

**EIGHTY-SIXTH GENERAL ASSEMBLY
2016 REGULAR SESSION
DAILY
SENATE CLIP SHEET**

APRIL 28, 2016

**HOUSE AMENDMENT TO SENATE AMENDMENT TO
HOUSE FILE 2064**

S-5179

1 Amend the Senate amendment, H-8196, to House File
2 2064, as amended, passed, and reprinted by the House,
3 as follows:

4 1. By striking page 1, line 5, through page 2, line
5 28, and inserting:

6 <Sec. ____ Section 124.413, subsection 1, Code
7 2016, is amended to read as follows:

8 1. ~~A~~ Except as provided in subsection 3 and
9 sections 901.11 and 901.12, a person sentenced pursuant
10 to section 124.401, subsection 1, paragraph "a", "b",
11 "c", "e", or "f", shall not be eligible for parole or
12 work release until the person has served a minimum
13 period of confinement of one-third of the maximum
14 indeterminate sentence prescribed by law.

15 Sec. ____ Section 124.413, Code 2016, is amended by
16 adding the following new subsection:

17 NEW SUBSECTION. 3. A person serving a sentence
18 pursuant to section 124.401, subsection 1, paragraph
19 "b" or "c", shall be denied parole or work release,
20 based upon all the pertinent information as determined
21 by the court under section 901.11, subsection 1, until
22 the person has served between one-half of the minimum
23 term of confinement prescribed in subsection 1 and the
24 maximum indeterminate sentence prescribed by law.

25 Sec. ____ Section 711.3, Code 2016, is amended to
26 read as follows:

27 711.3 Robbery in the second degree.

28 All robbery which is not robbery in the first degree
29 is robbery in the second degree, except as provided in
30 section 711.3A. Robbery in the second degree is a class
31 "C" felony.

32 Sec. ____ NEW SECTION. 711.3A Robbery in the third
33 degree.

34 1. A person commits robbery in the third degree
35 when, while perpetrating a robbery, the person commits

S-5179

1 an assault as described in section 708.2, subsection 6,
2 upon another person.

3 2. Robbery in the third degree is an aggravated
4 misdemeanor.

5 Sec. _____. Section 802.2B, Code 2016, is amended by
6 adding the following new subsection:

7 NEW SUBSECTION. 5A. Child endangerment in
8 violation of section 726.6, subsection 4, 5, or 6.

9 Sec. _____. NEW SECTION. 901.11 Parole eligibility
10 determination by court – certain drug, child
11 endangerment, and robbery offenses.

12 1. At the time of sentencing, the court shall
13 determine when a person convicted under section
14 124.401, subsection 1, paragraph "b" or "c", shall
15 first become eligible for parole or work release
16 within the parameters described in section 124.413,
17 subsection 3, based upon all the pertinent information
18 including the person's criminal record, a validated
19 risk assessment, and the negative impact the offense
20 has had on the victim or other persons.

21 2. At the time of sentencing, the court shall
22 determine when a person convicted of child endangerment
23 as described in section 902.12, subsection 2, shall
24 first become eligible for parole or work release within
25 the parameters specified in section 902.12, subsection
26 2, based upon all pertinent information including the
27 person's criminal record, a validated risk assessment,
28 and whether the offense involved multiple intentional
29 acts or a series of intentional acts, or whether the
30 offense involved torture or cruelty.

31 3. At the time of sentencing, the court shall
32 determine when a person convicted of robbery in
33 the second degree as described in section 902.12,
34 subsection 3, shall first become eligible for parole
35 or work release within the parameters specified in

1 section 902.12, subsection 3, based upon all pertinent
2 information including the person's criminal record, a
3 validated risk assessment, and the negative impact the
4 offense has had on the victim or other persons.

5 Sec. _____. NEW SECTION. 901.12 Mandatory minimum
6 sentence – parole eligibility – certain earlier drug
7 offenses.

8 1. Effective July 1, 2016, and notwithstanding
9 section 124.413, a person whose sentence commenced
10 prior to July 1, 2016, for a conviction under section
11 124.401, subsection 1, paragraph "b" or "c", who has
12 not previously been convicted of a forcible felony,
13 and who does not have a prior conviction under section
14 124.401, subsection 1, paragraph "a", "b", or "c",
15 shall first be eligible for parole or work release
16 after the person has served one-half of the minimum
17 term of confinement prescribed in section 124.413.

18 2. When the board of parole considers a person
19 for parole or work release pursuant to this section,
20 the board shall consider all pertinent information
21 including the person's criminal record, a validated
22 risk assessment, and the negative impact the offense
23 has had on the victim or other persons.

24 Sec. _____. Section 902.12, Code 2016, is amended to
25 read as follows:

26 902.12 Minimum sentence for certain felonies –
27 eligibility for parole or work release.

28 1. A person serving a sentence for conviction of
29 the following felonies, including a person serving a
30 sentence for conviction of the following felonies prior
31 to July 1, 2003, shall be denied parole or work release
32 unless the person has served at least seven-tenths of
33 the maximum term of the person's sentence:

34 ~~1. a.~~ Murder in the second degree in violation of
35 section 707.3.

S-5179

Page 4

1 ~~2.~~ b. Attempted murder in violation of section
2 707.11.
3 ~~3.~~ c. Sexual abuse in the second degree in
4 violation of section 709.3.
5 ~~4.~~ d. Kidnapping in the second degree in violation
6 of section 710.3.
7 ~~5.~~ e. Robbery in the first or second degree
8 in violation of section 711.2 or 711.3, except as
9 determined in subsection 3.
10 ~~6.~~ f. Vehicular homicide in violation of section
11 707.6A, subsection 1 or 2, if the person was also
12 convicted under section 321.261, subsection 4, based on
13 the same facts or event that resulted in the conviction
14 under section 707.6A, subsection 1 or 2.
15 2. A person serving a sentence for a conviction
16 of child endangerment as defined in section 726.6,
17 subsection 1, paragraph "b", that is described and
18 punishable under section 726.6, subsection 4, shall
19 be denied parole or work release until the person has
20 served between three-tenths and seven-tenths of the
21 maximum term of the person's sentence as determined
22 under section 901.11, subsection 2.
23 3. A person serving a sentence for a conviction for
24 robbery in the second degree in violation of section
25 711.3 for a conviction that occurs on or after July 1,
26 2016, shall be denied parole or work release until the
27 person has served between one-half and seven-tenths of
28 the maximum term of the person's sentence as determined
29 under section 901.11, subsection 3.>
30 2. Title page, lines 1 and 2, by striking <offense
31 of child endangerment resulting in death of a child or
32 minor,> and inserting <offenses of child endangerment
33 and robbery and criminal drug offenses,>

RECEIVED FROM THE HOUSE

S-5179 FILED APRIL 27, 2016

CONCURRED

HOUSE FILE 2421

S-5178

1 Amend House File 2421, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 1, by striking lines 4 and 5 and inserting
4 <the areas of cardiopulmonary resuscitation and
5 automated external defibrillator use.>

By TOD R. BOWMAN

S-5178 FILED APRIL 27, 2016

ADOPTED

REPORT OF THE CONFERENCE COMMITTEE
ON SENATE FILE 2324

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to resolve the differences between the Senate and House of Representatives on Senate File 2324, a bill for an Act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, the state bond repayment fund, the technology reinvestment fund, and the prison bonding fund, providing for related matters, and including effective date and retroactive applicability provisions, respectfully make the following report:

1. That the House recedes from its amendment, S-5174.
2. That Senate File 2324, as amended, passed, and reprinted by the Senate, is amended to read as follows:
 1. Page 1, by striking lines 10 through 14 and inserting:
<For major maintenance projects:>

CCS-2324

2. Page 1, by striking line 16 and inserting:

<..... \$ 9,489,237>

3. Page 1, by striking lines 23 through 30 and inserting:

<In addition, of the moneys appropriated in this subsection, the department should give priority to projects that address health and safety issues of Iowa law enforcement academy facilities.>

4. Page 2, by striking line 4 and inserting:

<..... \$ 5,200,000>

5. Page 2, line 17, by striking <\$450,000> and inserting <\$225,000>

6. Page 4, by striking lines 31 through 34.

7. Page 5, line 18, by striking <35,000> and inserting <28,000>

8. Page 6, by striking lines 14 through 33.

9. Page 7, by striking line 12 and inserting:

<..... \$ 1,000,000>

10. Page 7, by striking lines 16 through 20.

11. Page 8, by striking line 24 and inserting:

<..... \$ 2,500,000>

12. Page 8, by striking line 35 and inserting:

<..... \$ 1,500,000>

13. Page 9, before line 1 by inserting:

<d. For infrastructure improvements at the commercial service airports within the state:

FY 2016-2017:

..... \$ 1,440,000>

14. By striking page 11, line 31, through page 12, line 2.

15. Page 12, by striking line 30 and inserting:

<..... \$ 300,000>

16. Page 14, after line 1 by inserting:

<As a condition of receiving the appropriation provided in this subsection, the department shall not expend any moneys to pay an owners' representative fee related to the repair and

CCS-2324

renovation of the dome of the Iowa state capitol.

Of the moneys appropriated in this subsection, the department shall be authorized to expend such amount as is necessary for the costs of installing outdoor lighting at the Iowa state capitol.>

17. Page 14, by striking lines 2 through 19 and inserting:

<2. JUDICIAL BRANCH

For furniture and equipment for the Polk county justice center:

..... \$ 6,718,443>

18. Page 14, after line 31 by inserting:

<Sec. ____ . 2011 Iowa Acts, chapter 133, section 4, as amended by 2015 Iowa Acts, chapter 139, section 8, is amended to read as follows:

SEC. 4. REVERSION.

1. Except as provided in ~~subsection~~ subsections 2 and 3, for purposes of section 8.33, unless specifically provided otherwise, unencumbered or unobligated moneys made from an appropriation in this division of this Act shall not revert but shall remain available for expenditure for the purposes designated until the close of the fiscal year that ends three years after the end of the fiscal year for which the appropriation is made. However, if the project or projects for which such appropriation was made are completed in an earlier fiscal year, unencumbered or unobligated moneys shall revert at the close of that same fiscal year.

2. For purposes of section 8.33, unless specifically provided otherwise, moneys appropriated in section 3, subsection 8, paragraph "b", of this division of this Act as amended by 2012 Iowa Acts, chapter 1140, section 18, that remain unencumbered or unobligated at the close of the fiscal year beginning July 1, 2014, shall not revert but shall remain available for the purpose designated until the close of the fiscal year that begins July 1, 2016, or until the project for

CCS-2324

which the appropriation was made is completed, whichever is earlier.

3. Of the moneys appropriated in section 3, subsection 5, paragraph "a", of this division of this 2011 Act as amended by 2012 Iowa Acts, chapter 1140, section 17, and 2013 Iowa Acts, chapter 142, section 47, on June 30, 2016, an amount equal to \$2,992,416 shall be transferred to the rebuild Iowa infrastructure fund created in section 8.57.>

19. Page 15, after line 31 by inserting:

<Sec. _____. 2014 Iowa Acts, chapter 1136, section 1, subsection 7, paragraph c, is amended to read as follows:

c. For the construction of a new facility and an addition, renovation, and modernization of current facilities and related improvements for biosciences at Iowa state university of science and technology:

| | |
|---------------|--------------------------|
| FY 2015-2016: | |
| | \$ 11,000,000 |
| FY 2016-2017: | |
| | \$ 19,500,000 |
| | <u>15,500,000</u> |
| FY 2017-2018: | |
| | \$ 19,500,000 |
| | <u>23,500,000></u> |

20. By striking page 15, line 32, through page 16, line 6.

21. Page 16, by striking lines 27 through 35.

22. By striking page 19, line 32, through page 20, line 4.

23. By striking page 20, line 30, through page 21, line 6.

24. Page 21, by striking lines 21 through 26 and inserting:

<Sec. _____. REBUILD IOWA INFRASTRUCTURE FUND — FUTURE APPROPRIATIONS. It is the intent of the general assembly that future appropriations from the rebuild Iowa infrastructure fund should be used, to the greatest extent possible, for public vertical infrastructure projects that involve major maintenance of state government facilities necessary for the

CCS-2324

proper functioning of state government.>

25. By renumbering, redesignating, and correcting internal references as necessary.

ON THE PART OF THE SENATE:

ON THE PART OF THE HOUSE:

MATT McCOY, CHAIRPERSON

DAN HUSEMAN, CHAIRPERSON

TOD R. BOWMAN

DENNIS COHOON

JANET PETERSEN

STEVE HOLT

JIM LYKAM

GUY VANDER LINDEN

CCS-2324

FILED APRIL 27, 2016

ADOPTED



HF 2421 – School Resuscitation Training and Brain Injury Policies (LSB5378HV.1)
Analyst: Tim Crellin (Phone: 515-725-1286) (timothy.crellin@legis.iowa.gov)
Fiscal Note Version – As amended by **S-5080**

Description

House File 2421, as amended by **S-5080**, requires a licensed health care provider or emergency medical care provider to be present and available to assess athletic injuries at high school contests for collision sports. The bill also requires an applicant for a coaching authorization issued by the Board of Educational Examiners and a person employed by a school district as a coach to successfully complete training in the areas of cardiopulmonary resuscitation, automated external defibrillator use, and heat injury treatment.

Background

Division I: The bill requires an applicant for a coaching authorization issued by the Board of Educational Examiners and a person employed by a school district as a coach to successfully complete training in the areas of cardiopulmonary resuscitation, automated external defibrillator use, and heat injury treatment. A person that possesses a coaching authorization issued by the Board prior to July 1, 2016, has until July 1, 2017, to meet the requirements of this division.

Division II: The bill requires the home team in a high school extracurricular interscholastic contest in a collision sport, defined as football, soccer, or wrestling, to ensure that a health care professional is present and available to assess athletic injuries. The bill defines a health care professional as a licensed health care provider or an emergency medical care provider. A licensed health care provider means a physician, physician assistant, chiropractor, advanced registered nurse practitioner, nurse, physical therapist, or athletic trainer. An emergency medical care provider includes emergency medical responders, emergency medical technicians, and paramedics. The health care professional is required to notify the visiting team's athletic director within 48 hours after the contest occurs if a member of the visiting team shows signs, symptoms, or behaviors consistent with a concussion or brain injury.

Assumptions

- Athletic trainers hired as a result of this bill will be paid between \$17 and \$26 per hour.
- Emergency medical care providers will be paid between \$13 and \$21 per hour.
- Other health care professionals will be paid between \$35 and \$45 per hour.
- Athletic trainers will represent 50.0% of the health care professionals hired. Emergency medical providers will represent 40.0%, and other health care professionals will represent 10.0%.
- Health care professionals will be reimbursed for mileage and these costs are estimated at 15.0% of the hourly wage.
- Health care professionals will work 25,065 hours annually for extracurricular interscholastic contests in collision sports; schools are assumed to currently have health care professionals for between 38.0% and 75.0% of these hours.

Fiscal Impact

There is no fiscal impact to the State General Fund. The statewide total cost to local school districts in Iowa is estimated to range between \$124,000 and \$463,000 per year in FY 2017 and FY 2018.

Sources

Iowa Athletic Trainers' Society
Iowa Department of Education
U.S. Bureau of Labor Statistics
LSA Calculations

/s/ Holly M. Lyons

April 27, 2016

The fiscal note for this bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the LSA upon request.
