11 fiscal year beginning July 1, 2021, and ending June 30, 2022,
12 the following amount, or so much thereof as is necessary, to be
13 used for the purposes designated:

14 For deposit in the loess hills development and conservation
15 fund created pursuant to section 161D.2:

16 \$ 400,000

17 2. a. Of the amount appropriated to the loess hills
18 development and conservation fund in subsection 1, \$360,000
19 shall be allocated to the fund's hungry canyons account.

20 b. Not more than 10 percent of the moneys allocated to the
21 fund's hungry canyons account as provided in paragraph "a" may
22 be used for administrative costs.

23 3. a. Of the amount appropriated to the loess hills
24 development and conservation fund in subsection 1, \$40,000
25 shall be allocated to the fund's loess hills alliance account.

26 b. Not more than 10 percent of the moneys allocated to the
27 fund's loess hills alliance account as provided in paragraph
28 "a" may be used for administrative costs.

29 Sec. _____. SOUTHERN IOWA DEVELOPMENT AND CONSERVATION FUND.

30 1. There is appropriated from the general fund of the state
31 to the department of agriculture and land stewardship for the
32 fiscal year beginning July 1, 2021, and ending June 30, 2022,
33 the following amount, or so much thereof as is necessary, to be
34 used for the purposes designated:

35 For deposit in the southern Iowa development and

1 conservation fund created pursuant to section 161D.12:
2 \$ 250,000
3 2. Not more than 10 percent of the moneys appropriated
4 to the fund as provided in subsection 1 may be used for
5 administrative costs.>
6 4. Page 5, line 35, by striking <500,000> and inserting
7 <250,000>
8 5. Page 8, line 26, by striking <12,093,066> and inserting
9 <12,093,061>
10 6. By striking page 13, line 29, through page 14, line 4.
11 7. Page 14, by striking line 10 and inserting <(I-CASH).
12 1. There is appropriated from the general fund of the>
13 8. Page 14, line 15, by striking:
14 <1. a.>
15 9. Page 14, by striking lines 22 and 23 and inserting:
16 <2. a. As a condition of the appropriation made in
17 subsection 1, the state university of Iowa shall retain the
18 director>
19 10. By striking page 14, line 29, through page 15, line 3,
20 and inserting:
21 <b. As a condition of the appropriation made in subsection
22 1, the state university of Iowa shall not reduce the amount
23 allocated to support Iowa's center for agricultural safety from
24 any other source due to the appropriation made in subsection 1.
25 3. If by June 30, 2022, the state university of Iowa fails
26 to use the moneys appropriated in subsection 1 in accordance
27 with the purposes and conditions of subsections 1 and 2, any
28 unencumbered and unobligated moneys appropriated in subsection
29 1 for the fiscal year beginning July 1, 2021, and ending>
30 11. Page 15, line 10, by striking <paragraph "a"> and
31 inserting <subsection 1>
32 12. Page 15, by striking lines 13 through 21.
33 13. By striking page 16, line 35, through page 17, line
34 14, and inserting <transfer to the hungry canyons account of
35 the loess hills development and conservation fund created in

1 section 161D.2:

2 \$ 140,000

3 (2) Not more than 10 percent of the moneys transferred to
4 the fund's hungry canyons account as provided in subparagraph
5 (1) may be used for administrative costs.>

6 14. Page 17, line 20, by striking <7,835,000> and inserting
7 <8,185,000>

8 15. Page 24, by striking lines 9 through 23.

9 16. Page 24, after line 32 by inserting:

10 <Sec. ____ . NEW SECTION. **159A.17 Appropriation.**

11 For the fiscal year beginning July 1, 2021, and ending
12 June 30, 2022, and for each fiscal year thereafter, there
13 is appropriated from the general fund of the state to the
14 renewable fuel infrastructure fund created in section 159A.16
15 the amount of five million dollars.>

16 17. Page 25, after line 11 by inserting:

17 <Sec. ____ . NEW SECTION. **456.5A Long-range budget plan.**

18 1. As used in this section, "*planning period*" means a period
19 comprised of five consecutive fiscal years each beginning July
20 1 and ending June 30.

21 2. Not later than January 10, 2022, and not later than
22 January 10 of each subsequent five-year period, the state
23 geologist shall publish a new long-range budget plan for
24 the next planning period. The long-range budget plan shall
25 describe how moneys appropriated, expected to be appropriated,
26 or otherwise available or expected to be available to the
27 Iowa geological survey for each fiscal year of that planning
28 period are to be expended in a manner that best allows the
29 Iowa geographic survey to exercise its powers and carry out
30 its duties or functions. The long-range budget plan shall
31 include any performance goals and measures required by law
32 or established by the state geologist. The state geologist
33 shall annually evaluate the Iowa geological survey's progress
34 in attaining those performance goals and shall revise the
35 long-term budget plan as the state geologist determines

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1 necessary or desirable.

2 Sec. ____ . Section 456.7, Code 2021, is amended to read as
3 follows:

4 **456.7 Annual report.**

5 ~~The~~ On or before January 10 of each year, the state geologist
6 ~~shall, annually, at the time provided by law, make submit to~~
7 the governor and the general assembly a full report of the work
8 ~~in~~ of the Iowa geographic survey performed during the preceding
9 ~~year, which.~~ The report shall include a summary of its current
10 long-range budget plan as provided in section 456.5A. The
11 report may be accompanied by such other reports and papers
12 documents as may be considered the state geologist determines
13 is necessary or desirable for publication.>

14 18. Page 25, by striking lines 12 through 16.

15 19. Title page, by striking lines 4 and 5 and inserting
16 <environmental protection.>

17 20. By renumbering as necessary.

By KEN ROZENBOOM

S-3206 FILED MAY 17, 2021

ADOPTED

HOUSE FILE 871

S-3210

1 Amend House File 871, as amended, passed, and reprinted by
2 the House, as follows:

3 1. Page 3, line 29, by striking <13,268,553> and inserting
4 <13,318,553>

5 2. Page 8, line 1, by striking <750,000> and inserting
6 <1,000,000>

7 3. Page 9, line 3, by striking <Best> and inserting <best>

8 4. Page 9, line 5, by striking <Rural Iowa Program> and
9 inserting <rural Iowa program>

10 5. Page 9, line 28, by striking <1,186,406> and inserting
11 <900,000>

12 6. By striking page 20, line 34, through page 21, line 12.

13 7. Page 21, line 21, by striking <500,000> and inserting
14 <750,000>

15 8. By striking page 26, line 31, through page 29, line 12,
16 and inserting:

17 <DIVISION ____

18 UNEMPLOYMENT INSURANCE

19 Sec. ____ . Section 96.4, subsection 3, Code 2021, is amended
20 to read as follows:

21 3. a. The individual is able to work, is available for
22 work, and is earnestly and actively seeking work. This
23 subsection is waived if the individual is deemed partially
24 unemployed, while employed at the individual's regular job,
25 as defined in section 96.1A, subsection 37, paragraph "b",
26 subparagraph (1), or temporarily unemployed as defined in
27 section 96.1A, subsection 37, paragraph "c". The work search
28 requirements of this subsection and the disqualification
29 requirement for failure to apply for, or to accept suitable
30 work of section 96.5, subsection 3, are waived if the
31 individual is not disqualified for benefits under section 96.5,
32 subsection 1, paragraph "h".

33 b. Notwithstanding any provision of this chapter to the
34 contrary, the department may establish by rule a process to
35 wave or alter the work search requirements of this subsection

1 for a claim for benefits if an individual has a reasonable
2 expectation that the individual will be returning to employment
3 and is attached to a regular job or industry or a member in
4 good standing of a union therein eligible for referral for
5 employment. To be considered attached to a regular job or
6 industry, an individual must be on a short-term temporary
7 layoff. If work is not available at the conclusion of the
8 layoff period due to short-term circumstances beyond the
9 employer's control, the employer may request an extension
10 of the waiver or alteration for up to two weeks from the
11 department. For purposes of this paragraph, "short-term
12 temporary layoff" means a layoff period of sixteen weeks or
13 less due to seasonal weather conditions that impact the ability
14 to perform work related to highway construction, repair, or
15 maintenance with a specific return-to-work date verified by the
16 employer.

17 Sec. ____ . EFFECTIVE DATE.

18 The section of this division of this Act amending section
19 96.4, subsection 3, being deemed of immediate importance, takes
20 effect upon enactment.

21 Sec. ____ . APPLICABILITY.

22 The section of this division of this Act amending section
23 96.4, subsection 3, applies to any new claim of unemployment
24 benefits beginning on or after the first Sunday after the
25 effective date of that section.

26 DIVISION ____

27 BOARD OF REVIEW — MEMBER REMOVAL

28 Sec. ____ . Section 441.32, Code 2021, is amended to read as
29 follows:

30 **441.32 Terms — vacancies.**

31 1. The terms of the members of the board of review are
32 for six years each except for the emergency members whose
33 terms shall be set by the conference board for a period not to
34 exceed two years. Members of this board may be removed by the
35 conference board but only after a public hearing upon specified

1 charges, if a hearing is requested by the member. A subsequent
2 appointment, and an appointment to fill a vacancy, shall be
3 made in the same way as the original selection. The board may
4 subpoena witnesses and administer oaths.

5 2. a. In addition to removal under subsection 1, the
6 director of revenue may remove a member of the board of review
7 if any of the following apply:

8 (1) The member violates any law or administrative rule
9 applicable to the member's duties on the board of review.

10 (2) The member fails to comply with an order of the director
11 of revenue or an order of any court.

12 b. Prior to issuing an order removing a member of the board
13 of review, the director of revenue shall provide the member
14 with written notice of the director's intent to remove the
15 member from the board of review.

16 c. If the member of the board of review receiving the notice
17 of intent for removal files a written request for a hearing
18 with the director within thirty days after receipt of the
19 written notice specified in paragraph "b", the director shall
20 hold a hearing prior to the issuance of an order removing the
21 member from the board of review. The director may subpoena
22 witnesses and administer oaths in connection with the hearing.

23 d. If the director of revenue removes a member of the
24 board of review pursuant to this subsection, an appointment
25 to fill the vacancy shall be made in the same manner as the
26 original appointment. An order removing a member of the board
27 is subject to judicial review in accordance with chapter 17A.

28 e. The director of revenue shall adopt rules pursuant to
29 chapter 17A to administer this subsection.

30 DIVISION ____

31 BEER AND LIQUOR CONTROL FUND — TOURISM

32 Sec. ____ . Section 123.17, Code 2021, is amended by adding
33 the following new subsection:

34 NEW SUBSECTION. 6A. a. After any transfers provided for in
35 subsections 3, 5, and 6, and before any other transfer to the

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1 general fund, the department of commerce shall transfer to the
2 economic development authority from the beer and liquor control
3 fund one million dollars annually for a statewide tourism
4 marketing campaign.

5 *b.* As part of the statewide tourism marketing campaign
6 pursuant to paragraph "a", the economic development authority
7 shall issue a single request for proposals to select an entity
8 located in this state for a statewide effort to leverage public
9 and private partnerships to market and promote the state as a
10 travel destination.>

11 9. Title page, by striking lines 6 and 7 and inserting
12 <for properly related matters, and including effective date,
13 contingent effective date, and applicability provisions.>

14 10. By renumbering as necessary.

By MARK LOFGREN

[S-3210](#) FILED MAY 17, 2021