

**EIGHTY-SIXTH GENERAL ASSEMBLY
2015 REGULAR SESSION
DAILY
SENATE CLIP SHEET**

APRIL 15, 2015

**HOUSE AMENDMENT TO
SENATE FILE 385**

S-3120

1 Amend Senate File 385, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. By striking page 1, line 3, through page 2, line
4 18, and inserting:

5 <1. As used in this section, unless the context
6 otherwise requires, "expunge" and "expungement" mean
7 the same as expunged in section 907.1.

8 2. a. Except as provided in paragraph "b", upon
9 application of a defendant or a prosecutor in a
10 criminal case, or upon the court's own motion in a
11 criminal case, the court shall enter an order expunging
12 the record of such criminal case if the court finds
13 that the defendant has established that all of the
14 following have occurred, as applicable:

15 (1) The criminal case contains one or more criminal
16 charges in which an acquittal was entered for all
17 criminal charges, or in which all criminal charges were
18 otherwise dismissed.

19 (2) All court costs, fees, and other financial
20 obligations ordered by the court or assessed by the
21 clerk of the district court have been paid.

22 (3) A minimum of one hundred eighty days have
23 passed since entry of the judgment of acquittal or of
24 the order dismissing the case relating to all criminal
25 charges, unless the court finds good cause to waive
26 this requirement for reasons including but not limited
27 to the fact that the defendant was the victim of
28 identity theft or mistaken identity.

29 (4) The case was not dismissed due to the defendant
30 being found not guilty by reason of insanity.

31 (5) The defendant was not found incompetent to
32 stand trial in the case.

33 b. The court shall not enter an order expunging the
34 record of a criminal case under paragraph "a" unless
35 all the parties in the case have had time to object on
36 the grounds that one or more of the relevant conditions
37 in paragraph "a" have not been established.

38 3. The record in a criminal case expunged under
39 this section is a confidential record exempt from
40 public access under section 22.7 but shall be made
41 available by the clerk of the district court, upon
42 request and without court order, to the defendant or
43 to an agency or person granted access to the deferred
44 judgment docket under section 907.4, subsection 2.

45 4. This chapter does not apply to dismissals
46 related to a deferred judgment under section 907.9.

47 5. This chapter applies to all public offenses, as
48 defined under section 692.1.

49 6. The court shall advise the defendant of the
50 provisions of this chapter upon either the acquittal or

S-3120

S-3120

Page 2

1 the dismissal of all criminal charges in a case.

2 7. The supreme court may prescribe rules governing
3 the procedures applicable to the expungement of the
4 record of a criminal case under this chapter.

5 8. This section shall apply to all relevant
6 criminal cases that occurred prior to, on, or after the
7 effective date of this Act.>

8 2. Page 2, line 19, by striking <July> and
9 inserting <January>

10 3. Title page, line 3, after <date> by inserting
11 <and applicability>

12 4. By renumbering as necessary.

RECEIVED FROM THE HOUSE

S-3120 FILED APRIL 14, 2015

HOUSE AMENDMENT TO
SENATE FILE 404

S-3121

1 Amend Senate File 404, as passed by the Senate, as
2 follows:

3 1. Page 2, line 3, by striking <Transcript work
4 product> and inserting <Audio recordings>

5 2. Page 2, line 4, by striking <A> and inserting

6 1. Except as provided in subsection 2 or 3, a>

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

8 <2. An audio recording of a certified shorthand
9 reporter appointed under section 602.6603 shall be
10 provided to the presiding judge or chief judge for an
11 in-camera review upon court order for good cause shown.

12 3. a. An audio recording of a certified shorthand
13 reporter shall be provided to the board upon request
14 by the board if a disciplinary proceeding is pending
15 regarding the certified shorthand reporter who is a
16 respondent under the provisions of section 602.3203
17 or the rules of the board of examiners of shorthand
18 reporters, Iowa court rules, ch. 46.

19 b. The audio recordings provided in this subsection
20 shall be kept confidential by the board in a manner as
21 provided in section 272C.6, subsection 4.>

RECEIVED FROM THE HOUSE

S-3121 FILED APRIL 14, 2015

SENATE FILE 484

S-3122

1 Amend Senate File 484 as follows:
2 1. Page 5, line 35, by striking <eight> and
3 inserting <nine>
4 2. Page 6, line 1, after <psychiatry,> by inserting
5 <pediatrics,>
6 3. Page 6, line 6, by striking <six> and inserting
7 <seven>
8 4. Page 9, line 21, by striking <manufacturing,>
9 5. Page 9, after line 24 by inserting:
10 <c. A medical cannabis manufacturer shall not
11 manufacture edible medical cannabis products utilizing
12 food coloring.>
13 6. Page 12, line 2, after <c.> by inserting <(1)>
14 7. Page 12, line 7, by striking <(1)> and inserting
15 <(a)>
16 8. Page 12, line 9, by striking <(2)> and inserting
17 <(b)>
18 9. Page 12, line 11, by striking <(3)> and
19 inserting <(c)>
20 10. Page 12, after line 11 by inserting:
21 <(2) Proper packaging of medical cannabis shall
22 include but not be limited to all of the following:
23 (a) Warning labels regarding the use of medical
24 cannabis by a woman during pregnancy and while
25 breastfeeding.
26 (b) Clearly labeled packaging indicating that
27 an edible medical cannabis product contains medical
28 cannabis and which packaging shall not imitate candy
29 products or in any way make the product marketable to
30 children.
31 11. A medical cannabis dispensary shall employ a
32 pharmacist licensed pursuant to chapter 155A.>
33 11. Page 14, after line 21 by inserting:
34 <i. Establish and implement a real-time,
35 statewide medical cannabis registry management
36 sale tracking system that is available to medical
37 cannabis dispensaries on a twenty-four-hour-day,
38 seven-day-a-week basis for the purpose of verifying
39 that a person is lawfully in possession of a medical
40 cannabis registration card issued pursuant to this
41 chapter and for tracking the date of the sale and
42 quantity of medical cannabis purchased by a patient or
43 a primary caregiver.
44 j. Establish and implement a medical cannabis
45 inventory and delivery tracking system to track
46 medical cannabis from production by a medical cannabis
47 manufacturer through dispensing at a medical cannabis
48 dispensary.>
49 12. By renumbering, redesignating, and correcting
50 internal references as necessary.

By JOE BOLKCOM

SENATE FILE 484

S-3123

1 Amend Senate File 484 as follows:

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

3 <Section 1. Section 124.204, subsection 4,
4 paragraphs m and u, Code 2015, are amended by striking
5 the paragraphs.

6 Sec. _____. Section 124.204, subsection 7, Code 2015,
7 is amended by striking the subsection.

8 Sec. _____. Section 124.206, subsection 7, Code 2015,
9 is amended to read as follows:

10 7. Hallucinogenic substances. Unless specifically
11 excepted or unless listed in another schedule, any
12 material, compound, mixture, or preparation which
13 contains any quantity of the following substances,
14 or, for purposes of paragraphs "a" and "b", which
15 contains any of its salts, isomers, or salts of isomers
16 whenever the existence of such salts, isomers, or salts
17 of isomers is possible within the specific chemical
18 designation (for purposes of this paragraph only, the
19 term "isomer" includes the optical, positional, and
20 geometric isomers):

21 a. ~~Marijuana when used for medicinal purposes~~
22 ~~pursuant to rules of the board.~~

23 b. Tetrahydrocannabinols, meaning
24 tetrahydrocannabinols naturally contained in a
25 plant of the genus Cannabis (Cannabis plant) as well
26 as synthetic equivalents of the substances contained
27 in the Cannabis plant, or in the resinous extractives
28 of such plant, and synthetic substances, derivatives,
29 and their isomers with similar chemical structure and
30 pharmacological activity to those substances contained
31 in the plant, such as the following:

32 (1) 1 cis or trans tetrahydrocannabinol, and their
33 optical isomers.

34 (2) 6 cis or trans tetrahydrocannabinol, and their
35 optical isomers.

36 (3) 3,4 cis or trans tetrahydrocannabinol, and
37 their optical isomers. (Since nomenclature of these
38 substances is not internationally standardized,
39 compounds of these structures, regardless of numerical
40 designation of atomic positions covered.)

41 ~~b.~~ c. Nabilone [another name for

42 nabilone: (+-) -

43 trans-3-(1,1-dimethylheptyl)-6,6a,7,8,10,10a-hexahydro-1-
44 hydroxy-6,6-dimethyl-9H-dibenzo[b,d]pyran-9-one].>

45 2. Title page, line 1, by striking <creating> and
46 inserting <relating to>

By STEVEN J. SODDERS

S-3123 FILED APRIL 14, 2015