HOUSE FILE 2536
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 692)

(As Amended and Passed by the House March 4, 2020)

[= New Language by the House

* = Language Stricken by the House

A BILL FOR

An Act relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities, and including effective date and retroactive applicability provisions.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I

MISCELLANEOUS CHANGES

Section 1. Section 6B.32, Code 2020, is amended to read as follows:

6B.32 Removal of condemner.

The sheriff, upon being furnished with a copy of the assessment as determined on appeal, certified to by the clerk of the district court, may remove from said premises the condemner and all persons acting for or under the condemner, unless the amount of the assessment is forthwith paid or deposited as ~~hereinbefore~~ provided in sections 6B.25 through 6B.31.

Sec. 2. Section 8.2, subsection 5, Code 2020, is amended to read as follows:

5. The terms *"department and establishment"* and *"department"* or *"establishment"*, mean any executive department, commission, board, institution, bureau, office, or other agency of the state government, by whatever name called, that uses, expends, or receives any state funds, including the state department of transportation, except for funds which are required to match federal aid allotted to the state by the federal government for highway special purposes, ~~and except~~ but excluding the courts~~,~~ ~~by whatever name called, other than~~ and the legislature~~, that uses, expends or receives any state funds~~.

Sec. 3. Section 8.35, Code 2020, is amended to read as follows:

8.35 General supervisory control.

The governor and the director of the department of management and any officer of the department of management, ~~hereinabove provided for,~~ when authorized by the governor, are hereby authorized to make such inquiries regarding the receipts, custody, and application of state funds, existing organization, activities, and methods of business of the departments and establishments, assignments of particular activities to particular services and regrouping of such

services, as in the opinion of the governor, will enable the governor to make recommendations to the legislature, and, within the scope of the powers possessed by the governor, to order action to be taken, having for their purpose to bring about increased economy and efficiency in the conduct of the affairs of government.

Sec. 4. Section 8D.3, subsection 3, paragraph e, subparagraph (3), Code 2020, is amended by striking the subparagraph.

Sec. 5. Section 8D.13, subsection 13, Code 2020, is amended by striking the subsection.

Sec. 6. Section 9H.1, subsection 23, Code 2020, is amended to read as follows:

23. "*Testamentary trust*" means a trust created by devising or bequeathing property in trust in a will as such terms are used in the Iowa ~~probate~~ trust code as provided in chapter 633A. Testamentary trust includes a revocable trust that has not been revoked prior to the grantor's death.

Sec. 7. Section 10.2, unnumbered paragraph 1, Code 2020, is amended to read as follows:

As used in this chapter, all of the following apply:

Sec. 8. Section 12.20, Code 2020, is amended to read as follows:

12.20 Issuance of new check.

Upon presentation of any check voided as ~~above~~ provided in section 12.19 by the holder ~~thereof~~ of the check after ~~said~~ the ~~six months'~~ six-months' period, the state treasurer is ~~hereby~~ authorized to issue ~~to said holder,~~ a new check for the amount of the original check to the holder.

Sec. 9. Section 12.30, subsection 1, paragraph a, Code 2020, is amended to read as follows:

a. "*Authority*" means a department, or public or quasi-public instrumentality of the state including but not limited to the authority created under chapter 12E, 16, 257C, or 261A, which has the power to issue obligations, except that "*authority*"

does not include the state board of regents or the Iowa finance authority to the extent ~~it~~ the Iowa finance authority acts pursuant to chapter 260C. "*Authority*" also includes a port authority created under chapter 28J.

Sec. 10. Section 16.2, subsection 1, Code 2020, is amended to read as follows:

1. An Iowa finance authority board of directors is created. The powers of the authority are vested in and shall be exercised by the board. The authority includes nine voting members appointed by the governor subject to confirmation by the senate. The authority also includes one ex officio voting member who must be designated by the agricultural development board created in section 16.2C and be a member of that board.

a. Not more than five members shall belong to the same political party.

b. As far as possible, when appointing members the governor shall include ~~within the membership~~ persons who represent community and housing development industries, housing finance industries, the real estate sales industry, elderly families, minorities, lower income families, very low income families, families which include persons with disabilities, average taxpayers, local government, business interests, and any other person specially interested in community housing, finance, or small business.

Sec. 11. Section 16.47, subsection 1, Code 2020, is amended to read as follows:

1. A home and community-based services revolving loan program fund is created within the authority to further the goals specified in section 231.3, adult day services, case management services, options counseling, family caregiving, homemaker services, respite services, congregate and home delivered meals, health and wellness, health screening, and nutritional assessments. The moneys in the home and community-based services revolving loan program fund shall be used by the authority for the development and operation of a

revolving loan program to develop and expand facilities and infrastructure that provide adult day services, case management services, options counseling, family caregiving, homemaker services, respite services, congregate and home delivered meals, and programming space for health and wellness, health screening, and nutritional assessments that address the needs of persons with low incomes.

Sec. 12. Section 24.4, Code 2020, is amended to read as follows:

24.4 Time of filing estimates.

~~All such~~ The estimates required under section 24.3 and any other estimates required by law shall be made and filed a sufficient length of time in advance of any regular or special meeting of the certifying board or levying board, as the case may be, at which tax levies are authorized to be made to permit publication, discussion, and consideration thereof and action thereon as hereinafter provided.

Sec. 13. Section 24.5, Code 2020, is amended to read as follows:

24.5 Estimates itemized.

The estimates ~~herein~~ required under this chapter shall be fully itemized and classified so as to show each particular class of proposed expenditure, showing under separate heads the amount required in such manner and form as shall be prescribed by the state board.

Sec. 14. Section 29A.1, unnumbered paragraph 1, Code 2020, is amended to read as follows:

The following words, terms, and phrases when used in this chapter shall have the respective meanings ~~herein~~ set forth in this section:

Sec. 15. Section 29A.1, subsection 14, Code 2020, is amended to read as follows:

14. Except when otherwise expressly defined ~~herein~~ in this section, military words, terms, and phrases shall have the meaning commonly ascribed to them in the military profession.

Sec. 16. Section 29A.4, Code 2020, is amended to read as follows:

29A.4 Organization —— armament —— equipment and discipline.

The organization, armament, equipment and discipline of the national guard, and the militia when called into state active duty, except as ~~hereinafter~~ specifically provided in this chapter, shall be the same as that which is now or may be hereafter prescribed under the provisions of federal law and regulations as to those requirements which are mandatory ~~therein~~ under federal law and regulation, but as to those things which are optional ~~therein~~ under federal law and regulation they shall become effective when an order or regulation to that effect ~~shall have been~~ is promulgated by the governor.

Sec. 17. Section 29A.20, Code 2020, is amended to read as follows:

29A.20 Officers.

Officers of the national guard shall be selected from the classes of persons having the qualifications prescribed by federal law and regulations. They shall be appointed by the governor upon the recommendation of their superiors in the chain of command, provided that they shall have successfully passed such tests as to physical, moral, and professional fitness, as shall be prescribed by law and regulations. Each officer shall take an oath of office and shall hold office until the officer shall have attained the maximum age of retirement that is prescribed by federal law or regulations pertaining to officers of the armed forces of the United States, unless the officer's commission or warrant is sooner vacated by resignation, death, or as ~~hereinafter~~ provided in this chapter. In case the officer has no immediate superiors, within the state, in the chain of command, the officer shall be appointed, as ~~above~~ provided in this section, upon the recommendation of the adjutant general. A commission shall designate the arm or branch of service in which the officer

is commissioned. Provided, however, that no person shall be appointed a commissioned or warrant officer who has not reached the person's eighteenth birthday at or prior to the time of such appointment.

Sec. 18. Section 29A.74, subsection 2, Code 2020, is amended to read as follows:

2. Except as otherwise provided in this chapter ~~no~~, a report or listing, either official or otherwise, of "missing" or "missing in action" shall not constitute or be interpreted as constituting actual knowledge or actual notice of the death of such principal or notice of any facts indicating the same, or shall operate to revoke the agency.

Sec. 19. Section 29B.119, subsection 1, Code 2020, is amended to read as follows:

1. Whenever complaint is made to any commanding officer that willful damage has been done to the property of any person or that the person's property has been wrongfully taken by members of the state military forces, the person may, subject to such regulations as the adjutant general may prescribe, convene a board to investigate the complaint. The board shall consist of from one to three commissioned officers and, for the purpose of that investigation, it has power to summon witnesses and examine them upon oath or affirmation, to receive depositions or other documentary evidence, and to assess the damages sustained against the responsible parties. The assessment of damages made by the board is subject to the approval of the commanding officer, and in the amount approved shall be charged against the pay of the offenders. The order of the commanding officer directing charges ~~herein~~ authorized in this section is conclusive, except as provided ~~herein~~ in this chapter, on any disbursement officer for the payment by the officer to the injured parties of the damages so assessed and approved.

Sec. 20. Section 29C.24, subsection 6, Code 2020, is amended to read as follows:

6. *Powers and duties not created.* This ~~Act~~ section shall

not be construed to place any new mandates or duties upon a local emergency management commission or create any new authority or power for a local emergency management commission not already expressly granted in another provision of this chapter.

Sec. 21. Section 39.25, Code 2020, is amended to read as follows:

39.25 ~~Sex no~~ Gender not a disqualification.

~~No~~ A person shall not be disqualified on account of ~~sex~~ the person's gender from holding any office created by the statutes of this state.

Sec. 22. Section 43.77, subsection 1, Code 2020, is amended to read as follows:

1. ~~No~~ Either no person filed under section 43.11 as a candidate for the party's nomination for that office in the primary election, or all persons who filed under section 43.11 as candidates for the party's nomination for that office in the primary election subsequently withdrew as candidates, were found to lack the requisite qualifications for the office, or died before the date of the primary election, and no candidate received a sufficient number of write-in votes to be nominated.

Sec. 23. Section 43.103, Code 2020, is amended to read as follows:

43.103 Duty of county commissioner.

The commissioner, in case the district delegates for the commissioner's county have not been selected, shall deliver a copy of ~~said~~ the call of the state party chairperson to the chairperson of the convention which selects said delegates.

Sec. 24. Section 43.112, Code 2020, is amended to read as follows:

43.112 Nominations in certain cities.

1. This chapter shall, so far as applicable, govern the nominations of candidates by political parties for all offices to be filled by a direct vote of the people in cities acting under a special charter in 1973 and having a population of

over fifty thousand, except all such cities as choose by special election to conduct nonpartisan city elections under the provisions of chapter 44, 45, or 376. An election on the question of conducting city elections in such a special charter city on a nonpartisan basis may be called by the city council on its own initiative, and shall be called by the council upon receipt of a petition of the voters which so requests and is presented in conformity with section 362.4, but a special election on that question shall be held concurrently with any election being held on the first Tuesday after the first Monday in November of any odd-numbered year.

2. Sections 43.114 ~~to~~ through 43.118 shall apply only to cities to which this chapter is made applicable by this section.

Sec. 25. Section 43.116, subsection 1, paragraph a, Code 2020, is amended to read as follows:

a. ~~No~~ Either no person filed at the time required by section 43.115 as a candidate for the party's nomination for that office in the city primary election held under section 43.112, or all persons who did so subsequently withdrew as candidates, were found to lack the requisite requirements for the office, or died before the date of the city primary election, and no candidate received a number of write-in votes sufficient for nomination under section 43.53; or

Sec. 26. Section 44.13, Code 2020, is amended to read as follows:

44.13 Certificates in matter of vacancies.

The certificates of nominations made to ~~supply~~ fill such vacancies shall state, in addition to the facts and candidate's affidavit required in an original certificate, the name of the original nominee, the date of death or declination of nomination, or the fact that the former nomination has been held insufficient or inoperative, and the measures taken in accordance with the above requirements for filling a vacancy, and shall be signed and sworn to by the presiding officer and

secretary of the convention, or caucus, or by the chairperson and secretary of the committee, as the case may be.

Sec. 27. Section 46.2A, subsection 3, Code 2020, is amended to read as follows:

3. The terms of any commissioner ~~currently~~ serving on May 8, 2019, on the state judicial nominating commission or any commissioner already elected to begin serving on July 1, 2019, shall not be affected by 2019 Iowa Acts, ch. 89.

Sec. 28. Section 46.2A, Code 2020, is amended by adding the following new subsection:

NEW SUBSECTION. 4. This section is repealed July 1, 2024.

Sec. 29. Section 46.5, subsection 5, Code 2020, is amended to read as follows:

5. Notwithstanding section 69.1A, appointed and elected commissioners on the state and district judicial nominating commissions shall not hold over until their successor is appointed or elected and qualified.

Sec. 30. Section 49.31, subsection 1, paragraph b, Code 2020, is amended to read as follows:

b. (1) The commissioner shall determine the order of candidates on the ballot as provided in this paragraph. The order shall be the same for each office on the ballot and for each precinct in the county voting in the election.

(2) The state commissioner shall compile a list of each county in the state in alphabetical order and assign a number to each county such that the first county listed is number one, the second county listed is number two, and continuing in descending order in the same manner. The commissioner shall put in alphabetical order the top two political parties receiving the highest votes from the most recent election.

(3) The commissioner of each county assigned an even number pursuant to subparagraph (2) shall arrange the ballot as follows:

(a) The candidates of the first political party by alphabetical order pursuant to subparagraph (2) shall appear

first on the ballot for the first general election at which the president of the United States is to be elected following July 1, 2019, and second on the ballot for the first general election at which the governor will be elected following July 1, 2019, and second on the ballot for the second general election at which the president of the United States is to be elected following July 1, 2019, and first on the ballot for the second general election at which the governor will be elected following July 1, 2019, and thereafter alternating with the candidates of the second political party by alphabetical order pursuant to subparagraph (2).

(b) The candidates of the second political party by alphabetical order pursuant to subparagraph (2) shall appear second on the ballot for the first general election at which the president of the United States is to be elected following July 1, 2019, and first on the ballot for the first general election at which the governor will be elected following July 1, 2019, and first on the ballot for the second general election at which the president of the United States is to be elected following July 1, 2019, and second on the ballot for the second general election at which the governor will be elected following July 1, 2019, and thereafter alternating with the candidates of the first political party by alphabetical order pursuant to subparagraph (2).

(4) The commissioner of each county assigned an odd number pursuant to subparagraph (2) shall arrange the ballot as follows:

(a) The candidates of the second political party by alphabetical order pursuant to subparagraph (2) shall appear first on the ballot for the first general election at which the president of the United States is to be elected following July 1, 2019, and second on the ballot for the first general election at which the governor will be elected following July 1, 2019, and second on the ballot for the second general election at which the president of the United States is to be

elected following July 1, 2019, and first on the ballot for the second general election at which the governor will be elected following July 1, 2019, and thereafter alternating with the candidates of the first political party by alphabetical order pursuant to subparagraph (2).

(b) The candidates of the first political party by alphabetical order pursuant to subparagraph (2) shall appear second on the ballot for the first general election at which the president of the United States is to be elected following July 1, 2019, and first on the ballot for the first general election at which the governor will be elected following July 1, 2019, and first on the ballot for the second general election at which the president of the United States is to be elected following July 1, 2019, and second on the ballot for the second general election at which the governor will be elected following July 1, 2019, and thereafter alternating with the candidates of the second political party by alphabetical order pursuant to subparagraph (2).

~~(c)~~ (5) The commissioner shall determine the order of candidates of nonparty political organizations on the ballot. The order shall be the same for each office on the ballot and for each precinct in the county voting in the election.

Sec. 31. Section 49.38, Code 2020, is amended to read as follows:

49.38 Candidate's name to appear but once.

The name of a candidate shall not appear upon the ballot in more than one place for the same office, whether nominated by convention, primary, caucus, or petition, except as ~~hereinafter~~ otherwise provided in this chapter.

Sec. 32. Section 49.49, Code 2020, is amended to read as follows:

49.49 Certain sample ballots prohibited.

The commissioner and state commissioner of elections shall not distribute or authorize the distribution of sample ballots to voters other than as provided in sections 43.30, 49.53, and

52.29.

Sec. 33. Section 49.58, subsection 2, Code 2020, is amended to read as follows:

2. Each candidate for that office whose name appeared on the general election ballot shall also be a candidate for the office in the special election, except that the deceased candidate's political party may designate another candidate in substantially the manner provided by section 43.78 for filling vacancies on the general election ballot. However, a political party which did not have a candidate on the general election ballot for the office in question may similarly designate a candidate for that office in the special election. The name of any replacement or additional candidate so designated shall be submitted in writing to the state commissioner, or the commissioner in the case of a candidate for county supervisor, not later than 5:00 p.m. on the first Tuesday after the date of the general election. The name of ~~a~~ any other candidate that did not appear on the general election ballot as a candidate for the office in question shall not be placed on the ballot for the special election, in any manner. The special election shall be held and canvassed in the manner prescribed by law for the general election.

Sec. 34. Section 49A.10, subsection 1, Code 2020, is amended to read as follows:

1. Whenever an amendment to the Constitution of the State of Iowa ~~shall have been~~ is proposed and agreed to by the general assembly and ~~shall have been~~ is agreed to by the succeeding general assembly, any taxpayer may file suit in equity in the district court at the seat of government of the state, challenging the validity, legality, or constitutionality of ~~such~~ the amendment~~, and in such~~. In the suit, the district court shall have jurisdiction to determine the validity, legality, or constitutionality of ~~said~~ the amendment and enter its decree accordingly~~, and~~. The court may grant a writ of injunction enjoining the governor and state commissioner of

elections from submitting ~~such~~ the constitutional amendment to the electorate, if the proposed constitutional amendment ~~shall have been~~ is found to be invalid, illegal, or unconstitutional.

Sec. 35. Section 49A.11, Code 2020, is amended to read as follows:

49A.11 Parties.

In ~~such~~ a suit under section 49A.10, the taxpayer shall be plaintiff and the governor and state commissioner of elections shall be defendants. Any taxpayer may intervene, either as party plaintiff or defendant.

Sec. 36. Section 50.8, Code 2020, is amended to read as follows:

50.8 Error on state or district office — tie vote.

If the error ~~be~~ is in relation to a district or state office, ~~it~~ the error shall be certified with the number of the excess to the state commissioner. If the error affects the result of the election, the canvass shall be suspended and a new vote ordered in the precinct where the error occurred. When there is a tie vote due to such an excess, there shall be a new election. ~~No~~ A person who was not a registered voter in that precinct at the time of the general election shall not be allowed to vote at ~~such~~ the special election. When the new vote is taken and returned, the canvass shall be completed.

Sec. 37. Section 69.2, subsection 1, paragraph h, Code 2020, is amended to read as follows:

h. The incumbent simultaneously holding more than one elective office at the same level of government. This ~~subsection~~ paragraph does not apply to the county agricultural extension council or the soil and water conservation district commission.

Sec. 38. Section 69.16, subsection 1, Code 2020, is amended to read as follows:

1. All appointive boards, commissions, and councils of the state established by the Code if not otherwise provided by law shall be bipartisan in their composition. ~~No~~ A person

shall not be appointed or reappointed to any board, commission, or council established by the Code, if the effect of that appointment or reappointment would cause the number of members of the board, commission, or council belonging to one political party to be greater than one-half the membership of the board, commission, or council plus one.

Sec. 39. Section 76.1, subsection 1, Code 2020, is amended to read as follows:

1. ~~Hereafter issues~~ Issues of bonds of every kind and character by counties, cities, and school corporations shall be consecutively numbered.

Sec. 40. Section 84A.1B, subsection 14, paragraph a, Code 2020, is amended to read as follows:

a. An entry-level hourly wage of not less than fourteen dollars.

Sec. 41. Section 84A.2, subsection 1, paragraph b, Code 2020, is amended to read as follows:

b. If a local workforce development area includes more than one unit of general local government, the individuals designated under the agreement described in section 84A.4, subsection 2, paragraph ~~"h"~~ "g", subparagraph (2).

Sec. 42. Section 85.22, subsection 5, Code 2020, is amended to read as follows:

5. For subrogation purposes ~~hereunder~~, any payment made unto an injured employee, the employee's guardian, parent, next friend, or legal representative, by or on behalf of any third party, or the third party's principal or agent liable for, connected with, or involved in causing an injury to such employee shall be considered as having been so paid as damages resulting from and because said injury was caused under circumstances creating a legal liability against said third party, whether such payment be made under a covenant not to sue, compromise settlement, denial of liability or otherwise.

Sec. 43. Section 85.42, subsection 1, paragraph a, Code 2020, is amended to read as follows:

a. When it is shown that at the time of the injury the surviving spouse had willfully deserted the deceased without fault of the deceased, then ~~such survivor~~ the surviving spouse shall not be considered as dependent in any degree.

Sec. 44. Section 85A.5, Code 2020, is amended to read as follows:

85A.5 Compensation payable.

1. All employees subject to the provisions of this chapter who shall become disabled from injurious exposure to an occupational disease ~~herein~~ designated and defined in this chapter and within the conditions, limitations, and requirements provided ~~herein~~ in this chapter, shall receive compensation, reasonable surgical, medical, osteopathic, chiropractic, physical rehabilitation, nursing, and hospital services and supplies therefor, and burial expenses as provided in the workers' compensation law of Iowa except as otherwise provided in this chapter.

2. If, however, an employee incurs an occupational disease for which the employee would be entitled to receive compensation if the employee were disabled as provided ~~herein~~ in this chapter, but is able to continue in employment and requires medical treatment for said disease, then the employee shall receive reasonable medical services therefor.

Sec. 45. Section 85A.6, Code 2020, is amended to read as follows:

85A.6 Dependents —— defined.

Dependents of a deceased employee whose death has been caused by an occupational disease as ~~herein~~ defined in this chapter and under the provisions, conditions, and limitations of this chapter shall be those persons defined as dependents under the workers' compensation law of Iowa and such dependents shall receive compensation benefits as provided by said law.

Sec. 46. Section 85A.16, Code 2020, is amended to read as follows:

85A.16 Reference to compensation law.

The provisions of the workers' compensation law, so far as applicable, and not inconsistent ~~herewith~~ with this chapter, shall apply in cases of compensable occupational diseases as specified and defined ~~herein~~ in this chapter.

Sec. 47. Section 85A.18, Code 2020, is amended to read as follows:

85A.18 Notice of disability or death —— filing of claims.

Except as ~~herein~~ otherwise provided in this chapter, procedure with respect to notice of disability or death, as to the filing of claims and determination of claims shall be the same as in cases of injury or death arising out of and in the course of employment under the workers' compensation law. Written notice shall be given to the employer of an occupational disease by the employee within ninety days after the first distinct manifestation thereof, and in the case of death from such an occupational disease, written notice of such claim shall also be given to the employer within ninety days thereafter.

Sec. 48. Section 96.7, subsection 2, paragraph d, subparagraph (1), Code 2020, is amended to read as follows:

(1) The current reserve fund ratio is computed by dividing the total funds available for payment of benefits, on the computation date or on August 15 following the computation date if the total funds available for payment of benefits is a higher amount on August 15, by the total wages paid in covered employment excluding reimbursable employment wages during the first four calendar quarters of the five calendar quarters immediately preceding the computation date. However, in computing the current reserve fund ratio, beginning July 1, 2007, one hundred fifty million dollars shall be added to the total funds available for payment of benefits on each ~~subsequent~~ computation date.

Sec. 49. Section 97B.7A, subsection 5, Code 2020, is amended to read as follows:

5. *Travel.* In the administration of the investment of

moneys in the retirement fund, employees of the system and members of the board may travel outside the state for the purpose of meeting with investment firms and consultants and attending conferences and meetings to fulfill their fiduciary responsibilities. ~~This travel is not subject to section 8A.512, subsection 2.~~

Sec. 50. Section 99D.7, subsection 23, Code 2020, is amended to read as follows:

23. To establish a process to allow a person to be voluntarily excluded from advance deposit wagering as defined in section 99D.11, from an internet fantasy sports contest as defined in section 99E.1, from advance deposit sports wagering as defined in section 99F.9, and from the wagering area of a racetrack enclosure, ~~and~~ from the gaming floor, and from the sports wagering area, as defined in section 99F.1, of all other licensed facilities under this chapter and chapter 99F as provided in this subsection. The process shall provide that an initial request by a person to be voluntarily excluded shall be for a period of five years or life and any subsequent request following any five-year period shall be for a period of five years or life. The process established shall require that licensees be provided electronic access to names and social security numbers of persons voluntarily excluded through a secured interactive internet site maintained by the commission and information regarding persons voluntarily excluded shall be disseminated to all licensees under this chapter, chapter 99E, and chapter 99F. The names, social security numbers, and information regarding persons voluntarily excluded shall be kept confidential unless otherwise ordered by a court or by another person duly authorized to release such information. The process established shall also require a person requesting to be voluntarily excluded be provided information compiled by the Iowa department of public health on gambling treatment options. The state and any licensee under this chapter, chapter 99E, or chapter 99F shall not be liable to any person

for any claim which may arise from this process. In addition to any other penalty provided by law, any money or thing of value that has been obtained by, or is owed to, a voluntarily excluded person as a result of wagers made by the person after the person has been voluntarily excluded shall be forfeited by the person and shall be credited to the general fund of the state.

Sec. 51. Section 99F.1, subsection 14, Code 2020, is amended to read as follows:

14. *"Gambling game"* means any game of chance authorized by the commission. However, for racetrack enclosures, *"gambling game"* does not include table games of chance or video machines which simulate table games of chance, unless otherwise authorized by this chapter. *"Gambling game"* does not include sports ~~betting~~ wagering.

Sec. 52. Section 99F.10, subsection 4, paragraph a, Code 2020, is amended to read as follows:

a. In determining the license fees and state regulatory fees to be charged as provided under section 99F.4 and this section, the commission shall use as the basis for determining the amount of revenue to be raised from the license fees and regulatory fees the amount appropriated to the commission plus ~~the following as applicable:~~

~~(1) Prior to July 1, 2016, the cost of salaries for no more than two special agents for each excursion gambling boat or gambling structure and no more than four gaming enforcement officers for each excursion gambling boat or gambling structure with a patron capacity of less than two thousand persons or no more than five gaming enforcement officers for each excursion gambling boat or gambling structure with a patron capacity of at least two thousand persons, plus any direct and indirect support costs for the agents and officers, for the division of criminal investigation's excursion gambling boat or gambling structure activities. However, the division of criminal investigation may add one additional special agent to the~~

~~number of special agents specified in this subparagraph for each excursion gambling boat or gambling structure if at least two gaming enforcement officer full-time equivalent positions are vacant. Otherwise, the division of criminal investigation shall not fill vacant gaming enforcement officer positions.~~

~~(2) On or after July 1, 2016,~~ the cost of salaries for no more than three special agents for each excursion gambling boat or gambling structure, plus any direct and indirect support costs for the agents, for the division of criminal investigation's excursion gambling boat or gambling structure activities.

Sec. 53. Section 123.36, subsection 5, paragraph c, Code 2020, is amended to read as follows:

c. For air common carriers, each company shall pay ~~a base~~ an annual fee of five hundred dollars.

Sec. 54. Section 123.45, subsection 1, paragraph a, Code 2020, is amended to read as follows:

a. Directly or indirectly supply, furnish, give, or pay for any furnishings, fixtures, or equipment used in the storage, handling, serving, or dispensing of alcoholic beverages~~, wine, beer,~~ or food within the place of business of a licensee or permittee authorized under this chapter to sell at retail.

Sec. 55. Section 123.45, subsection 3, Code 2020, is amended to read as follows:

3. ~~However, a~~ A person engaged in the wholesaling of beer or wine may sell only disposable glassware, which is constructed of paper, paper laminated, or plastic materials and designed primarily for personal consumption on a one-time usage basis, to retailers for use within the premises of licensed establishments, for an amount which is greater than or equal to an amount which represents the greater of either the amount paid for the disposable glassware by the supplier or the amount paid for the disposable glassware by the wholesaler. Also, a person engaged in the business of manufacturing beer may sell beer at retail for consumption on or off the premises of the

manufacturing facility and, notwithstanding any other provision of this chapter or the fact that a person is the holder of a class "A" beer permit, may be granted not more than one class "B" beer permit as defined in section 123.124 for that purpose regardless of whether that person is also a manufacturer of native distilled spirits pursuant to a class "A" native distilled spirits license or a manufacturer of native wine pursuant to a class "A" wine permit.

Sec. 56. Section 123.90, Code 2020, is amended to read as follows:

123.90 Penalties generally.

Unless other penalties are ~~herein~~ provided in this chapter, any person, except a person under legal age, who violates any of the provisions of this chapter, or who makes a false statement concerning any material fact in submitting an application for a permit or license, shall be guilty of a serious misdemeanor. Any person under legal age who violates any of the provisions of this chapter shall upon conviction be guilty of a simple misdemeanor.

Sec. 57. Section 123.188, subsection 1, Code 2020, is amended to read as follows:

1. A person desiring to deliver wine subject to direct shipment within this state pursuant to section 123.187 shall submit an application for a wine carrier permit electronically, or in a manner prescribed by the administrator, ~~and~~ which shall be accompanied by a fee in the amount of one hundred dollars.

Sec. 58. Section 124.201, subsection 2, Code 2020, is amended to read as follows:

2. After considering the ~~above~~ factors described in subsection 1, the board shall make a recommendation to the general assembly, specifying the change which should be made in existing schedules, if it finds that the potential for abuse or lack thereof of the substance is not properly reflected by the existing schedules.

Sec. 59. Section 135.42, Code 2020, is amended to read as

follows:

135.42 Unlawful use.

All information, interviews, reports, statements, memoranda, or other data furnished in accordance with this subchapter and any findings or conclusions resulting from such studies shall not be used or offered or received in evidence in any legal proceedings of any kind or character, but nothing contained ~~herein~~ in this subchapter shall be construed as affecting the admissibility as evidence of the primary medical or hospital records pertaining to the patient or of any other writing, record or reproduction thereof not contemplated by this subchapter.

Sec. 60. Section 135.74, subsection 1, Code 2020, is amended to read as follows:

1. The department, after study and in consultation with any advisory committees which may be established pursuant to law, shall promulgate by rule pursuant to chapter 17A uniform methods of financial reporting, including such allocation methods as may be prescribed, by which hospitals and health care facilities shall respectively record their revenues, expenses, other income, other outlays, assets and liabilities, and units of service, according to functional activity center. These uniform methods of financial reporting shall not preclude a hospital or health care facility from using any accounting methods for its own purposes provided these accounting methods can be reconciled to the uniform methods of financial reporting prescribed by the department and can be audited for validity and completeness. Each hospital and each health care facility shall adopt the appropriate system for its fiscal year, effective upon such date as the department shall direct. ~~In determining the effective date for reporting requirements, the department shall consider both the immediate need for uniform reporting of information to effectuate the purposes of this subchapter and the administrative and economic difficulties which hospitals and health care facilities may encounter in~~

~~complying with the uniform financial reporting requirement, but the effective date shall not be later than January 1, 1980.~~

Sec. 61. Section 144A.7, subsection 1, paragraph b, Code 2020, is amended to read as follows:

b. The guardian of the person of the patient if one has been appointed, provided court approval is obtained in accordance with section 232D.401, subsection 4, paragraph "*a*", or section 633.635, subsection 3, paragraph "*b*", subparagraph (1). This paragraph does not require the appointment of a guardian in order for a treatment decision to be made under this section.

Sec. 62. Section 144F.1, subsection 6, Code 2020, is amended to read as follows:

6. "*Legal representative*" means, in order of priority, an attorney in fact under a durable power of attorney for health care pursuant to chapter 144B or, if no durable power of attorney for health care has been executed pursuant to chapter 144B or if the attorney in fact is unavailable, a legal guardian appointed pursuant to chapter 232D or 633.

Sec. 63. Section 144F.6, Code 2020, is amended to read as follows:

144F.6 Construction of chapter relative to other health care directives.

Nothing in this chapter shall be construed to interfere with the authority or responsibilities of an agent operating under a valid durable power of attorney for health care pursuant to chapter 144B or of the powers and duties granted to a guardian pursuant to section 232D.401 or 633.635.

Sec. 64. Section 152.2, Code 2020, is amended to read as follows:

152.2 Executive director.

The board shall retain a full-time executive director, who shall be appointed pursuant to section ~~135B.11~~ 135.11B. The executive director shall be a registered nurse. The governor, with the approval of the executive council pursuant to section 8A.413, subsection 3, under the pay plan for exempt positions

in the executive branch of government, shall set the salary of the executive director.

Sec. 65. Section 153.33B, unnumbered paragraph 1, Code 2020, is amended to read as follows:

~~The board shall appoint a~~ A full-time executive director shall be appointed as provided under section 135.11B. The executive director shall not be a member of the board. The duties of the executive director shall be the following:

Sec. 66. Section 159.23, Code 2020, is amended to read as follows:

159.23 Special fund.

All fees collected as a result of the inspection and grading provisions set out ~~herein~~ in this chapter shall be paid into the state treasury, there to be set aside in a separate fund which is hereby appropriated for the use of the department except as indicated. Withdrawals ~~therefrom~~ from the fund shall be by warrant of the director of the department of administrative services upon requisition by the secretary of agriculture. ~~Such~~ The fund shall be continued from year to year, provided, however, that if there be any balance remaining at the end of the biennium which, in the opinion of the governor, director of the department of management, and secretary of agriculture, is greater than necessary for the proper administration of the inspection and grading program referred to ~~herein~~ in this section, the treasurer of state is hereby authorized on the recommendation and with the approval of the governor, director of the department of management, and secretary of agriculture to transfer to the general fund of the state that portion of such account as they shall deem advisable.

Sec. 67. Section 163.51, subsection 1, paragraph a, subparagraph (3), Code 2020, is amended to read as follows:

(3) The compelling of a person who is the owner or custodian of the animal to provide information regarding the movement or relocation of the animal or the vaccination status of the

animal or the herd where the animal originates. The department may issue a subpoena for relevant testimony or records as defined in section ~~516E.1~~ 523C.1. In the case of a failure or refusal of the person to provide testimony or records, the district court upon application of the department or the attorney general acting upon behalf of the department, may order the person to show cause why the person should not be held in contempt. The court may order the person to provide testimony or produce the record or be punished for contempt as if the person refused to testify before the court or disobeyed a subpoena issued by the court.

Sec. 68. Section 176A.4, Code 2020, is amended to read as follows:

176A.4 Establishment —— body corporate —— county agricultural extension districts.

1. Each county, except Pottawattamie, is constituted and established as a "county agricultural extension district" and shall be a public body corporate organized in accordance with the provisions of this chapter for the purposes, with the powers and subject to the restrictions ~~hereinafter~~ set forth in this chapter.

2. Pottawattamie county shall be divided into and constitute two districts ~~with one~~ as follows:

a. A district to be known as "East Pottawattamie" which shall include the following townships: Pleasant, Layton, Knox, James, Valley, Lincoln, Washington, Belknap, Center, Wright, Carson, Macedonia, Grove, Waveland~~; and the other~~.

b. A district to be known as "West Pottawattamie" which shall include the following townships: Rockford, Boomer, Neola, Minden, Hazel Dell, York, Crescent, Norwalk, Lake, Garner, Hardin, Kane, Lewis, Keg Creek, Silver Creek.

Sec. 69. Section 176A.8, subsections 3, 6, 7, 10, and 11, Code 2020, are amended to read as follows:

3. *a.* To ~~and shall~~, at least ninety days prior to the date fixed for the election of council members, appoint a

nominating committee consisting of four persons who are not council members and designate the chairperson. The membership of the nominating committee shall be gender balanced. The nominating committee shall consider the geographic distribution of potential nominees in nominating one or more resident registered voters of the extension district as candidates for election to each office to be filled at the election. To qualify for the election ballot, each nominee shall file a nominating petition signed by at least twenty-five eligible electors of the district with the county commissioner of elections at least sixty-nine days before the date of election.

b. To ~~and shall also~~ provide for the nomination by petition of candidates for election to membership on the extension council. A nominating petition shall be signed by at least twenty-five eligible electors of the extension district and shall be filed with the county commissioner of elections at least sixty-nine days before the date of the election.

6. To prepare annually before March 15 a budget for the fiscal year beginning July 1 and ending the following June 30, in accordance with the provisions of chapter 24 and certify the ~~same~~ budget to the board of supervisors of the county of their extension district as required by law.

7. To ~~and shall~~ be responsible for the preparation and adoption of the educational program on extension work in agriculture, home economics, and 4-H club work, and periodically review ~~said~~ the program, and for the carrying out of the ~~same~~ program in cooperation with the extension service in accordance with the memorandum of understanding with ~~said~~ the extension service.

10. To ~~and shall~~, as soon as possible following the meeting at which the officers are elected, file in the office of the board of supervisors and of the county treasurer a certificate signed by ~~its~~ the chairperson and secretary of the extension council certifying the names, addresses, and terms of office of each member, and the names and addresses of the officers of the

extension council with the signatures of the officers affixed ~~thereto, and said~~ to the certificate. The certificate shall be conclusive as to the organization of the extension district, its extension council, and as to its members and ~~its~~ officers.

11. To ~~and shall~~ deposit all funds received from the "county agricultural extension education fund" in a bank or banks approved by ~~it~~ the extension council in the name of the extension district. These receipts shall constitute a fund known as the "county agricultural extension education fund" which shall be disbursed by the treasurer of the extension council on vouchers signed by its chairperson and secretary and approved by the extension council and recorded in its minutes.

Sec. 70. Section 176A.9, subsection 5, Code 2020, is amended to read as follows:

5. The extension council and its employed personnel may cooperate with~~,~~ and give information and advice to organized and unorganized groups, but shall not promote, sponsor, or engage in the organization of any group for any purpose except the promoting, organization, and the development of the programs of 4-H clubs. Nothing in this chapter shall prevent the county extension council or extension agents employed by it from using or seeking opportunities to reach an audience of persons interested in agricultural extension work through the help of interested farm organizations, civic organizations, or any other group~~: Provided, that~~. However, in using or seeking such opportunities, the county extension council or agents employed by ~~it~~ the extension council shall make available to all groups and organizations in the county equal opportunity to cooperate in the educational extension program.

Sec. 71. Section 200.15, Code 2020, is amended to read as follows:

200.15 Refusal to register~~,~~ or cancellation of registration and licenses.

The secretary is authorized and empowered to cancel the registration of any product of commercial fertilizer or soil

conditioner or license or to refuse to register any product of commercial fertilizer or soil conditioner or refuse to license any applicant ~~as herein provided,~~ upon satisfactory evidence that the registrant or licensee has used fraudulent or deceptive practices or ~~who~~ has willfully ~~violates~~ violated any provisions of this chapter or any rules and regulations promulgated ~~thereunder: Except no~~ under this chapter. However, a registration or license shall not be revoked or refused until the registrant or licensee ~~shall have~~ has been given the opportunity to appear for a hearing by the secretary.

Sec. 72. Section 204.9, subsection 2, paragraph b, Code 2020, is amended to read as follows:

b. The department of public safety or a local law enforcement agency may obtain a sample of plants that are part of the crop and provide for a test of that sample as provided in section 204.8. The department of public safety or a local law enforcement agency shall not impose, assess, or collect a fee for conducting an inspection or test under this section.

Sec. 73. Section 204.15, subsection 3, Code 2020, is amended to read as follows:

3. A licensee shall ~~not~~ be ineligible to participate in the negligent violation program, if a test of a sample of plants that are part of a crop produced on the licensee's crop site exceeds a maximum concentration of two percent delta-9 tetrahydrocannabinol on a dry weight basis.

Sec. 74. Section 214A.12, Code 2020, is amended to read as follows:

214A.12 Industrial petroleum — permits.

Any wholesale dealer as ~~herein~~ defined in this chapter may apply to the department for a permit to make importations of petroleum products for industrial use only and not intended to be used for internal combustion engines, on a form to be supplied by the department, and upon receiving such permission may make importations of petroleum products for industrial use only, exempt from the specifications of this chapter.

Sec. 75. Section 216A.135, subsection 2, paragraph c, Code 2020, is amended to read as follows:

c. Analysis of and recommendations ~~of~~ regarding current criminal code provisions.

Sec. 76. Section 216A.136, subsection 1, Code 2020, is amended to read as follows:

1. Juvenile court records and all other information maintained under sections 232.147 through ~~232.153~~ 232.151.

Sec. 77. Section 218.68, Code 2020, is amended to read as follows:

218.68 Money deposited with treasurer of state.

~~Said money~~ Moneys under section 218.67 shall be transmitted to the treasurer of state as soon after one year after the death of the intestate as practicable, and be credited to the support fund of the institution of which the intestate was a resident.

Sec. 78. Section 218.70, Code 2020, is amended to read as follows:

218.70 Payment to party entitled.

~~Said money~~ Moneys transmitted to the treasurer or state under section 218.68 shall be paid, at any time within ten years from the death of the intestate, to any person who is shown to be entitled thereto. Payment shall be made from the state treasury out of the support fund of such institution in the manner provided for the payment of other claims from that fund.

Sec. 79. Section 222.7, subsection 2, Code 2020, is amended to read as follows:

2. In the case of a patient hospitalized pursuant to sections 229.6 ~~to~~ through 229.15, the consent of the court which hospitalized the patient is obtained in advance, rather than afterward as otherwise permitted by section 229.15, subsection 4.

Sec. 80. Section 222.34, Code 2020, is amended to read as follows:

222.34 Guardianship proceedings.

If a guardianship is proposed for a person with an intellectual disability, guardianship proceedings shall be initiated and conducted as provided in chapter 232D or 633.

Sec. 81. Section 222.84, Code 2020, is amended to read as follows:

222.84 Patients' personal deposit fund.

There is hereby established at each resource center and special unit a fund which shall be known as the "patients' personal deposit fund"; provided that in the case of a special unit, the director may direct that the patients' personal deposit fund be maintained and administered as a part of the fund established, pursuant to sections 226.43 ~~to~~ through 226.46, by the mental health institute where the special unit is located.

Sec. 82. Section 225C.2, subsection 13, Code 2020, is amended to read as follows:

13. *"Serious emotional disturbance"* means a diagnosable mental, behavioral, or emotional disorder of sufficient duration to meet diagnostic criteria specified within the most current diagnostic and statistical manual of mental disorders published by the American psychiatric association that results in a functional impairment. *"Serious emotional disturbance"* does not include substance use ~~and~~ or developmental disorders unless ~~such~~ those disorders co-occur with such a diagnosable mental, behavioral, or emotional disorder.

Sec. 83. Section 225C.52, subsection 4, Code 2020, is amended to read as follows:

4. Submit a written report on or before December 1 of each year to the governor and the general assembly. At a minimum, the report shall include a summary of all activities undertaken by the state board~~, a summary of state board activities,~~ and results from identified behavioral health outcomes and indicators for the children's behavioral health system.

Sec. 84. Section 226.31, Code 2020, is amended to read as

follows:

226.31 Examination by court — notice.

Before granting the order authorized in section 226.30, the court or judge shall investigate the allegations of the petition and before proceeding to a hearing on the allegations shall require notice to be served on the attorney who represented the patient in any prior proceedings under sections 229.6 ~~to~~ through 229.15 or the advocate appointed under section 229.19, or in the case of a patient who entered the hospital voluntarily, on any relative, friend, or guardian of the person in question of the filing of the application. At the hearing the court or judge shall appoint a guardian ad litem for the person, if the court or judge deems such action necessary to protect the rights of the person. The guardian ad litem shall be a practicing attorney.

Sec. 85. Section 229.1, subsection 20, paragraph d, subparagraph (2), Code 2020, is amended to read as follows:

(2) Lack of compliance has resulted in one or more acts ~~of~~ causing serious physical injury to the person's self or others or an attempt to physically injure the person's self or others.

Sec. 86. Section 229.13, subsection 7, paragraph b, Code 2020, is amended to read as follows:

b. A region shall contract with mental health professionals to provide the appropriate treatment including treatment by the use of oral medicine or injectable antipsychotic medicine pursuant to this section.

Sec. 87. Section 229.36, Code 2020, is amended to read as follows:

229.36 Limitation on proceedings.

The proceeding authorized in sections 229.31 ~~to~~ through 229.35~~, inclusive,~~ shall not be had more often than once in six months regarding the same person; nor regarding any patient within six months after the patient's admission to the hospital.

Sec. 88. Section 229.38, Code 2020, is amended to read as

follows:

229.38 Cruelty or official misconduct.

If any person having the care of a person with mental illness who has voluntarily entered a hospital or other facility for treatment or care, or who is responsible for psychiatric examination care, treatment, and maintenance of any person involuntarily hospitalized under sections 229.6 ~~to~~ through 229.15, whether in a hospital or elsewhere, with or without proper authority, shall treat such patient with unnecessary severity, harshness, or cruelty, or in any way abuse the patient or if any person unlawfully detains or deprives of liberty any person with mental illness or any person who is alleged to have mental illness, or if any officer required by the provisions of this chapter and chapters 226 and 227, to perform any act shall willfully refuse or neglect to perform the same, the offending person shall, unless otherwise provided, be guilty of a serious misdemeanor.

Sec. 89. Section 232.99, subsection 4, Code 2020, is amended to read as follows:

4. When the dispositional hearing is concluded the court shall make the least restrictive disposition appropriate considering all the circumstances of the case. The dispositions which may be entered under this division are listed in sections 232.100 ~~to~~ through 232.102 in order from least to most restrictive.

Sec. 90. Section 232.103, subsection 6, Code 2020, is amended to read as follows:

6. If the court vacates the order it may make any other order in accordance with and subject to the provisions of sections 232.100 ~~to~~ through 232.102.

Sec. 91. Section 232.166, Code 2020, is amended to read as follows:

232.166 Statutes not affected.

Nothing contained in sections 232.158 ~~to~~ through 232.165 shall be deemed to affect or modify the other provisions of

this chapter or of chapter 600.

Sec. 92. Section 232.178, subsection 1, Code 2020, is amended to read as follows:

1. For a placement initiated on or after July 1, 1992, the department shall file a petition to initiate a voluntary placement proceeding prior to the child's placement in accordance with criteria established pursuant to the federal Adoption Assistance and Child Welfare Act of 1980, Pub. L. No. 96-272, as codified in 42 U.S.C. §627(a). ~~For a placement initiated before July 1, 1992, the department shall file a petition to approve placement on or before September 1, 1992.~~

Sec. 93. Section 232D.105, subsection 1, Code 2020, is amended to read as follows:

1. A petition alleging that a minor is in need of a conservatorship is not subject to this chapter. Such proceedings shall be governed by chapter 633 and may be initiated pursuant to section ~~633.627~~ 633.557.

Sec. 94. Section 249A.4, subsections 11 and 15, Code 2020, are amended to read as follows:

11. Shall provide an opportunity for a fair hearing before the department of inspections and appeals to an individual whose claim for medical assistance under this chapter is denied or is not acted upon with reasonable promptness. Upon completion of a hearing, the department of inspections and appeals shall issue a decision which is subject to review by the department of human services. Judicial review of the decisions of the department of human services may be sought in accordance with chapter 17A. If a petition for judicial review is filed, the department of human services shall furnish the petitioner with a copy of the application and all supporting papers, a transcript of the testimony taken at the hearing, if any, and a copy of its decision.

15. Establish appropriate reimbursement rates for community mental health centers that are accredited by the mental health and disability services commission.

~~Judicial review of the decisions of the department of human services may be sought in accordance with chapter 17A. If a petition for judicial review is filed, the department of human services shall furnish the petitioner with a copy of the application and all supporting papers, a transcript of the testimony taken at the hearing, if any, and a copy of its decision.~~

Sec. 95. Section 249L.2, subsection 6, Code 2020, is amended to read as follows:

6. "*Nursing facility*" means a licensed nursing facility as defined in section 135C.1 that is a freestanding facility or a nursing facility operated by a hospital licensed pursuant to chapter 135B, but does not include a distinct-part skilled nursing unit or a swing-bed unit operated by a hospital, or a nursing facility owned by the state or federal government or other governmental unit. "*Nursing facility*" includes a non-state government-owned nursing facility if the nursing facility participates in the non-state government-owned nursing facility quality of care rate add-on program.

Sec. 96. Section 249L.2, Code 2020, is amended by adding the following new subsections:

NEW SUBSECTION. 5A. "*Non-state governmental entity*" means a hospital authority, hospital district, health care district, city, or county.

NEW SUBSECTION. 5B. "*Non-state government-owned nursing facility*" means a nursing facility that is owned or operated by a non-state governmental entity and for which a non-state governmental entity holds the nursing facility's license and is party to the nursing facility's Medicaid contract.

Sec. 97. Section 252B.2, Code 2020, is amended to read as follows:

252B.2 Unit established — intervention.

There is created within the department of human services a child support recovery unit for the purpose of providing the services required in sections 252B.3 ~~to~~ through 252B.6. The

unit is not required to intervene in actions to provide such services.

Sec. 98. Section 252H.5, unnumbered paragraph 1, Code 2020, is amended by striking the unnumbered paragraph.

Sec. 99. Section 252H.12, subsection 3, Code 2020, is amended by striking the subsection.

Sec. 100. Section 256.7, subsection 32, paragraph b, subparagraph (1), unnumbered paragraph 1, Code 2020, is amended to read as follows:

Adopt rules which require that educational instruction and course content delivered primarily over the internet be aligned with the Iowa core content standards as applicable. Under such rules, a school district may develop and offer to students enrolled in the district educational instruction and course content for delivery primarily over the internet. A school district providing educational instruction and course content that are delivered primarily over the internet shall annually submit to the department, in the manner prescribed by the department, data that includes but is not limited to the following:

Sec. 101. Section 260I.3, subsection 1, Code 2020, is amended to read as follows:

1. The state board of education~~, in consultation with the economic development authority,~~ shall adopt rules pursuant to chapter 17A defining eligibility criteria for persons applying to receive tuition assistance under this chapter.

Sec. 102. Section 261.130, subsection 8, paragraph b, Code 2020, is amended to read as follows:

b. Adopt rules for approving career-technical or career option programs in industries identified by the department of workforce development ~~pursuant to section 84A.6, subsection 4~~; determining financial need; defining residence for the purposes of this section; processing and approving applications for grants; and determining priority for grants.

Sec. 103. Section 261A.24, Code 2020, is amended to read as

follows:

261A.24 Chapter as alternative method —— powers not subject to supervision or regulation.

Sections 261A.1 ~~to~~ through 261A.23 provide a complete, additional, and alternative method for the doing of the things authorized by the chapter and the limitations imposed by this chapter do not affect powers or rights conferred by other laws, and the issuance of obligations and refunding obligations under this chapter need not comply with the requirements of any other law applicable to the issuance of obligations. Except as otherwise expressly provided in this chapter, the powers granted to the authority under this chapter are not subject to the supervision or regulation and do not require the approval or consent of a city or political subdivision or department, division, commission, board, body, bureau, official, or agency of a political subdivision or of the state.

Sec. 104. Section 261E.8, subsection 2, paragraph b, subparagraph (3), Code 2020, is amended to read as follows:

(3) A community college that enters into a contract as provided in this paragraph shall submit to the department, during the fall and spring semesters, or the equivalent, a list of the accredited nonpublic school students enrolled for the semester, or the equivalent, who are participating in the program. The community college and the accredited nonpublic school shall verify to the department that the accredited nonpublic school and the coursework provided under this paragraph meet the requirements of this section and section 257.11, subsection 3, and shall provide to the department data and information elements as required under subsection ~~8~~ 9 by rule.

Sec. 105. Section 262.9, subsections 10 and 15, Code 2020, are amended to read as follows:

10. Direct the expenditure of all appropriations made to ~~said~~ institutions under the control of the board, and of any other moneys belonging ~~thereto~~ to those institutions, but in no

event shall the perpetual funds of the Iowa state university of science and technology, nor the permanent funds of the state university of Iowa derived under Acts of Congress, be diminished.

15. Lease properties and facilities, either as lessor or lessee, for the proper use and benefit of ~~said~~ institutions under the control of the board upon such terms, conditions, and considerations as the board deems advantageous, including leases with provisions for ultimate ownership by the state of Iowa, and to pay the rentals from funds appropriated to the institution for operating expenses thereof or from such other funds as may be available therefor.

Sec. 106. Section 262.23, Code 2020, is amended to read as follows:

262.23 Duties of treasurer.

The treasurer of each of ~~said~~ the institutions under the control of the board shall:

1. Receive all appropriations made by the general assembly for ~~said~~ the institution, and all other funds from all other sources, belonging to ~~said~~ the institution.

2. Pay out ~~said~~ funds on order of the board of regents, or of such committee or official as ~~it~~ the board of regents designates, on bills duly audited in accordance with the rules prescribed by ~~said~~ the board.

3. Retain all bills~~, so~~ paid by the treasurer, with receipts for their payment as vouchers.

4. Keep an accurate account of all revenue and expenditures of ~~said~~ the institution, so that the receipts and disbursements of each of ~~its~~ the institution's several departments shall be apparent at all times.

5. Annually, and at such other times as the board may require, report to ~~it said~~ the board all receipts and disbursements in detail.

Sec. 107. Section 262.24, Code 2020, is amended to read as follows:

262.24 Reports of executive officers.

The executive officer of each of ~~said~~ the institutions under the control of the board shall, on or before the first day of August of each even-numbered year, make a report to the board, setting forth ~~such~~ all of the following:

1. Such observations and recommendations as in the executive officer's judgment are for the benefit of the institution~~, and also the~~.

2. The executive officer's recommendations of a budget for the several colleges and departments of the institution, in detail~~, and estimates~~.

3. Estimates of the amount of funds required ~~therefor~~ for the ensuing biennium.

Sec. 108. Section 262.31, Code 2020, is amended to read as follows:

262.31 Payment.

The contract for ~~such~~ instruction under section 262.30 shall authorize the payment for ~~such service~~ services furnished to the school district, or for ~~such service~~ services furnished to the state, and the amount to be agreed upon by the state board of regents and the board of the school district thus cooperating.

Sec. 109. Section 262.32, Code 2020, is amended to read as follows:

262.32 Contract —— time limit.

~~Such contracts~~ A contract for instruction under section 262.30 shall be in writing and shall extend over a period of not to exceed two years~~, and a~~. A copy ~~thereof~~ of the contract shall be filed in the office of the administrator of the area education agency.

Sec. 110. Section 262.37, Code 2020, is amended to read as follows:

262.37 Title to property.

The title to all real estate ~~so~~ acquired under section 262.36 and the improvements erected ~~thereon~~ on that real estate shall

be taken and held in the name of the state.

Sec. 111. Section 262.38, unnumbered paragraph 1, Code 2020, is amended to read as follows:

In carrying out the ~~above~~ powers enumerated in this subchapter, ~~said~~ the board may:

Sec. 112. Section 262.39, unnumbered paragraph 1, Code 2020, is amended to read as follows:

~~No~~ An obligation created ~~hereunder~~ under this subchapter shall ~~ever~~ never be ~~or~~ nor become a charge against the state of Iowa but all such obligations, including principal and interest, shall be payable solely:

Sec. 113. Section 262.41, Code 2020, is amended to read as follows:

262.41 Exemption from taxation.

All obligations created ~~hereunder~~ under this subchapter shall be exempt from taxation.

Sec. 114. Section 262.42, Code 2020, is amended to read as follows:

262.42 Limitation on funds.

~~No state~~ State funds shall not be loaned or used for ~~this purpose~~ the purposes of this subchapter. This prohibition shall not apply to funds derived from the net earnings of dormitories ~~now or hereafter~~ owned by the state.

Sec. 115. Section 262.45, Code 2020, is amended to read as follows:

262.45 Purchase or condemnation of real estate.

The erection of the buildings, improvements, and facilities for the educational institutions of higher learning in this state is a public necessity and the board is vested with full power to purchase or condemn at ~~said~~ those institutions, or convenient ~~thereto~~ to those institutions, all real estate necessary to carry out the powers herein granted.

Sec. 116. Section 262.46, Code 2020, is amended to read as follows:

262.46 Title in name of state.

The title to all real estate ~~so~~ acquired under this subchapter and the improvements erected ~~thereon~~ on that real estate shall be taken and held in the name of the state.

Sec. 117. Section 262.48, unnumbered paragraph 1, Code 2020, is amended to read as follows:

In carrying out the ~~above~~ powers ~~said~~ enumerated in this subchapter, the board may:

Sec. 118. Section 262.48, subsection 2, Code 2020, is amended to read as follows:

2. Mortgage any real estate ~~so~~ acquired under this subchapter and the improvements erected ~~thereon~~ on that real estate in order to secure necessary loans.

Sec. 119. Section 262.49, unnumbered paragraph 1, Code 2020, is amended to read as follows:

~~No~~ An obligation created ~~hereunder~~ under this subchapter shall ~~ever~~ never be ~~or~~ nor become a charge against the state of Iowa but all such obligations, including principal and interest, shall be payable solely from any of the following:

Sec. 120. Section 262.51, Code 2020, is amended to read as follows:

262.51 Tax exemption.

All obligations created ~~hereunder~~ under this subchapter shall be exempt from taxation, together with the interest ~~thereon~~ on the obligations.

Sec. 121. Section 262.52, Code 2020, is amended to read as follows:

262.52 No state funds loaned.

~~No state~~ State funds shall not be loaned for ~~this purpose~~ the purposes of this subchapter. This prohibition shall not apply to funds derived from the net earnings of ~~such~~ buildings, structures, areas, and facilities ~~now or hereafter~~ owned by the state or to funds received from student fees or charges.

Sec. 122. Section 262.68, Code 2020, is amended to read as follows:

262.68 Speed limit on institutional grounds.

1. The maximum speed limit of all vehicles on institutional roads at institutions under the control of the state board of regents shall be forty-five miles per hour. All driving shall be confined to driveways designated by the state board.

2. Whenever the state board shall determine that the speed limit ~~hereinbefore~~ set forth in subsection 1 is greater than is reasonable or safe under the conditions found to exist at any place of congestion or upon any part of its institutional roads, ~~said~~ the board shall determine and declare a reasonable and safe speed limit, ~~thereat~~ which shall be effective when appropriate signs giving notice ~~thereof~~ of the speed limit are erected at such places of congestion or other parts of its institutional roads.

3. Any person violating the ~~aforementioned~~ speed limits established in subsections 1 and 2 shall be guilty of a simple misdemeanor.

Sec. 123. Section 272.15, subsection 3, Code 2020, is amended to read as follows:

3. Information required to be reported to the board under this section shall be reported within thirty days of ~~the~~ either of the following:

a. The date action was taken which necessitated the report, including the date of disciplinary action taken, nonrenewal or termination of a contract for reasons of alleged or actual misconduct, or resignation of a person following an incident or allegation of misconduct as required under subsection 1~~; or awareness~~.

b. The date the employee becomes aware of alleged misconduct as required under subsection 2.

Sec. 124. Section 273.2, subsection 3, Code 2020, is amended to read as follows:

3. The area education agency board shall furnish educational services and programs as provided in section 273.1, this section, sections 273.3 ~~to 273.9~~ through 273.8, and chapter 256B to the pupils enrolled in public or nonpublic

schools located within its boundaries which are on the list of accredited schools pursuant to section 256.11. The programs and services provided shall be at least commensurate with programs and services existing on July 1, 1974. The programs and services provided to pupils enrolled in nonpublic schools shall be comparable to programs and services provided to pupils enrolled in public schools within constitutional guidelines.

Sec. 125. Section 273.3, subsections 2 and 12, Code 2020, are amended to read as follows:

2. Be authorized to receive and expend money for providing programs and services as provided in sections 273.1, 273.2, this section, sections 273.4 ~~to 273.9~~ through 273.8, and chapters 256B and 257. All costs incurred in providing the programs and services, including administrative costs, shall be paid from funds received pursuant to sections 273.1, 273.2, this section, sections 273.4 ~~to 273.9~~ through 273.8, and chapters 256B and 257.

12. Prepare an annual budget estimating income and expenditures for programs and services as provided in sections 273.1, 273.2, this section, sections 273.4 ~~to 273.9~~ through 273.8, and chapter 256B within the limits of funds provided under section 256B.9 and chapter 257. The board shall give notice of a public hearing on the proposed budget by publication in an official county newspaper in each county in the territory of the area education agency in which the principal place of business of a school district that is a part of the area education agency is located. The notice shall specify the date, which shall be not later than March 1 of each year, the time, and the location of the public hearing. The proposed budget as approved by the board shall then be submitted to the state board of education, on forms provided by the department, no later than March 15 preceding the next fiscal year for approval. The state board shall review the proposed budget of each area education agency and shall before May 1, either grant approval or return the budget

without approval with comments of the state board included. An unapproved budget shall be resubmitted to the state board for final approval not later than May 15. The state board shall give final approval only to budgets submitted by area education agencies accredited by the state board or that have been given conditional accreditation by the state board.

Sec. 126. Section 277.3, Code 2020, is amended to read as follows:

277.3 Election laws applicable.

The provisions of chapters 39 ~~to~~ through 53 shall apply to the conduct of all school elections and the school elections shall be conducted by the county commissioner of elections, except as otherwise specifically provided in this chapter.

Sec. 127. Section 279.50A, subsection 1, unnumbered paragraph 1, Code 2020, is amended to read as follows:

If a school district's total enrollment exceeds six hundred pupils, the school district may enter into an agreement with a community college under which the community college may offer, or provide a community college-employed instructor to teach, one of the units in accordance with section 256.11, subsection 5, paragraph *"a"*, or one of the units in accordance with section 256.11, subsection 5, paragraph *"d"* or *"e"*, and if the unit of coursework under the agreement meets the requirements specified in section 257.11, subsection 3, paragraph *"b"*, subparagraphs (2) through (7), the unit offered shall be deemed to meet the education program requirement for a unit of mathematics or science, as applicable, under section 256.11, subsection 5, paragraph *"a"*, *"d"*, or *"e"*. The provisions of this subsection are applicable only if all of the following conditions are met:

Sec. 128. Section 282.3, subsection 3, Code 2020, is amended to read as follows:

3. ~~Nothing herein provided shall~~ This section does not prohibit a school board from requiring the attainment of a greater age than the age requirements ~~herein~~ set forth in this section.

Sec. 129. Section 303.21, Code 2020, is amended to read as follows:

303.21 Petition.

1. ~~Not less than ten percent of the~~ The eligible voters in an area of asserted historical significance may petition the department for a referendum for the establishment of a district.

2. The petition ~~shall~~ must be signed by not less than ten percent of the eligible voters of the area and shall contain both a description of the property suggested for inclusion in the district and the reasons justifying the creation of the district.

Sec. 130. Section 303.34, subsections 2 and 4, Code 2020, are amended to read as follows:

2. A city shall not designate an area as an area of historical significance unless it contains contiguous pieces of property under diverse ownership which meets the criteria specified in section 303.20, subsection 1, paragraphs *"a"* ~~to~~ through *"f"*.

4. An area shall be designated an area of historical significance upon enactment of an ordinance of the city. Before the ordinance or an amendment to ~~it~~ the ordinance is enacted, the governing body of the city shall submit the ordinance or amendment to the historical division for its review and recommendations.

Sec. 131. Section 306.13, Code 2020, is amended to read as follows:

306.13 Notice — requirements.

~~Said~~ The notice of the hearing under section 306.11 shall state the time and place of such hearing, the location of the particular road, or part thereof, or crossing, the vacation and closing of which is to be considered, and such other data as may be deemed pertinent.

Sec. 132. Section 306.24, Code 2020, is amended to read as follows:

306.24 Conditions.

Any sale of land as ~~herein~~ authorized in this chapter shall be upon the conditions that the tract, parcel, or piece of land so sold shall not be used in any manner so as to interfere with the use of the highway by the public, or to endanger public safety in the use of the highway, or to the material damage of the adjacent owner.

Sec. 133. Section 306A.6, Code 2020, is amended to read as follows:

306A.6 New and existing facilities —— grade-crossing eliminations.

1. Cities and highway authorities having jurisdiction and control over the highways of the state, as provided by chapter 306, may designate and establish an existing street or highway as included within a controlled-access facility. The state or any of its subdivisions shall have authority to provide for the elimination of intersections at grade of controlled-access facilities with existing state and county roads, and city or village streets, by grade separation or service road, or by closing off such roads and streets at the right-of-way boundary line of such controlled-access facility~~, the~~.

2. The provisions of sections 306.11 ~~to~~ through 306.17 shall apply and govern the procedure for the closing of ~~such~~ a road or street and the method of ascertaining damages sustained by any person as a consequence of ~~such~~ the closing, provided, however, that the highway authority desiring the closing of such road or street shall conduct the hearing and carry out the procedure therefor and pay any damages, including any allowed on appeal, as a consequence thereof, any law to the contrary notwithstanding~~, and after~~.

3. After the establishment of any controlled-access facility, no highway or street which is not part of said facility shall intersect the same at grade. ~~No~~ A city or village street, county or state highway, or other public way shall not be opened into or connected with any such

controlled-access facility without the consent and previous approval of the highway authority in the state, county, city or village having jurisdiction over ~~such~~ the controlled-access facility. Such consent and approval shall be given only if the public interest shall be served thereby.

Sec. 134. Section 307.48, Code 2020, is amended to read as follows:

307.48 Longevity pay.

1. An employee of the department who was hired by the state highway commission on or before June 30, 1971, is entitled to longevity pay. An employee eligible for longevity pay under this section whose employment is terminated on or after July 1, 1971, if reemployed by the department, forfeits any right the employee may have had to longevity pay.

2. An employee under the supervision of the department's administrator of highways who became an employee of the state department of transportation on July 1, 1974, retains all rights to longevity pay so long as the employee continues employment with the department.

Sec. 135. Section 309.24, Code 2020, is amended to read as follows:

309.24 Uniform and unified plan required.

~~Said~~ The secondary road construction program or project shall be planned on the basis of one general, uniform, and unified plan for the complete and permanent construction of the roads embraced ~~therein~~ in the program or project as to bridge, culvert, tile, and grading or other improvements.

Sec. 136. Section 309.27, Code 2020, is amended to read as follows:

309.27 Report of engineer.

In addition to ~~the foregoing~~ meeting the requirements of sections 309.22 through 309.26, the engineer, when so ordered by the board, shall make written report to the board and shall designate therein in their order of importance the roads which, in the engineer's judgment, are most urgently in need of

construction.

Sec. 137. Section 309.37, unnumbered paragraph 1, Code 2020, is amended to read as follows:

~~Said~~ The engineer's survey shall show:

Sec. 138. Section 309.47, unnumbered paragraph 1, Code 2020, is amended to read as follows:

~~Such certificates~~ Certificates issued under this subchapter shall be authorized by a duly adopted resolution which shall specify all of the following:

Sec. 139. Section 309.51, Code 2020, is amended to read as follows:

309.51 Taxation.

~~Said certificates~~ Certificates issued under this subchapter shall be exempt from taxation.

Sec. 140. Section 312.3, subsection 1, Code 2020, is amended to read as follows:

1. ~~For the fiscal year ending June 30, 2006, apportion among the counties the road use tax funds credited to the secondary road fund by using the allocation method contained in section 312.3, subsection 1, Code 2005. For subsequent fiscal years,~~ ~~apportion~~ Apportion among the counties the road use tax funds credited to the secondary road fund by using the distribution methodology adopted pursuant to section 312.3C.

Sec. 141. Section 313.4, subsection 3, Code 2020, is amended to read as follows:

3. There is appropriated from funds appropriated to the department which would otherwise revert to the primary road fund pursuant to the provisions of the Act appropriating the funds or chapter 8, an amount sufficient to pay the increase in salaries, which increase is not otherwise provided for by the general assembly in an appropriation bill, resulting from the annual review of the merit pay plan as provided in section 8A.413, subsection 3. The appropriation ~~herein~~ provided in this subsection shall be in effect from the effective date of the revised pay plan to the end of the fiscal biennium in which

it becomes effective.

Sec. 142. Section 313.20, Code 2020, is amended to read as follows:

313.20 Auditor — appointment — bond — duties.

The director of the department of administrative services shall appoint the auditor of the department who shall give bond in the sum of fifty thousand dollars for the faithful performance of the auditor's duties. The premium on ~~said~~ the bond shall be paid by the department from the primary road fund. ~~Said~~ The auditor shall check and audit all claims against the department before such claims are approved by the department, and shall keep all records and accounts relating to the expenditures of the department. The auditor shall, in the checking and auditing of claims against the department, and keeping the records and accounts of the department, be under the direction and supervision of the director of the department of administrative services, and act as an agent of ~~said~~ the director. The department shall furnish ~~said~~ the auditor with such help and assistants as may be necessary to properly perform the duties ~~herein~~ specified in this section. The ~~said~~ auditor may be removed by the director of the department of administrative services.

Sec. 143. Section 313.24, Code 2020, is amended to read as follows:

313.24 Separated cities.

The department shall designate the street or streets which shall constitute the primary road extensions in any city of the state, which city is separated from the remainder of the state by a river more than five hundred feet in width from bank to bank. The laws of this state relating to the construction, reconstruction, or maintenance of the extensions of primary roads in cities, and to the purchase or condemnation of right-of-way ~~therefor~~ for those primary roads, and to the expenditure of primary road funds thereon, shall apply to the roads or streets designated ~~hereunder~~ under this section, the

same as though said community were not so separated from the rest of the state.

Sec. 144. Section 313.29, Code 2020, is amended to read as follows:

313.29 Detours located in city.

When the temporary primary road detour or temporary primary road haul road, or any portion thereof, is located within the corporate limits of a city, then as to the portion so located, the provisions of section 313.28 as to consultation, designation, restoration, and payment by the department shall apply in like manner to the benefit of the city~~, and credits thereunder~~. Credits under section 313.28 shall be made to the general fund of the city. A city may designate the county engineer or city engineer to inspect such street so used jointly with the representative of the department.

Sec. 145. Section 321.1, subsection 26, Code 2020, is amended to read as follows:

26. *"Foreign vehicle"* means every vehicle of a type required to be registered ~~hereunder~~ under this chapter brought into this state from another state, territory, or country other than in the ordinary course of business by or through a manufacturer or dealer and not registered in this state.

Sec. 146. Section 321.187, subsection 2, paragraph c, Code 2020, is amended to read as follows:

c. Any third-party skills test examiner used by the third-party tester shall meet the requirements of 49 C.F.R. §383.75 and 49 C.F.R. §384.228, as adopted by rule by the department. The department shall adopt rules requiring that a third-party tester, other than a community college established under chapter 260C, ~~shall~~ either be an Iowa-based motor carrier, or its subsidiary, that has its principal office within this state and operates a permanent commercial driver training facility in this state, or be an Iowa nonprofit corporation that serves as a trade association for Iowa-based motor carriers. The rules may also provide that a third-party

tester conduct a number of skills test examinations above the number required under 49 C.F.R. §383.75 in order to remain qualified as a third-party tester under this section.

Sec. 147. Section 321.258, subsection 1, paragraphs b and c, Code 2020, are amended to read as follows:

b. Steady ~~and/~~or flashing left-turn red arrow.

c. Steady ~~and/~~or flashing right-turn red arrow.

Sec. 148. Section 321.258, subsection 2, paragraphs b and c, Code 2020, are amended to read as follows:

b. Steady ~~and/~~or flashing left-turn red arrow.

c. Steady ~~and/~~or flashing right-turn red arrow.

Sec. 149. Section 321.378, Code 2020, is amended to read as follows:

321.378 Applicability.

The provisions of sections 321.372 ~~to~~ through 321.377, this section, and sections 321.379 and 321.380, shall apply to all public and nonpublic schools where children are transported to and from school.

Sec. 150. Section 321.380, Code 2020, is amended to read as follows:

321.380 Enforcement.

It shall be the duty of all peace officers and of the state patrol to enforce the provisions of sections 321.372 ~~to~~ through 321.379.

Sec. 151. Section 321.431, subsections 2 and 3, Code 2020, are amended to read as follows:

2. Under the ~~above~~ conditions specified in subsection 1, the hand brake shall be adequate to hold ~~such~~ the vehicle or vehicles stationary on any grade upon which operated.

3. Under the ~~above~~ conditions specified in subsection 1, the service brakes upon a motor vehicle equipped with two-wheel brakes only, and when permitted ~~hereunder~~ under this section, shall be adequate to stop the vehicle within a distance of forty-five feet and the hand brake adequate to stop the vehicle within a distance of fifty-five feet.

Sec. 152. Section 321.463, subsection 4, paragraph b, subparagraph (4), subparagraph division (b), Code 2020, is amended to read as follows:

(b) *"Fence-line feeder, grain cart, or tank wagon"* means ~~all of the following:~~

~~(i) A fence-line feeder, grain cart, or tank wagon manufactured on or after July 1, 2001.~~

~~(ii) After July 1, 2005,~~ any fence-line feeder, grain cart, or tank wagon.

Sec. 153. Section 321.480, Code 2020, is amended to read as follows:

321.480 Limitation on expense.

For the purposes of sections 321.476 ~~to~~ through 321.479, this section, and section 321.481 and the enforcement of the provisions of the motor vehicle laws relating to the size, weight, and load of motor vehicles and trailers the department is hereby authorized to expend from the primary road fund only the amount appropriated for each biennium.

Sec. 154. Section 321.481, Code 2020, is amended to read as follows:

321.481 No impairment of other authority.

Nothing in sections 321.476 ~~to~~ through 321.480 shall be so construed as to limit or impair the authority or duties of other peace officers in the enforcement of the motor vehicle laws or any portion thereof.

Sec. 155. Section 321.488, Code 2020, is amended to read as follows:

321.488 Procedure not exclusive.

The provisions of this chapter shall govern all peace officers in making arrests without a warrant for violations of this chapter for offenses committed in their presence, but the procedure prescribed ~~herein~~ in this chapter shall not be exclusive of any other method prescribed by law for the arrest and prosecution of a person.

Sec. 156. Section 321.504, Code 2020, is amended to read as

follows:

321.504 Optional notification.

In lieu of mailing ~~said~~ the notification described in section 321.502 to the defendant in a foreign state, the plaintiff may cause ~~said~~ the notification to be personally served in the foreign state on the defendant by any adult person not a party to the suit, by delivering ~~said~~ the notification to the defendant or by offering to make such delivery in case defendant refuses to accept delivery.

Sec. 157. Section 321.511, Code 2020, is amended to read as follows:

321.511 Dismissal —— effect.

The dismissal of an action after the nonresident has entered a general appearance under the substituted service ~~herein~~ authorized in section 321.498, sections 321.500 through 321.502, and sections 321.504 through 321.510, shall bar the recommencement of the same action against the same defendant unless ~~said~~ the recommenced action is accompanied by actual personal service of the original notice of suit on ~~said~~ the defendant in this state.

Sec. 158. Section 321A.11, Code 2020, is amended to read as follows:

321A.11 Matters not to be evidence in civil suits.

Neither the report required by section 321A.4, the action taken by the department pursuant to sections 321A.4 ~~to~~ through 321A.10 and this section, the findings, if any, of the department upon which action is based, nor the security filed as provided in said sections shall be referred to in any way, or be any evidence of the negligence or due care of either party, at the trial of any action at law to recover damages.

Sec. 159. Section 321A.13, subsection 3, Code 2020, is amended to read as follows:

3. Any person whose license, registration, or nonresident's operating privilege has been suspended or is about to be suspended or shall become subject to suspension under the

provisions of section 321A.12, this section, and sections 321A.14 through 321A.29 may be relieved from the effect of ~~such~~ the judgment as ~~hereinbefore~~ prescribed in ~~said~~ those sections by filing with the department an affidavit stating that at the time of the accident upon which ~~such~~ the judgment has been rendered the affiant was insured, that the insurer is liable to pay ~~such~~ the judgment, and the reason, if known, why ~~such~~ the insurance company has not paid such judgment. Such a person shall also file the original policy of insurance or a certified copy thereof, if available, and such other documents as the department may require to show that the loss, injury, or damage for which ~~such~~ the judgment was rendered, was covered by ~~such~~ the policy of insurance. If the department is satisfied ~~from such papers~~ that ~~such~~ the insurer was authorized to issue ~~such~~ the policy of insurance at the time and place of issuing ~~such~~ the policy and that ~~such~~ the insurer is liable to pay ~~such~~ the judgment, at least to the extent and for the amounts required in this chapter, the department shall not suspend ~~such~~ the person's license or registration or nonresident's operating privilege~~,~~ or, if already suspended, shall reinstate them.

Sec. 160. Section 321A.14, Code 2020, is amended to read as follows:

321A.14 Suspension to continue until judgments paid and proof given.

A license, registration, and nonresident's operating privilege shall remain suspended under section 321A.13, and shall not be renewed, nor shall any such license or registration be subsequently issued in the name of the person, including any person not previously licensed, until every judgment is satisfied in full or to the extent ~~hereinafter~~ provided in this chapter, or until evidence is provided, to the satisfaction of the department, that the judgment has not been renewed and is no longer enforceable. A person whose license, registration, or nonresident's operating privilege was suspended under section 321A.13 must provide proof to

the department of financial responsibility subject to the exemptions stated in sections 321A.13 and 321A.16 prior to obtaining a license, registration, or nonresident's operating privilege.

Sec. 161. Section 321A.26, Code 2020, is amended to read as follows:

321A.26 Owner may give proof for others.

Whenever any person required to give proof of financial responsibility ~~hereunder~~ under this chapter is or later becomes an operator in the employ of any owner, or is or later becomes a member of the immediate family or household of the owner, the department shall accept proof given by such owner in lieu of proof by such other person to permit such other person to operate a motor vehicle for which the owner has given proof as ~~herein~~ provided in this subchapter or has qualified as a self-insurer under section 321A.34. The department shall designate the restrictions imposed by this section on the face of such person's license.

Sec. 162. Section 321A.31, Code 2020, is amended to read as follows:

321A.31 Surrender of license and registration.

Any person whose license or registration ~~shall have~~ has been suspended as ~~herein~~ provided in this chapter, or whose policy of insurance or bond, when required under this chapter, ~~shall have~~ has been canceled or terminated, or who ~~shall neglect~~ neglects to furnish other proof upon request of the department shall immediately return the person's license and registration to the department. If any person ~~shall fail~~ fails to return to the department the license or registration as provided ~~herein~~ in this section, the department shall forthwith direct any peace officer to secure possession ~~thereof~~ and to return the ~~same~~ license or registration to the department.

Sec. 163. Section 322.13, Code 2020, is amended to read as follows:

322.13 Rules.

1. The department shall have full authority to prescribe reasonable rules for the administration and enforcement of this chapter, which shall be in addition ~~hereto~~ to and not inconsistent ~~herewith~~ with this chapter. All rules shall be filed and entered by the department in its office in an indexed, permanent book or record, with the effective date ~~thereof~~ of the rules suitably indicated~~, and such~~. The book or record shall be a public document. The department may provide notice of a new rule or regulation by a posting on the department's internet site.

2. The department shall have power to prescribe the forms to be used in connection with the licensing of persons as ~~herein~~ provided in this chapter.

Sec. 164. Section 322.15, subsection 2, Code 2020, is amended to read as follows:

2. Nothing contained ~~herein~~ in this chapter shall be construed to require the licensing or to apply to any bank, credit union, or trust company in Iowa.

Sec. 165. Section 322.19, subsection 2, paragraph a, Code 2020, is amended to read as follows:

a. A motor vehicle service contract as defined in section ~~516E.1~~ 523C.1.

Sec. 166. Section 322.32, Code 2020, is amended to read as follows:

322.32 Construction of applicability to contracts.

Nothing in this chapter shall be construed to impair the obligations of a contract or to prevent a licensee ~~hereunder~~ under this chapter from requiring performance of a written contract entered into with another licensee ~~hereunder~~ under this chapter, nor shall the requirement of such performance constitute a violation of any of the provisions of this chapter.

Sec. 167. Section 322C.4, subsection 4, Code 2020, is amended to read as follows:

4. Before the issuance of a dealer's license, the applicant

shall furnish a surety bond executed by the applicant as principal and executed by a corporate surety company licensed and qualified to do business within this state, which bond shall run to the state of Iowa, be in the amount of seventy-five thousand dollars, ~~and~~ be conditioned upon the faithful compliance by the applicant as a dealer with all statutes of this state regulating or applicable to a dealer, and ~~shall~~ indemnify any person dealing or transacting business with the dealer from loss or damage caused by the failure of the dealer to comply with the provisions of chapter 321 and this chapter, including the furnishing of a proper and valid certificate of title to a towable recreational vehicle. The bond shall be filed with the department prior to the issuance of the license.

Sec. 168. Section 322C.14, subsection 3, paragraph c, subparagraph (2), Code 2020, is amended to read as follows:

(2) The dealer has abandoned or closed the dealer's business operations for ten consecutive business days. This subparagraph does not apply if the closing is due to a normal seasonal closing and the dealer notifies the manufacturer or distributor of the planned closing, or is due to an act of God, a strike, a labor difficulty, or any other cause over which the dealer has no control.

Sec. 169. Section 322C.15, subsection 2, paragraph b, Code 2020, is amended to read as follows:

b. The manufacturer's or distributor's business operations have been abandoned or caused the dealer's business operations to close for ten consecutive business days. This paragraph does not apply if the closing is due to a normal seasonal closing and the manufacturer or distributor notifies the dealer of the planned closing, or is due to an act of God, a strike, a labor difficulty, or any other cause over which the manufacturer or distributor has no control.

Sec. 170. Section 322C.21, subsection 2, paragraph f, Code 2020, is amended to read as follows:

f. Each party to the mediation shall pay ~~its~~ the party's own costs for attorney fees. The costs of the mediation services shall be ~~equally~~ allocated ~~among each party~~ equally amongst the parties.

Sec. 171. Section 322C.21, subsection 3, Code 2020, is amended to read as follows:

3. In addition to the remedies provided in this section, and notwithstanding the existence of any ~~additional~~ remedy at law, a manufacturer, distributor, warrantor, or dealer may petition the district court~~, upon a hearing and for cause shown,~~ for a temporary or permanent injunction, or both, restraining any person from acting as a dealer without being properly licensed, from violating or continuing to violate any of the provisions of this chapter, or from failing or refusing to comply with the requirements of this chapter. Such injunction shall be issued, upon a hearing and for cause shown, without bond. A single act in violation of this chapter shall be considered sufficient cause to authorize the issuance of an injunction pursuant to this subsection.

Sec. 172. Section 327F.27, subsection 1, unnumbered paragraph 1, Code 2020, is amended to read as follows:

Every railroad corporation shall ~~insure~~ ensure that vegetation on railroad property which is on or immediately adjacent to the roadbed be controlled so that it does not:

Sec. 173. Section 330.4, Code 2020, is amended to read as follows:

330.4 Joint exercise of powers.

Agreements between political subdivisions for joint exercise of any powers relating to airports may provide for the creation and establishment of a joint airport commission which, when so created or established, shall function in accordance with the provisions of sections 330.17 ~~to~~ through 330.24 insofar as provided by ~~said~~ the agreements.

Sec. 174. Section 330.24, Code 2020, is amended to read as follows:

330.24 No restrictions on former commissions.

Nothing in sections 330.17 ~~to~~ through 330.22 shall be interpreted as limiting or affecting airport commissions of cities in the above classification which have already been in existence and operation prior to January 1, 1941, under the provisions of this chapter.

Sec. 175. Section 331.322, subsection 3, Code 2020, is amended to read as follows:

3. Fill vacancies in county offices in accordance with sections 69.8 ~~to~~ through 69.12 and section 69.14A, and make appointments in accordance with section 69.16 unless a special election is called pursuant to section 69.14A.

Sec. 176. Section 331.383, Code 2020, is amended to read as follows:

331.383 Duties and powers relating to elections.

The board shall ensure that the county commissioner of elections conducts primary, general, city, school, and special elections in accordance with applicable state law. The board shall canvass elections in accordance with sections 43.49 ~~to~~ through 43.51, 43.60 ~~to~~ through 43.62, 46.24, 50.13, 50.24 ~~to~~ through 50.29, 50.44 ~~to~~ through 50.47, 260C.39, 275.25, 277.20, 376.1, 376.7, and 376.9. The board shall prepare and deliver a list of persons nominated in accordance with section 43.55, provide for a recount in accordance with section 50.48, provide for election precincts in accordance with sections 49.3, 49.4, 49.6 ~~to~~ through 49.8, and 49.11, pay election costs as provided in section 47.3, participate in election contests as provided in sections 62.1A and 62.9, and perform other election duties required by state law. The board ~~may~~ shall provide for the use of an optical scan voting system as provided in sections 52.2~~,~~ and 52.3~~, and 52.8~~, and exercise other election powers as provided by state law.

Sec. 177. Section 331.390, subsection 2, Code 2020, is amended to read as follows:

2. The governing board shall comply with all of the

following requirements:

a. The voting membership of the governing board shall consist of at least one board of supervisors member from each county comprising the region or ~~their designees~~ a person designated by the board of each county.

b. The membership of the governing board shall also include one adult person who utilizes mental health and disability services or is an actively involved relative of such an adult person. This member shall be designated by the regional advisory committee formed by the governing board pursuant to paragraph ~~"h"~~ "e".

c. The membership of the governing board shall not include employees of the department of human services or an ~~unelected~~ nonelected employee of a county.

d. The membership of the governing board shall also consist of ~~one~~ all of the following:

(1) One member representing adult service providers in the region. This member shall be designated by the regional advisory committee formed by the governing board pursuant to paragraph ~~"h"~~ "e". The member designated in accordance with this ~~paragraph~~ subparagraph shall serve in a nonvoting, ex officio capacity.

~~*e.*~~ (2) ~~The membership of the governing board shall also consist of one~~ One member representing children's behavioral health services providers in the region. This member shall be designated by the regional children's advisory committee formed by the governing board pursuant to paragraph ~~"i"~~ "f". The member designated in accordance with this ~~paragraph~~ subparagraph shall serve in a nonvoting, ex officio capacity.

~~*f.*~~ (3) ~~The membership of the governing board shall also consist of one~~ One member representing the education system in the region. This member shall be designated by the regional children's advisory committee formed by the governing board pursuant to paragraph ~~"i"~~ "f".

~~*g.*~~ (4) ~~The membership of the governing board shall also~~

~~consist of one~~ One member who is a parent of a child who utilizes children's behavioral health services or who is an actively involved ~~relatives~~ relative of such ~~children~~ a child. This member shall be designated by the regional children's advisory committee formed by the governing board pursuant to paragraph ~~"i"~~ "f".

~~h.~~ e. The governing board shall have a regional advisory committee consisting of adults who utilize services or actively involved relatives of such adults, service providers, and regional governing board members.

~~i.~~ f. The governing board shall have a regional children's advisory committee consisting of parents of children who utilize services or actively involved relatives of such children, a member of the education system, an early childhood advocate, a child welfare advocate, a children's behavioral health service provider, a member of the juvenile court, a pediatrician, a child care provider, a local law enforcement representative, and regional governing board members.

Sec. 178. Section 331.397A, subsection 5, unnumbered paragraph 1, Code 2020, is amended to read as follows:

A region shall ensure that services within the following additional core service domains are available to children not eligible for the medical assistance program under chapter 249A or not receiving other third-party payment for the services, when public funds are made available for such services:

Sec. 179. Section 331.606, subsection 3, Code 2020, is amended to read as follows:

3. The county recorder may give the county sheriff the records filed under this chapter ~~or chapter 695, Code 1977,~~ pertaining to the sale and registration of weapons or may dispose of those records if the sheriff does not wish to receive the records.

Sec. 180. Section 335.4, Code 2020, is amended to read as follows:

335.4 Areas and districts.

~~For any and all of said purposes the~~ The board of supervisors may divide the county, or any area or areas within the county, into districts of such number, shape, and area as may be deemed best suited to carry out the purposes of this chapter; and within such districts it may regulate and restrict the erection, construction, reconstruction, alteration, repair, or use of buildings, structures or land. All such regulations and restrictions shall be uniform for each class or kind of buildings throughout each district, but the regulations in one district may differ from those in other districts.

Sec. 181. Section 335.10, Code 2020, is amended to read as follows:

335.10 Board of adjustment —— review and remand.

1. The board of supervisors shall provide for the appointment of a board of adjustment, and in the regulations and restrictions adopted pursuant to the authority of this chapter shall provide that the said board of adjustment may, in appropriate cases, and subject to appropriate conditions and safeguards, make special exceptions to the terms of the ordinances or regulations in harmony with its general purpose and intent and in accordance with the general or specific rules ~~therein~~ contained in the ordinances or regulations, and provide that any property owner aggrieved by the action of the board of supervisors in the adoption of such regulations and restrictions may petition the said board of adjustment direct to modify regulations and restrictions as applied to such property owners.

2. The board of supervisors may provide for its review of variances granted by the board of adjustment before their effective date. The board of supervisors may remand a decision to grant a variance to the board of adjustment for further study. If remanded, the effective date of the variance is delayed for thirty days from the date of the remand.

Sec. 182. Section 335.21, Code 2020, is amended to read as follows:

335.21 Trial to court.

1. If upon the hearing which shall be tried de novo it shall appear to the court that testimony is necessary for the proper disposition of the matter, ~~it~~ the court may take evidence or appoint a referee to take such evidence as ~~it~~ the court may direct and report the ~~same~~ evidence to the court with the referee's findings of fact and conclusions of law~~, which~~. The evidence and the referee's findings and conclusions shall constitute a part of the proceedings upon which the determination of the court shall be made. The court may reverse or affirm, wholly or partly, or may modify the decision brought up for review.

2. Costs shall not be allowed against the board unless it shall appear to the court that ~~it~~ the board acted with gross negligence or in bad faith or with malice in making the decision appealed from.

Sec. 183. Section 347.9, subsections 1 and 3, Code 2020, are amended to read as follows:

1. When it has been determined by the voters of a county to establish a county public hospital, the board shall appoint five or seven trustees chosen from among the resident citizens of the county with reference to their fitness for office. The appointed trustees shall hold office until the following general election, at which time their successors shall be elected, three for a term of four years and the remainder for a term of two years, and they shall determine by lot their respective terms, and thereafter their successors shall be elected for regular terms of four years each~~, except as provided in subsection 3~~.

3. ~~Trustees~~ Notwithstanding subsections 1 and 2, trustees in a county with a population of at least four hundred thousand shall serve for a term of six years. A trustee elected to a term of four years in or after January 2018 shall instead serve a term of six years.

Sec. 184. Section 347.25, subsection 1, Code 2020, is

amended to read as follows:

1. The election of hospital trustees whose offices are established by this chapter or chapter 145A or 347A shall take place at the general election on ballots which shall not reflect a nominee's political affiliation. Nomination shall be made by petition in accordance with chapter 45. The petition form shall be furnished by the county commissioner of elections, shall be signed by fifty eligible electors of the county, and shall be filed with the county commissioner of elections. A plurality is sufficient to elect hospital trustees.

Sec. 185. Section 349.6, subsection 1, Code 2020, is amended to read as follows:

1. The county auditor shall, on the direction of the board while it is in session, open ~~said~~ the envelopes which have been deposited as provided under section 349.5. The board may receive other evidence of circulation. In counties in which two newspapers are to be selected, the two newspapers showing the largest number of bona fide yearly subscribers living within the county shall be selected as such official newspapers. In counties in which three newspapers are to be selected, the three showing the largest number of such subscribers shall be selected except when such three newspapers are all published in the same city, in which case the two newspapers in such city having the largest lists of such subscribers and the newspaper having the next largest list of such subscribers and published outside such city, shall be selected as such official newspapers.

Sec. 186. Section 349.8, Code 2020, is amended to read as follows:

349.8 Tie lists.

When newspapers are, by equality of circulation, equally entitled to ~~such~~ selection as an official newspaper, the board shall, in the presence of the contestants, determine the question by lot.

Sec. 187. Section 357.3, Code 2020, is amended to read as follows:

357.3 Scope of assessment.

The special assessment ~~hereinafter~~ provided for in this chapter may be used to cover the costs of installing all the necessary elements of a water system, for both production and distribution.

Sec. 188. Section 357.26, Code 2020, is amended to read as follows:

357.26 Duties of trustees.

It is anticipated that this ~~law~~ chapter will usually be utilized to finance a distribution system where the source of supply is without the district, and not under its control, and that individuals within the district will pay water rent to a municipality or corporation without the district. It is intended that the trustees may so operate the utility as will best serve the users, and they are expressly authorized to buy and sell water, to fix the rates to consumers and make all contracts reasonable or necessary to accomplish the purpose of this chapter and to carry on all the operations incident to maintaining and operating said utility and to the procuring and furnishing of water to the consumers therein. If the development of a source of supply is within the means of the district, the trustees may install wells, tanks, meters and any other equipment properly pertaining to operate it.

Sec. 189. Section 357.27, Code 2020, is amended to read as follows:

357.27 Public property in district.

Whenever property of the state of Iowa, or any political subdivision thereof, shall be included either wholly or in part within ~~such~~ the water district and ~~shall own~~ the state of Iowa or the political subdivision owns facilities which may be used as a part of such water system, the executive council, board of supervisors, or city council, as the case may be, may permit ~~such~~ the use of ~~said~~ the facilities for such consideration and

on such terms as may be agreed upon with the board of trustees.

Sec. 190. Section 357A.20, subsection 2, paragraph e, Code 2020, is amended to read as follows:

e. The district shall bring its operation and structure in compliance with sections 357A.7 ~~to~~ through 357A.10 at the first annual meeting of the participating members and board of directors.

Sec. 191. Section 358.2, subsection 2, Code 2020, is amended to read as follows:

2. ~~No territory~~ Territory shall not be included within more than one sanitary district organized under this chapter, and if any proposed sanitary district ~~shall fail~~ fails to receive a majority of votes cast at any election ~~thereon~~ at which the establishment of the district is proposed as ~~hereinafter~~ provided in this chapter, ~~no~~ a petition shall not be filed for establishment of such a sanitary district within one year from the date of such previous election.

Sec. 192. Section 358.23, Code 2020, is amended to read as follows:

358.23 Appeal to district court.

Any person aggrieved by any proceeding had by the board of supervisors or by the board of trustees as ~~herein~~ provided in this chapter in relation to any matter involving the person's rights not included under the provisions of section 358.22 may appeal to the district court of the county in which the proceedings were had. Such appeals shall be governed in all respects as is provided by pertinent sections under chapter 468, subchapter I, parts 1 ~~to~~ through 5.

Sec. 193. Section 358.25, Code 2020, is amended to read as follows:

358.25 Revenue bonds.

Sanitary districts incorporated under this chapter may exercise the powers granted to counties in sections 331.462 ~~to~~ through 331.470, to issue revenue bonds for the purposes in section 331.461, subsection 2, paragraphs *"b"* and *"c"*.

Sec. 194. Section 358.30, Code 2020, is amended to read as follows:

358.30 Annexation of land by a city — compensation.

A sanitary district shall be fairly compensated for losses resulting from annexation by a city. The governing body of a city or city utility and the board of trustees of the sanitary district may agree to terms which provide that the facilities owned by the sanitary district and located within the city shall be retained by the sanitary district for the purpose of sanitary service to customers outside the city. If an agreement is not reached within ninety days, the issues may be submitted to arbitration. If submitted, an arbitrator shall be selected by a committee which includes one member of the governing body of the city or its designee, one member of the sanitary district's board of trustees or its designee, and a disinterested party selected by the other two members of the committee. A list of qualified arbitrators may be obtained from the American arbitration association or another recognized arbitration organization or association.

Sec. 195. Section 359.6, Code 2020, is amended to read as follows:

359.6 Petition — remonstrance.

Such petition shall be accompanied by the affidavit of three eligible electors, to the effect that all the signatures to such petition are genuine, and that the signers thereof are all eligible electors of said township, residing outside said corporate limits. Remonstrances signed by such eligible electors may also be presented at the hearing before the board of supervisors ~~hereinafter~~ provided for in this subchapter, and if the same persons petition and remonstrate, they shall be counted on the remonstrance only.

Sec. 196. Section 359.15, Code 2020, is amended to read as follows:

359.15 Hearing — order.

If, at the time fixed for the hearing of ~~said~~ a petition

filed under section 359.14, the board ~~be~~ is satisfied that there is a majority in favor of ~~such~~ the change of name, ~~it~~ the board shall make an order granting the ~~same~~ name change, which shall be attested by the auditor, and recorded in the office of the recorder of the county.

Sec. 197. Section 359.30, Code 2020, is amended to read as follows:

359.30 Cemetery and park tax.

~~They~~ Township trustees shall, at the regular meeting in November, levy a tax sufficient to pay for any lands so condemned or purchased, or for the necessary improvement and maintenance of cemeteries thus established, and for the necessary improvement and the maintenance of public parks acquired by gift, devise, or bequest under section 359.29, or for the maintenance and improvement of cemeteries so established in adjoining townships, ~~in case they~~ if the trustees deem such action advisable.

Sec. 198. Section 359.31, Code 2020, is amended to read as follows:

359.31 Power and control.

~~They~~ Township trustees shall control any such cemeteries, or appoint trustees for the same, or sell the same to any private corporation for cemetery purposes.

Sec. 199. Section 359.32, Code 2020, is amended to read as follows:

359.32 Sale of lots —— gifts.

~~They~~ Township trustees shall have authority to provide for the sale of lots or portions thereof, in any cemetery under their control, and make rules in regard thereto~~, and~~. Township trustees may provide for perpetual upkeep by the establishment of a perpetual upkeep fund from the proceeds of sale of lots, and may accept gifts, devise or bequest, made to them for that purpose.

Sec. 200. Section 359.33, Code 2020, is amended to read as follows:

359.33 Tax for nonowned cemetery.

~~They~~ Township trustees may levy a tax not to exceed six and three-fourths cents per thousand dollars of assessed value of taxable property to improve and maintain any cemetery not owned by the township, provided the ~~same~~ cemetery is devoted to general public use.

Sec. 201. Section 359.37, Code 2020, is amended to read as follows:

359.37 Regulations.

1. The trustees, board of directors, or other officers having the custody and control of any cemetery in this state, shall have power, subject to the bylaws and regulations of such cemetery, to do all of the following:

a. To enclose, improve, and adorn the ground of such cemetery~~; to~~.

b. To construct avenues in the ~~same; to~~ cemetery.

c. To erect proper buildings for the use of ~~said~~ the cemetery~~; to~~.

d. To prescribe rules for the improving or adorning the lots ~~therein,~~ in the cemetery or for the erection of monuments or other memorials of the dead upon ~~such~~ the lots~~; and to~~.

e. To prohibit any use, division, improvement, or adornment of a lot which ~~they~~ the trustees, directors, or officers may deem improper.

2. The trustees, after such land has been advertised for sealed bids by the trustees, shall have authority to sell and dispose of any lands or parcels of lands ~~heretofore~~ previously dedicated for cemetery purposes and which are no longer necessary for such purposes, for the reason that no burials are being made in ~~such~~ the cemetery~~, provided that~~. However, any portion of ~~said~~ the cemetery in which burials have been made shall be kept and maintained by ~~said~~ the trustees. The proceeds from such sales shall be deposited in the tax fund established in accordance with section 359.30, to be used for the purposes of that fund.

Sec. 202. Section 376.1, Code 2020, is amended to read as follows:

376.1 City election held.

1. A city shall hold a regular city election on the first Tuesday after the first Monday in November of each odd-numbered year. A city shall hold regular, special, primary, or runoff city elections as provided by state law.

2. The mayor or council shall give notice of any special election to the county commissioner of elections. The county commissioner of elections shall publish notice of any city election and conduct the election pursuant to the provisions of chapters 39 ~~to~~ through 53, except as otherwise specifically provided in chapters 362 ~~to~~ through 392. The results of any election shall be canvassed by the county board of supervisors and certified by the county commissioner of elections to the mayor and the council of the city for which the election is held.

Sec. 203. Section 376.3, Code 2020, is amended to read as follows:

376.3 Nominations.

Candidates for elective city offices must be nominated as provided in sections 376.4 ~~to~~ through 376.9 unless by ordinance a city chooses the provisions of chapters 44 or 45. However, a city acting under a special charter in 1973 and having a population of over fifty thousand shall continue to hold partisan elections as provided in sections 43.112 ~~to~~ through 43.118 and 420.126 ~~to~~ through 420.137 unless the city by election as provided in section 43.112 chooses to conduct city elections under this chapter or chapter 44 or 45. The choice of one of these options by such a special charter city does not otherwise affect the validity of the city's charter. However, special charter cities which choose to exercise the option to conduct nonpartisan city elections may choose in the same manner the original decision was made, to resume holding city elections on a partisan basis.

Sec. 204. Section 386.7, subsection 3, Code 2020, is amended to read as follows:

3. If the council orders the construction of the self-liquidating improvement, contracts for ~~it~~ the improvement shall be let in accordance with chapter 26.

Sec. 205. Section 388.3, subsection 3, Code 2020, is amended to read as follows:

3. A public officer or a salaried employee of the city ~~may~~ shall not serve on a utility board.

Sec. 206. Section 388.9, subsection 1, Code 2020, is amended to read as follows:

1. Notwithstanding section 21.5, subsection 1, the governing body of a city utility or combined utility system, or a city enterprise or combined city enterprise as defined in section 384.80, by a vote of two-thirds of the members of the body or all of the members present at the meeting, may hold a closed session to discuss marketing and pricing strategies or proprietary information if its competitive position would be harmed by public disclosure not required of potential or actual competitors, and if no public purpose would be served by such disclosure. The minutes and ~~a tape~~ an audio or audiovisual recording of a session closed under this subsection shall be available for public examination at that point in time when the public disclosure would no longer harm the utility's competitive position.

Sec. 207. Section 390.3, Code 2020, is amended to read as follows:

390.3 Hearing — exception to general statutes.

1. Before a city may enter into or amend a joint agreement, the governing body shall adopt a proposed form of agreement and give notice and conduct a public hearing on the agreement in the manner provided by sections 73A.1 ~~to~~ through 73A.11, which action shall be subject to appeal as provided in chapter 73A.

2. However, in the performance of a joint agreement, the governing body is not subject to statutes generally

applicable to public contracts, including hearings on plans, specifications, form of contracts, costs, notice and competitive bidding required under chapter 26 and section 384.103, unless all parties to the joint agreement are cities located within the state of Iowa.

Sec. 208. Section 400.14, Code 2020, is amended to read as follows:

400.14 Civil service status of chiefs.

A police officer under civil service may be appointed chief of police and a fire fighter under civil service may be appointed chief of the fire department without losing civil service status, and shall retain, while holding the office of chief, the same civil service rights that the officer or fire fighter may have had immediately previous to appointment as chief, but nothing ~~herein~~ in this section shall be deemed to extend to such individual any civil service right upon which the individual may retain the position of chief.

Sec. 209. Section 403.2, subsection 1, Code 2020, is amended to read as follows:

1. It is hereby found and declared that there exist in municipalities of the state slum and blighted areas, as ~~herein~~ defined in this chapter, which constitute a serious and growing menace, injurious to the public health, safety, morals, and welfare of the residents of the state; that the existence of such areas contributes substantially and increasingly to the spread of disease and crime, constitutes an economic and social liability imposing onerous municipal burdens which decrease the tax base and reduce tax revenues, substantially impairs or arrests the sound growth of municipalities, retards the provision of housing accommodations, aggravates traffic problems and substantially impairs or arrests the elimination of traffic hazards and the improvement of traffic facilities; and that the prevention and elimination of slums and blighted areas is a matter of state policy and state concern in order that the state and its municipalities shall not continue to be

endangered by areas which are focal centers of disease, promote juvenile delinquency and consume an excessive proportion of state revenues because of the extra services required for police, fire, accident, hospitalization, and other forms of public protection, services, and facilities.

Sec. 210. Section 403.4, unnumbered paragraph 1, Code 2020, is amended to read as follows:

~~No~~ A municipality shall not exercise the authority ~~herein~~ conferred upon municipalities by this chapter until after its local governing body ~~shall have~~ has adopted a resolution finding that:

Sec. 211. Section 403.9, subsections 1 and 6, Code 2020, are amended to read as follows:

1. A municipality shall have power to periodically issue bonds in its discretion to pay the costs of carrying out the purposes and provisions of this chapter, including but not limited to the payment of principal and interest upon any advances for surveys and planning, and the payment of interest on bonds, ~~herein~~ authorized under this chapter, not to exceed three years from the date the bonds are issued. The municipality shall have power to issue refunding bonds for the payment or retirement of such bonds previously issued by the municipality. Said bonds shall be payable solely from the income and proceeds of the fund and portion of taxes referred to in section 403.19, subsection 2, and revenues and other funds of the municipality derived from or held in connection with the undertaking and carrying out of urban renewal projects under this chapter. The municipality may pledge to the payment of the bonds the fund and portion of taxes referred to in section 403.19, subsection 2, and may further secure the bonds by a pledge of any loan, grant, or contribution from the federal government or other source in aid of any urban renewal projects of the municipality under this chapter, or by a mortgage of any such urban renewal projects, or any part thereof, title which is vested in the municipality.

6. In any suit, action, or proceeding involving the validity or enforceability of any bond issued under this chapter or the security therefor, any such bond reciting in substance that it has been issued by the municipality in connection with an urban renewal project, as ~~herein~~ defined in this chapter, shall be conclusively deemed to have been issued for such purpose and such project shall be conclusively deemed to have been planned, located, and carried out in accordance with the provisions of this chapter.

Sec. 212. Section 403.14, subsection 1, Code 2020, is amended to read as follows:

1. A municipality may itself exercise its urban renewal project powers, as ~~herein~~ defined in this section, or may, if the local governing body by resolution determines such action to be in the public interest, elect to have such powers exercised by the urban renewal agency, if one exists or is subsequently established in the community. In the event the local governing body makes such determination, the urban renewal agency shall be vested with all of the urban renewal project powers in the same manner as though all such powers were conferred on such agency instead of the municipality. If the local governing body does not elect to make such determination, the municipality in its discretion may exercise its urban renewal project powers through a board or commissioner, or through such officers of the municipality as the local governing body may by resolution determine.

Sec. 213. Section 403.16, unnumbered paragraph 1, Code 2020, is amended to read as follows:

No public official or employee of a municipality, or board or commission thereof, and no commissioner or employee of an urban renewal agency, which has been vested by a municipality with urban renewal project powers under section 403.14, shall voluntarily acquire any personal interest, as ~~hereinafter defined~~ described in this section, whether direct or indirect, in any urban renewal project, or in any property included

or planned to be included in any urban renewal project of such municipality, or in any contract or proposed contract in connection with such urban renewal project. Where such acquisition is not voluntary, the interest acquired shall be immediately disclosed in writing to the local governing body, and such disclosure shall be entered upon the minutes of the governing body. If any such official, commissioner, or employee presently owns or controls, or has owned or controlled within the preceding two years, any interest, as ~~hereinafter defined~~ described in this section, whether direct or indirect, in any property which the official, commissioner, or employee knows is included or planned to be included in an urban renewal project, the official, commissioner, or employee shall immediately disclose this fact in writing to the local governing body, and such disclosure shall be entered upon the minutes of the governing body; and any such official, commissioner, or employee shall not participate in any action by the municipality, or board or commission thereof, or urban renewal agency affecting such property, ~~as the terms of such proscription are hereinafter defined~~ which is proscribed in this section. For the purposes of this section the following definitions and standards of construction shall apply:

Sec. 214. Section 414.13, Code 2020, is amended to read as follows:

414.13 Decision on appeal.

In exercising the ~~above-mentioned~~ powers ~~such~~ enumerated in section 414.12, the board of adjustment may, in conformity with the provisions of this chapter, reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination appealed from and may make such order, requirement, decision, or determination as ought to be made, and to that end shall have all the powers of the officer from whom the appeal is taken.

Sec. 215. Section 420.43, subsection 2, Code 2020, is amended to read as follows:

2. This section shall not be construed as depriving boards of supervisors, county auditors, and county treasurers of their powers to spread tax levies and collect taxes certified by cities acting under special charter as provided in section 420.206 and other state law. Nothing contained ~~herein~~ in this section shall be deemed to affect the procedure for the assessment of property by the city or county assessor.

Sec. 216. Section 420.224, Code 2020, is amended to read as follows:

420.224 Limitation on resale by city.

Property which may be sold at tax sale to any such city shall not be offered at any sale for taxes or special assessments, collectible by such city, while it holds the certificate of purchase thereof or tax deed thereon ~~except that if any special assessment or installment thereof levied by any such city prior to April 22, 1941, shall be or become delinquent after purchase of such property at tax sale by the city, then the property against which the same was levied may be sold therefor only at the first regular tax sale of such city occurring within such a period of time after delinquency that sale for such assessment or installment might lawfully be made at such first regular tax sale~~. Nothing in sections 420.220 ~~to~~ through 420.223, this section, or sections 420.225 through 420.229 shall prevent the sale of property for any unpaid taxes collectible by the county.

Sec. 217. Section 420.226, Code 2020, is amended to read as follows:

420.226 City clerk makes purchases.

The city clerk shall act on behalf of the city under general or specific resolutions of its city council in making the purchases at tax sale ~~hereby~~ authorized under this subchapter.

Sec. 218. Section 420.228, Code 2020, is amended to read as follows:

420.228 City may compromise tax —— effect.

For the purpose of collecting and realizing on account

of delinquent taxes and special assessments collectible by ~~it~~ a city as fully and expeditiously as deemed possible in the judgment of its city council, any such city is hereby authorized to settle, compromise, and adjust any general tax, then having been delinquent for a period of two years or more and any special assessment then having been delinquent in whole or as to any installment thereof for a period of two years or more~~, and, in~~. In connection with any such settlement, compromise, or adjustment, the city is also authorized to accept a conveyance of real property and extend the time for payment of any installment of any special assessment. If any special assessment ~~shall be~~ is reduced in amount in connection with any such settlement, compromise, or adjustment, the full amount of the reduction shall thereby become an obligation of ~~such~~ the city to the special assessment fund into which such assessment was payable. The lien or charge created by law for the payment of any special assessment certificates or bonds against any special assessment so reduced in amount or against the proceeds thereof shall remain in effect against the balance of such special assessment and the proceeds of such balance. All such settlements, compromises, and adjustments heretofore effected are hereby ratified and validated.

Sec. 219. Section 420.235, Code 2020, is amended to read as follows:

420.235 Tax receipt.

1. The collector or treasurer shall in all cases make out and deliver to the taxpayer a receipt, which receipt shall contain the description and the assessed value of each lot and parcel of real estate, and the assessed value of personal property, and in case the property has been sold for taxes and not redeemed, the date of such sale and to whom sold, also the amount of taxes, interest, and costs paid~~; and the~~.

2. The collector or treasurer shall give separate receipts for each year~~; whereupon the collector or treasurer~~ and shall make proper entries of such payments on the books of the

collector's or treasurer's office.

Sec. 220. Section 420.238, Code 2020, is amended to read as follows:

420.238 Redemption —— terms.

Real property sold under the provisions of this chapter, or by virtue of any other power ~~heretofore~~ given, may be redeemed before the time of redemption expires, as ~~hereinafter~~ provided in this chapter, by payment to the treasurer, collector, or person authorized to receive the ~~same, to~~ payment. The payment shall be held by the treasurer, collector, or other authorized person subject to the order of the purchaser on surrender of the certificate, or ~~in case~~ if the ~~same~~ certificate is lost ~~and~~ or destroyed, on the purchaser's making affidavit of such fact, and of the further fact that ~~it~~ the certificate was not assigned, of the amount for which the ~~same~~ real property was sold, and ten percent of such amount immediately added as a penalty, with eight percent per annum on the whole amount thus made from the day of sale, and the amount of all taxes, either general or special, with interest and costs, paid at any time by the purchaser or the purchaser's assignee subsequent to the sale, and a similar penalty of ten percent added as before on the amount of the payment made at any subsequent time, with eight percent interest per annum on the whole of such amount or amounts from the day or days of payment; provided that such penalty for the nonpayment of the taxes at any subsequent time or times shall not attach, unless such subsequent tax or taxes shall have remained unpaid for thirty days after they became delinquent.

Sec. 221. Section 422.19, Code 2020, is amended to read as follows:

422.19 Scope of nonresidents tax.

The tax ~~herein~~ imposed under this subchapter upon certain income of nonresidents shall apply to all such income actually received by such nonresident regardless of when such income was earned. If the nonresident is reporting on the accrual basis

it shall apply to all such income which first became available to the nonresident so that the nonresident might demand payment thereof regardless of when such income was earned. The duty to withhold ~~herein~~ imposed under this subchapter upon withholding agents shall apply only to amounts paid after June 30, 1937.

Sec. 222. Section 422.20, subsections 1 and 2, Code 2020, are amended to read as follows:

1. *a.* It shall be unlawful for any present or former officer or employee of the state to divulge or to make known in any manner whatever not provided by law to any person the amount or source of income, profits, losses, expenditures, or any particular thereof, set forth or disclosed in any income return, or to permit any income return or copy thereof or any book containing any abstract or particulars thereof to be seen or examined by any person except as provided by law~~; and it~~.

b. It shall be unlawful for any person to print or publish in any manner whatever not provided by law any income return, or any part thereof or source of income, profits, losses, or expenditures appearing in any income return~~; and any~~.

c. Any person committing an offense ~~against the foregoing provision~~ described in this subsection shall be guilty of a serious misdemeanor. If the offender is an officer or employee of the state, such person shall also be dismissed from office or discharged from employment.

d. Nothing ~~herein~~ in this section shall prohibit turning over to duly authorized officers of the United States or tax officials of other states state information and income returns pursuant to agreement between the director and the secretary of the treasury of the United States or the secretary's delegate or pursuant to a reciprocal agreement with another state.

2. It is unlawful for an officer, employee, or agent, or former officer, employee, or agent of the state to disclose to any person, except as authorized in subsection 1 of this section, any federal tax return or return information as defined in section 6103(b) of the Internal Revenue Code. It

is unlawful for a person to whom any federal tax return or return information, as defined in section 6103(b) of the Internal Revenue Code, is disclosed in a manner unauthorized by subsection 1 of this section to thereafter print or publish in any manner not provided by law any such return or return information. A person violating this ~~provision~~ subsection is guilty of a serious misdemeanor.

Sec. 223. Section 422.21, subsection 3, Code 2020, is amended to read as follows:

3. The department shall make available to persons required to make personal income tax returns under the provisions of this chapter, and when such income is derived mainly from salaries and wages or from the operation of a business or profession, a form which shall take into consideration the normal deductions and credits allowable to any such taxpayer, and which will permit the computation of the tax payable without requiring the listing of specific deductions and credits. In arriving at schedules for payment of taxation under such forms the department shall as nearly as possible base such schedules upon a total of deductions and credits which will result in substantially the same payment as would have been made by such taxpayer were the taxpayer to specifically list the taxpayer's allowable deductions and credits. In lieu of such return any taxpayer may elect to list permissible deductions and credits as provided by law. It is the intent and purpose of this provision to simplify the procedure of collection of personal income tax, and the director shall have the power in any case when deemed necessary or advisable to require any taxpayer, who has made a return in accordance with the schedule ~~herein~~ provided for in this section, to make an additional return in which all deductions and credits are specifically listed. The department may revise the schedules adopted in connection with such simplified form whenever such revision is necessitated by changes in federal income tax laws, or to maintain the collection of substantially

the same amounts from taxpayers as would be received were the specific listing of deductions and credits required.

Sec. 224. Section 422.33, subsection 3, Code 2020, is amended to read as follows:

3. If any taxpayer believes that the method of allocation and apportionment ~~hereinbefore~~ prescribed in subsections 1A and 2, as administered by the director and applied to the taxpayer's business, has operated or will so operate as to subject the taxpayer to taxation on a greater portion of the taxpayer's net income than is reasonably attributable to business or sources within the state, the taxpayer shall be entitled to file with the director a statement of the taxpayer's objections and of such alternative method of allocation and apportionment as the taxpayer believes to be proper under the circumstances with such detail and proof and within such time as the director may reasonably prescribe; and if the director shall conclude that the method of allocation and apportionment theretofore employed is in fact inapplicable and inequitable, the director shall redetermine the taxable income by such other method of allocation and apportionment as seems best calculated to assign to the state for taxation the portion of the income reasonably attributable to business and sources within the state, not exceeding, however, the amount which would be arrived at by application of the statutory rules for apportionment.

Sec. 225. Section 422.38, Code 2020, is amended to read as follows:

422.38 Statutes governing corporations.

All the provisions of sections 422.15 ~~to~~ through 422.22 of division II, insofar as the same are applicable, shall apply to corporations taxable under this division.

Sec. 226. Section 422.39, Code 2020, is amended to read as follows:

422.39 Statutes applicable to corporation tax.

All the provisions of sections 422.24 ~~to~~ through 422.27 of

division II, respecting payment and collection, shall apply in respect to the tax due and payable by a corporation taxable under this division.

Sec. 227. Section 423.3, subsection 29, Code 2020, is amended by striking the subsection.

Sec. 228. Section 423.3, subsection 47A, Code 2020, is amended to read as follows:

47A. The sales price from the sale or rental of central office equipment or transmission equipment primarily used by local exchange carriers and competitive local exchange service providers as defined in section 476.96, Code 2017; by franchised cable television operators, mutual companies, municipal utilities, cooperatives, and companies furnishing communications services that are not subject to rate regulation as provided in chapter 476; by long distance companies as defined in section 477.10; or for a commercial mobile radio service as defined in 47 C.F.R. §20.3 in the furnishing of telecommunications services on a commercial basis. For the purposes of this subsection, "*central office equipment*" means equipment utilized in the initiating, processing, amplifying, switching, or monitoring of telecommunications services. "*Transmission equipment*" means equipment utilized in the process of sending information from one location to another location. "*Central office equipment*" and "*transmission equipment*" also include ancillary equipment and apparatus which support, regulate, control, repair, test, or enable such equipment to accomplish its function.

Sec. 229. Section 423F.3, subsection 6, Code 2020, is amended to read as follows:

6. *a.* (1) For purposes of this chapter, "*school infrastructure*" means those activities authorized in section 423E.1, subsection 3, Code 2007.

~~*b.*~~ (2) Additionally, "*school infrastructure*" includes the payment or retirement of outstanding bonds previously issued for school infrastructure purposes as defined in this

subsection, and the payment or retirement of bonds issued under sections 423E.5 and 423F.4.

~~*e.*~~ (3) Additionally, "*school infrastructure*" includes the acquisition or installation of information technology infrastructure. For purposes of this ~~paragraph~~ subparagraph, "*information technology infrastructure*" means the basic, underlying physical framework or system necessary to deliver technology connectivity to a school district and to network school buildings within a school district.

~~*d.*~~ (4) Additionally, "*school infrastructure*" includes school safety and security infrastructure. For purposes of this ~~paragraph~~ subparagraph, "*school safety and security infrastructure*" includes but is not limited to safe rooms, remote entry technology and equipment, security camera systems, card access systems, and communication systems with access to fire and police emergency frequencies. For purposes of this ~~paragraph~~ subparagraph, "*school safety and security infrastructure*" does not include the cost of personnel, development of safety and security plans, or training related to the implementation of safety and security plans.

b. It is the intent of the general assembly that each school district prioritize the use of revenues under this chapter for secure entries for the district's attendance centers before expending such revenues for athletic facility infrastructure projects.

~~*e.*~~ *c.* A school district that uses secure an advanced vision for education fund moneys for school infrastructure shall comply with the state building code in the absence of a local building code.

Sec. 230. Section 425.8, subsection 1, Code 2020, is amended to read as follows:

1. The director of revenue shall prescribe the form for the making of a verified statement and designation of homestead, the form for the supporting affidavits required herein, and such other forms as may be necessary for the proper

administration of this chapter. Whenever necessary, the department of revenue shall forward to the county auditors of the several counties in the state the prescribed sample forms, and the county auditors shall furnish blank forms prepared in accordance therewith with the assessment rolls, books, and supplies delivered to the assessors. The department of revenue shall prescribe and the county auditors shall provide on the forms for claiming the homestead credit a statement to the effect that the owner realizes that the owner must give written notice to the assessor when the owner changes the use of the property.

Sec. 231. Section 425.16, Code 2020, is amended to read as follows:

425.16 Additional tax credit.

In addition to the homestead tax credit allowed under section 425.1, subsections 1 ~~to~~ through 4, persons who own or rent their homesteads and who meet the qualifications provided in this subchapter are eligible for an extraordinary property tax credit or reimbursement.

Sec. 232. Section 434.10, Code 2020, is amended to read as follows:

434.10 Reports additional.

The reports provided for in sections 434.7 ~~to~~ through 434.9 are not in lieu of, but in addition to, the reports provided for by law, and they shall be made at the time and as a part of the reports already required.

Sec. 233. Section 434.12, Code 2020, is amended to read as follows:

434.12 Refusal to obey.

If any railway company shall fail or refuse to obey or conform to the rules, regulations, method, and requirements so made or prescribed by the director of revenue under the provisions of sections 434.7 ~~to~~ through 434.11 or to make the reports therein provided, the department of revenue shall proceed to assess the property of such railway company

so failing or refusing, according to the best information obtainable, and shall then add to the taxable valuation of such railway company twenty-five percent thereof, which valuation and penalty shall be separately shown, and together shall constitute the assessment for that year.

Sec. 234. Section 434.18, Code 2020, is amended to read as follows:

434.18 Plats.

Every railroad company owning or operating a line of railroad within this state shall, on or before the first day of August 1902, place on file in the office of the county auditor of each county in the state into which any part of the lines of any said company lies, a plat of the lines of said companies within said county, showing the length of their said lines and the area of the land owned or occupied by said companies in each government subdivision of land not included within the platted portion of any city, within each of said counties, and the length of the said lines within the platted portion of cities. Companies having on file such plats of part or all of their lines, in any of said counties, shall be required to file plats only of that part of their lines not fully shown as above required on the plats now on file. On the first day of January of each year ~~hereafter~~, like plats shall be filed of all new lines or extensions of existing lines built or completed within the calendar year preceding.

Sec. 235. Section 437A.3, subsection 3, Code 2020, is amended to read as follows:

3. *"Centrally assessed property tax"* means property tax imposed with respect to the value of property determined by the director pursuant to section 427.1, subsection 2, Code 1997, section 428.29, Code 1997, ~~and chapters~~ chapter 437, Code 1997, and chapter 438, Code 1997, and allocated to electric service and natural gas service. For purposes of this subsection, *"natural gas service"* means such service provided by natural gas pipelines permitted pursuant to chapter 479.

Sec. 236. Section 452A.66, subsection 2, Code 2020, is amended to read as follows:

2. All the provisions of section 422.26 shall apply in respect to the taxes, penalties, interest, and costs imposed by this chapter excepting that as applied to any tax imposed by this chapter, the lien provided in section 422.26 shall be prior and paramount over all subsequent liens upon any personal property within this state, or right to such personal property, belonging to the taxpayer without the necessity of recording as ~~therein~~ provided in section 422.26. The requirements for recording shall, as applied to the tax imposed by this chapter, apply only to the liens upon real property. When requested to do so by any person from whom a taxpayer is seeking credit, or with whom the taxpayer is negotiating the sale of any personal property, or by any other person having a legitimate interest in such information, the director shall, upon being satisfied that such a situation exists, inform such person as to the amount of unpaid taxes due by such taxpayer under the provisions of this chapter. The giving of such information under such circumstances shall not be deemed a violation of section 452A.63 as applied to this chapter.

Sec. 237. Section 453A.20, Code 2020, is amended to read as follows:

453A.20 Subpoena for witnesses and papers.

For the purpose of enforcing the provisions of this chapter and of detecting violations thereof, the director shall have the power to administer oaths and to require by subpoena the attendance and testimony of witnesses and the production of all relevant books, papers, and records. Such attendance and production may be required at the statehouse at Des Moines, or at any place convenient for such investigation. In case any person fails or refuses to obey a subpoena so issued, the director may procure an order from the district court in the county where such person resides, or where such person is found, requiring such person to appear for examination ~~and/or~~

or to produce such books, papers, and records as are required in the subpoena. Failure to obey such order shall be punished by such court as contempt thereof.

Sec. 238. Section 453A.33, Code 2020, is amended to read as follows:

453A.33 Seizure not to affect criminal prosecution.

The seizure, forfeiture, and sale of cigarettes, tobacco products, and other property under the terms and conditions ~~hereinabove~~ set out in section 453A.32, shall not constitute any defense to the person owning or having control or possession of the property from criminal prosecution for any act or omission made or offense committed under this chapter or from liability to pay penalties provided by this chapter.

Sec. 239. Section 453A.44, subsection 6, Code 2020, is amended to read as follows:

6. A distributor or subjobber applying for a license between January 1 and June 30 of any year shall be required to pay only one-half of the license fee provided for ~~herein~~ in this section.

Sec. 240. Section 455B.137, Code 2020, is amended to read as follows:

455B.137 Privileged information.

Information received by the department or any employees of the department through filed reports, inspections, or as otherwise authorized in this division II or chapter 459, subchapter II, concerning trade secrets, secret industrial processes, or other privileged communications, except emission data, shall not be disclosed or opened to public inspection, except as may be necessary in a proceeding concerning a violation of said division or of any rules promulgated thereunder, or as otherwise authorized or ordered by appropriate court action or proceedings. Nothing ~~herein~~ in this section shall be construed to prevent the director from compiling or publishing analyses or summaries relating to the general condition of the atmosphere; provided that such

analyses or summaries do not reveal any information otherwise confidential under this section.

Sec. 241. Section 455B.340, Code 2020, is amended to read as follows:

455B.340 Penalty.

Any person who violates any provisions of this part 2 of division IV or rules adopted under this part 2, or any order of the department or director issued pursuant to ~~said~~ this part 2, shall be guilty of a serious misdemeanor and, in addition, the person may be enjoined from continuing such violation. Each day of continued violation after notice that a violation is being committed shall constitute a separate violation.

Sec. 242. Section 455B.476, subsection 1, Code 2020, is amended to read as follows:

1. If there is substantial evidence that a person has violated or is violating a provision of this part or a rule adopted under this part, the director may issue an order directing the person to desist in the practice ~~which~~ that constitutes the violation~~,~~ and to take corrective action as necessary to ensure that the violation will cease, and may impose appropriate administrative penalties pursuant to section 455B.109. The person to whom the order is issued may appeal the order to the commission as provided in chapter 17A. On appeal, the commission may affirm, modify, or vacate the order of the director. The applicable time frames for the issuance and appeal of the order are defined in section 455B.110.

Sec. 243. Section 455D.23, Code 2020, is amended to read as follows:

455D.23 Administrative enforcement —— compliance orders.

The director may issue any order necessary to secure compliance with or prevent a violation of the provisions of this chapter or any rule adopted or permit or order issued pursuant to this chapter. Any order issued to enforce section 455D.4A may include a requirement to remove and properly dispose of materials being accumulated speculatively from a

property and impose costs and penalties as determined by the department by rule. The person to whom ~~such~~ a compliance order is issued under this section may cause to be commenced a contested case within the meaning of chapter 17A by filing a notice of appeal to the commission. On appeal, the commission may affirm, modify, or vacate the order of the director. The applicable time frames for the issuance and appeal of the order are defined in section 455B.110.

Sec. 244. Section 455E.11, subsection 2, paragraph b, subparagraph (2), Code 2020, is amended by striking the subparagraph.

Sec. 245. Section 456.5, Code 2020, is amended to read as follows:

456.5 Authority to enter lands.

For the purpose of carrying on ~~the aforesaid~~ investigations, the state geologist and the state geologist's assistants and employees shall have authority to enter and cross all lands within the state; provided that in so doing no damage is done to private property.

Sec. 246. Section 458A.11, subsection 4, Code 2020, is amended to read as follows:

4. Any notice required by this chapter shall be given at the election of the department either by personal service or by letter to the last recorded address and one publication in a newspaper of general circulation in the state capital city and in a newspaper of general circulation in the county where the land affected or some part of the land is situated. The notice shall issue in the name of the state, shall be signed by the director, shall specify the style and number of the proceeding~~,~~ and the time and place of the hearing, and shall briefly state the purpose of the proceeding. Should the department elect to give notice by personal service, the service may be made by any officer authorized to serve process, or by any agent of the department, in the same manner as is provided by law for the service of original notices in civil actions in the district

court of the state. Proof of the service by such agent shall be by the affidavit of the person making personal service.

Sec. 247. Section 461A.31, Code 2020, is amended to read as follows:

461A.31 Sale of islands.

~~No islands~~ Islands in any of the meandered streams and lakes of this state or in any of the waters bordering upon this state shall ~~hereafter~~ not be sold, except with the majority vote of the executive council upon the majority recommendation of the commission~~, and in~~. In the event that any of such islands are sold as ~~herein~~ provided in this section, the proceeds ~~thereof~~ of the sale shall become a part of the funds to be expended under the terms and provisions of this chapter.

Sec. 248. Section 461A.77, Code 2020, is amended to read as follows:

461A.77 Prohibited near borders of state.

In order to reduce the possibility of affecting conservation measures to flood control projects which may be in progress in other states, water recreational areas shall not be established ~~hereunder~~ under this subchapter within seventy miles of the border of any other state.

Sec. 249. Section 462A.27, Code 2020, is amended to read as follows:

462A.27 Removal of nonpermanent structures.

Every structure, not considered a permanent structure by the commission or excepted by the rules of the commission, shall be removed from the waters, ice, or land of this state under the jurisdiction of the commission on or before December 15 of each year. Failure to comply with this section shall cause the structure to be declared a public nuisance and disposition shall be in accordance with sections 483A.32 ~~to~~ through 483A.34.

Sec. 250. Section 466B.2, subsection 2, Code 2020, is amended by striking the subsection.

Sec. 251. Section 468.20, Code 2020, is amended to read as

follows:

468.20 Adjournment for service —— jurisdiction retained.

If at the date set for hearing, it ~~shall appear~~ appears that any person entitled to notice has not been properly served with notice, the board may postpone ~~said~~ the hearing and set another time for the same not less than thirty days from ~~said~~ the original hearing date~~, and notice~~. Notice of ~~such~~ hearing ~~as hereinbefore provided~~ shall be served on such omitted parties in the manner provided in sections 468.15 through 468.18. By fixing ~~such~~ a new date for hearing and ~~the adjournment of said~~ adjourning the proceeding to ~~said~~ the new date, the board shall not lose jurisdiction of the subject matter of ~~said~~ the proceeding nor of any parties already served with notice.

Sec. 252. Section 468.22, Code 2020, is amended to read as follows:

468.22 Establishment —— further investigation.

1. *a.* If the board shall find that such petition complies with the requirements of law in form and substance, and that such improvement would be conducive to the public health, convenience, welfare, benefit, or utility, and that the cost thereof is not excessive, and no claim shall have been filed for damages, ~~it~~ the board may locate and establish the said district in accordance with the recommendation of the engineer and the report and plans on file~~; or it~~.

b. The board may refuse to establish the proposed district if it deem best, or it may direct the engineer or another one employed for that purpose to make further examinations, surveys, plats, profiles, and reports for the modification of said plans, or for new plans in accordance with sections 468.11 and 468.12, and continue further hearing to a fixed date. All parties over whom the board then has jurisdiction shall take notice of such further hearing; but any new parties rendered necessary by any modification or change of plans shall be served with notice in the same manner as for the original establishment of a district.

2. The county auditor shall appoint three appraisers as provided for in section 468.24 to assess the value of the right-of-way required for open ditches or other improvements.

Sec. 253. Section 468.75, Code 2020, is amended to read as follows:

468.75 Form.

Each of such bonds shall be numbered and have printed upon its face that it is a "Drainage Bond", stating the county and number of the district for which it is issued, the date and maturity thereof, that it is in pursuance of a resolution of the board of supervisors, and that it is to be paid only from taxes for levee and drainage improvement purposes levied and collected on the lands assessed for benefits within the district for which the bond is issued.

Sec. 254. Section 468.184, subsection 10, Code 2020, is amended to read as follows:

10. *a.* All proceedings taken prior to July 1, 1968, purporting to establish or reestablish a drainage or levee district or districts, or to enlarge or change the boundaries of any drainage or levee district, and any assessments not heretofore declared invalid by any court, are hereby legalized, validated, and confirmed.

b. ~~The foregoing~~ Paragraph "*a*" shall not be construed to affect any litigation that may be pending ~~at the time this section becomes effective~~ on July 1, 1968, involving the establishment, reestablishment, enlargement, or change in boundaries or any assessments of drainage or levee districts.

Sec. 255. Section 468.293, Code 2020, is amended to read as follows:

468.293 Failure of board to act.

When the establishment of a district, extending into two or more counties, is petitioned for as ~~hereinbefore~~ provided in this part and one or more of such boards fails to take action thereon, the petitioners may cause notice in writing to be served upon the chairperson of each board demanding that action

be taken upon the petition within twenty days from and after the service of such notice.

Sec. 256. Section 468.396, Code 2020, is amended to read as follows:

468.396 Cost of maintaining.

The board of supervisors shall have the right and power to keep and maintain any such levee, ditches, drains, or system of drainage, either in whole or in part, established under sections 468.390 through 468.395, as may in their judgment be required, and to levy the expense thereof upon the real estate within such drainage district as ~~herein~~ provided for in this part, and collect and expend the same; provided, however, that no such work which shall impose a tax exceeding three dollars and thirty-seven and one-half cents per thousand dollars on the assessable value of the lands and improvements within the district shall be authorized by ~~them~~ the board, unless the ~~same~~ work is first petitioned for and authorized in substantially the manner required by this part for the inauguration of new work ~~except that~~. However, if such work is of the kinds contemplated by section 468.126, and the cost thereof is within the limitations of ~~said~~ section 468.126, or is of the kinds contemplated by section 468.188, and the cost thereof is within the limitations of ~~said~~ section 468.188, then the provisions of section 468.126 or section 468.188 shall supersede the limitations of this section.

Sec. 257. Section 468.557, Code 2020, is amended to read as follows:

468.557 Effect of extension.

The extension of the time of payment of any unpaid assessments or installment or installments thereof, in the manner ~~aforesaid~~ provided in section 468.556, shall in no way impair the lien of said assessments as originally levied or the priority thereof, nor the right, duty, and power of the officers authorized by law to levy, collect, and apply the proceeds thereof to the payment of said drainage refunding

bonds.

Sec. 258. Section 468.626, Code 2020, is amended to read as follows:

468.626 Original plat filed.

In lieu of making the record as ~~herein~~ provided in section 468.623, any landowner may file with the county recorder the original plat used in the establishment of the drainage system, or a copy of the plat, which shall be certified by the engineer having made the same. If practicable, a plat filed under this section shall be made a matter of record and shall contain the applicable entries specified in sections 558.49 and 558.52.

Sec. 259. Section 468.627, Code 2020, is amended to read as follows:

468.627 Record not part of title.

The drainage records ~~herein~~ provided for in this subchapter shall not be construed as an essential part of the title to said lands, but may upon request be set out by abstracters as part of the record title of said lands.

Sec. 260. Section 473.1, subsection 3, Code 2020, is amended by striking the subsection.

Sec. 261. Section 474.2, Code 2020, is amended to read as follows:

474.2 Certain persons barred from office.

~~No~~ A person ~~in the employ of~~ who is employed by any common carrier or other public utility~~,~~ or ~~owning~~ who owns any bonds, stock, or property in any public utility shall not be eligible to hold the office of utilities board member or chief operating officer of the utilities board. ~~The entering~~ A member or chief operating officer who enters into ~~the employ of~~ employment with any common carrier or other public utility or ~~the acquiring of~~ who acquires any stock or other interest in any common carrier or other public utility ~~by such member or chief operating officer~~ after appointment ~~shall disqualify the~~ as a member or chief operating officer ~~to hold~~ shall be disqualified from holding or ~~perform~~ performing the duties of the office.

Sec. 262. Section 476.2, subsection 1, Code 2020, is amended to read as follows:

1. The board shall have broad general powers to effect the purposes of this chapter notwithstanding the fact that certain specific powers are ~~hereinafter~~ set forth in this section. The board shall have authority to issue subpoenas and to pay the same fees and mileage as are payable to witnesses in the courts of record of general jurisdiction and shall establish all needful, just and reasonable rules, not inconsistent with law, to govern the exercise of its powers and duties, the practice and procedure before it, and to govern the form, contents and filing of reports, documents and other papers provided for in this chapter or in the board's rules. In the establishment, amendment, alteration or repeal of any of such rules, the board shall be subject to the provisions of chapter 17A.

Sec. 263. Section 476.4, subsection 3, Code 2020, is amended to read as follows:

3. Every rate, charge, rule, and regulation contained in any filing made with the commission on or prior to July 4, 1963, shall be effective as of such date, subject, however, to investigation as ~~herein~~ provided in this chapter. If any such filing is made prior to the time the commission prescribes rules as aforesaid, and if such filing does not comply as to form or substance with such rules, then the public utility which filed the same shall within a reasonable time after the adoption of such rules make a new filing or filings complying with such rules, which new filing or filings shall be deemed effective as of July 4, 1963.

Sec. 264. Section 476.6, subsection 2, Code 2020, is amended to read as follows:

2. *Written notice of increase.* All public utilities, except those exempted from rate regulation by section 476.1 and telecommunications service providers registered pursuant to section 476.95A, shall give written notice of a proposed increase of any rate or charge to all affected customers served

by the public utility no more than sixty-two days prior to ~~and prior to~~ the time the application for the increase is filed with the board. Public utilities exempted from rate regulation by section 476.1, except telecommunications service providers registered pursuant to section 476.95A, shall give written notice of a proposed increase of any rate or charge to all affected customers served by the public utility at least thirty days prior to the effective date of the increase. If the public utility is subject to rate regulation, the notice to affected customers shall also state that the customer has a right to file a written objection to the rate increase and that the affected customers may request the board to hold a public hearing to determine if the rate increase should be allowed. The board shall prescribe the manner and method that the written notice to each affected customer of the public utility shall be served.

Sec. 265. Section 476.55, subsection 2, paragraph a, unnumbered paragraph 1, Code 2020, is amended to read as follows:

Notwithstanding section 476.1D, the board may receive a complaint from a local exchange carrier that another local exchange carrier has engaged in an activity that is inconsistent with antitrust laws and the policies which underlie them. For purposes of this subsection, "*local exchange carrier*" means the same as defined in section 476.96, Code 2017, and includes a city utility authorized pursuant to section 388.2 to provide local exchange services. If, after notice and opportunity for hearing, the board finds that a local exchange carrier has engaged in an activity that is inconsistent with antitrust laws and the policies which underlie them, the board may order any of the following:

Sec. 266. Section 489.701A, subsection 2, paragraph b, Code 2020, is amended to read as follows:

b. If the limited liability company has delivered to the secretary of state for filing a statement of dissolution and

any of the following applies:

(1) ~~The~~ If the statement has not become effective, delivery to the secretary of state for filing of a statement of withdrawal under section 489.205 applicable to the statement of dissolution.

(2) If the statement of dissolution has become effective, delivery to the secretary of state for filing of a statement of rescission stating the name of the company and that dissolution has been rescinded under this section.

Sec. 267. Section 489.701A, subsection 3, Code 2020, is amended to read as follows:

3. If a limited liability company rescinds its dissolution all of the following apply:

a. The company ~~resumes~~ shall resume carrying on its activities and affairs as if the dissolution had never occurred.

b. Subject to paragraph *"c"*, any liability incurred by the company after the dissolution and before the rescission has become effective ~~is~~ shall be determined as if dissolution had never occurred.

c. The rights of a third party arising out of conduct in reliance on the dissolution before the third party knew or had notice of the rescission ~~may~~ must not be adversely affected.

Sec. 268. Section 489.1105, subsection 2, Code 2020, is amended by adding the following new paragraph:

NEW PARAGRAPH. *c.* For purposes of this section, marital and family therapy, mental health counseling, psychology, and social work shall be deemed to be professions which could lawfully be practiced in combination by licensed individuals or a partnership of licensed individuals.

Sec. 269. Section 505B.1, subsection 1, paragraph a, unnumbered paragraph 1, Code 2020, is amended to read as follows:

~~*"Delivered or deliver or delivery by electronic means"*~~ *"Delivered by electronic means"*, *"deliver by electronic means"*,

or *"delivery by electronic means"* means any of the following:

Sec. 270. Section 507B.7, subsection 2, Code 2020, is amended to read as follows:

2. Until the expiration of the time allowed under section 507B.8 for filing a petition for review if no such petition has been duly filed within such time, or, if a petition for review has been filed within such time, then until the transcript of the record in the proceeding has been filed in the district court, ~~as hereinafter provided,~~ the commissioner may at any time, upon such notice and in such manner as the commissioner may deem proper, modify or set aside in whole or in part any order issued by the commissioner under this section.

Sec. 271. Section 507B.12, subsection 2, Code 2020, is amended to read as follows:

2. The powers vested in the commissioner by this chapter shall be additional to any other powers to enforce any penalties, fines, or forfeitures authorized by law with respect to the methods, acts, and practices ~~hereby~~ declared to be unfair or deceptive.

Sec. 272. Section 508.14, subsection 1, Code 2020, is amended to read as follows:

1. Upon a failure of a company organized under the laws of this state to make the deposit provided in section 511.8, subsection 16, or file the statement in the time ~~herein~~ stated in section 508.11, or to file in a timely manner any financial statement required by rule of the commissioner of insurance, the commissioner of insurance shall notify the attorney general of the default, who shall at once apply to the district court of the county where the home office of the company is located for an order requiring the company to show cause, upon reasonable notice to be fixed by the court, why its business shall not be discontinued. If, upon the hearing, sufficient cause is not shown, the court shall decree its dissolution.

Sec. 273. Section 508.32, subsection 1, Code 2020, is amended to read as follows:

1. Any life insurance company organized under the provisions of this chapter and doing business in this state, shall have the power to hold in trust the premiums or consideration paid for, or the proceeds of any life insurance policy or annuity contract, either individual or group, issued by it, upon such terms and subject to such limitations as to revocation or control by the policyholder or beneficiary thereunder, as shall have been agreed to in writing by such company and the policyholder; provided that the trust provisions ~~herein~~ contemplated in this section shall in no manner subject ~~said~~ the corporation to any of the provisions of the laws of Iowa relating to banks or trust companies; and provided further, that the trust or trusts for premiums or considerations may be invested by such company in the manner specified in the trust instruments or agreements and held in a separate or segregated account; and provided further, that the forms of such trust agreements for beneficiaries shall be first submitted to and approved by the commissioner of insurance. The word "*trust*" shall include, but not be limited to settlement options and contracts issued pursuant to policies or contracts, and funds held in a separate or segregated account in connection with pension or profit-sharing plans pursuant to agreements with the policyholders.

Sec. 274. Section 508C.3, subsection 4, paragraph k, subparagraph (5), Code 2020, is amended to read as follows:

(5) A claim for penalties, consequential damages, or incidental damages.

Sec. 275. Section 508C.8, subsection 1, paragraph a, Code 2020, is amended to read as follows:

a. Guarantee, assume, reissue, reinsure, or cause to be guaranteed, assumed, reissued, or reinsured, any or all of the covered policies or contracts of the impaired insurer.

Sec. 276. Section 508C.13, subsection 3, Code 2020, is amended to read as follows:

3. For the purpose of carrying out its obligations under

this chapter, the association shall be deemed to be a creditor of the impaired or insolvent insurer to the extent of assets attributable to covered policies or contracts reduced by any amounts to which the association is entitled pursuant to its subrogation rights under section 508C.8, subsection 7. Assets of the impaired or insolvent insurer attributable to covered policies or contracts shall be used to continue all covered policies or contracts and pay all contractual obligations of the impaired or insolvent insurer as required by this chapter. As used in this subsection, *"assets attributable to covered policies or contracts"* means that proportion of the assets which the reserves that should have been established for the policies or contracts bear to the reserves that should have been established for all policies of insurance or health benefit plans written by the impaired or insolvent insurer.

Sec. 277. Section 509A.9, Code 2020, is amended to read as follows:

509A.9 Exemption from debts.

All amounts payable to employees under and pursuant to the plan of group insurance established as ~~herein~~ provided in this chapter shall be exempt from liability for debts of the person to or on account of whom the same is payable and shall not be subject to seizure upon execution or other process.

Sec. 278. Section 509A.10, Code 2020, is amended to read as follows:

509A.10 Decisions of governing body final.

The decisions of the governing body upon all matters upon which the said governing body is empowered to act, under and pursuant to the provisions ~~hereof~~ of this chapter, shall be final and conclusive, in the absence of fraud, and no appeal shall be allowed therefrom nor shall such decisions of the governing body, in the absence of fraud, be reviewed, enjoined or set aside by any court.

Sec. 279. Section 510C.1, subsections 1, 2, 8, and 9, Code 2020, are amended to read as follows:

1. *"Administrative fees"* means a fee or payment, other than a rebate, under a contract between a pharmacy ~~benefit~~ benefits manager and a pharmaceutical drug manufacturer in connection with the pharmacy ~~benefit~~ benefits manager's management of a health carrier's prescription drug benefit, that is paid by a pharmaceutical drug manufacturer to a pharmacy ~~benefit~~ benefits manager or is retained by the pharmacy ~~benefit~~ benefits manager.

2. *"Aggregate retained rebate percentage"* means the percentage of all rebates received by a pharmacy ~~benefit~~ benefits manager that is not passed on to the pharmacy ~~benefit~~ benefits manager's health carrier clients.

8. *"Health carrier administrative service fee"* means a fee or payment under a contract between a pharmacy ~~benefit~~ benefits manager and a health carrier in connection with the pharmacy ~~benefit~~ benefits manager's administration of the health carrier's prescription drug benefit that is paid by a health carrier to a pharmacy ~~benefit~~ benefits manager or is otherwise retained by a pharmacy ~~benefit~~ benefits manager.

9. *"Pharmacy ~~benefit~~ benefits manager"* means a person who, pursuant to a contract or other relationship with a health carrier, either directly or through an intermediary, manages a prescription drug benefit provided by the health carrier.

Sec. 280. Section 510C.1, subsection 11, unnumbered paragraph 1, Code 2020, is amended to read as follows:

"Rebate" means all discounts and other negotiated price concessions paid directly or indirectly by a pharmaceutical manufacturer or other entity, other than a covered person, in the prescription drug supply chain to a pharmacy ~~benefit~~ benefits manager, and which may be based on any of the following:

Sec. 281. Section 510C.1, subsection 11, paragraph c, Code 2020, is amended to read as follows:

c. To maintain a net price for a prescription drug for a specified period of time for the pharmacy ~~benefit~~ benefits

manager in the event the pharmaceutical manufacturer's list price increases.

Sec. 282. Section 510C.2, subsection 1, Code 2020, is amended to read as follows:

1. Each pharmacy ~~benefit~~ benefits manager shall provide a report annually by February 15 to the commissioner that contains all of the following information regarding prescription drug benefits provided to covered persons of each health carrier with whom the pharmacy benefits manager has contracted during the prior calendar year:

a. The aggregate dollar amount of all rebates received by the pharmacy ~~benefit~~ benefits manager.

b. The aggregate dollar amount of all administrative fees received by the pharmacy ~~benefit~~ benefits manager.

c. The aggregate dollar amount of all health carrier administrative service fees received by the pharmacy ~~benefit~~ benefits manager.

d. The aggregate dollar amount of all rebates received by the pharmacy ~~benefit~~ benefits manager that the pharmacy ~~benefit~~ benefits manager did not pass through to the health carrier.

e. The aggregate amount of all administrative fees received by the pharmacy ~~benefit~~ benefits manager that the pharmacy ~~benefit~~ benefits manager did not pass through to the health carrier.

f. The aggregate retained rebate percentage as calculated by dividing the dollar amount in paragraph *"d"* by the dollar amount in paragraph *"a"*.

g. Across all health carrier clients with whom the pharmacy benefits manager was contracted, the highest and the lowest aggregate retained rebate percentages.

Sec. 283. Section 510C.2, subsection 2, paragraph a, unnumbered paragraph 1, Code 2020, is amended to read as follows:

A pharmacy ~~benefit~~ benefits manager shall provide the information pursuant to subsection 1 to the commissioner in a

format approved by the commissioner that does not directly or indirectly disclose any of the following:

Sec. 284. Section 510C.2, subsection 2, paragraph b, Code 2020, is amended to read as follows:

b. Information provided under this section by a pharmacy ~~benefit~~ benefits manager to the commissioner that may reveal the identity of a specific health carrier, the price charged by a specific pharmaceutical manufacturer for a specific prescription drug or class of prescription drugs, or the amount of rebates provided for a specific prescription drug or class of prescription drugs shall be considered a confidential record and be recognized and protected as a trade secret pursuant to section 22.7, subsection 3.

Sec. 285. Section 511.23, Code 2020, is amended to read as follows:

511.23 Penalties.

Any person, firm, or corporation violating any of the provisions of section 511.22, ~~or~~ sections 515.8 through 515.10 ~~and~~, or section 515.23 or failing to comply with any of the provisions in those sections, shall be subjected to the penalties provided in sections 507.10 and 507.12.

Sec. 286. Section 515.10, Code 2020, is amended to read as follows:

515.10 Subscriptions of stock —— applications.

After compliance by the incorporators with sections 515.1 and 515.2, the secretary of state shall certify the articles of incorporation to the commissioner of insurance. When the commissioner of insurance is satisfied that all provisions of law in relation to the promotion and organization of ~~said~~ the corporation, including sections 506.4 ~~to~~ through 506.6, have been complied with, the commissioner shall issue a certificate to that effect~~, and thereupon such~~. The corporation may then open books for subscriptions to the stock of stock companies or, if a mutual company, take applications and receive premiums for insurance at such times and places as it may find

convenient~~, and~~. The corporation may keep such books open until the full amount required is subscribed or taken, or the time granted therefor has expired, or until an order is issued by the commissioner of insurance to desist for failure to comply with the provisions of law in reference thereto.

Sec. 287. Section 515.19, Code 2020, is amended to read as follows:

515.19 Advancement of funds.

Any director, officer, or member of any such mutual company, or any other person, may advance to such company, any sum or sums of money necessary for the purpose of its business, or to enable it to comply with any of the requirements of the law, and such moneys and such interest thereon as may have been agreed upon, not exceeding the maximum statutory rate of interest, shall not be a liability or claim against the company or any of its assets, except as ~~herein~~ provided in this chapter, and upon approval of the commissioner of insurance may be repaid, but only out of the surplus earnings of such company. No commission or promotion expenses shall be paid in connection with the advance of any such money to the company. The amount of such advance shall be reported in each annual statement.

Sec. 288. Section 515.38, Code 2020, is amended to read as follows:

515.38 Examination — certificate of compliance.

Such commissioner may appoint in writing some disinterested person to make an examination and if it shall be found that the capital or assets ~~herein~~ required under this chapter of the company named, according to the nature of the business proposed to be transacted by such company, have been paid in, and are now possessed by it in money or such stock, bonds, and mortgages as are required by the preceding sections of this chapter, the commissioner shall so certify; but if the examination is made by another than the commissioner, the certificate shall be by that person, and under that person's

oath.

Sec. 289. Section 515.40, subsection 3, Code 2020, is amended to read as follows:

3. Other securities, as the case may be, to the extent and value ~~hereinbefore~~ required under this chapter.

Sec. 290. Section 515.111, Code 2020, is amended to read as follows:

515.111 Nuclear loss or damage excluded.

Insurers issuing the standard policy pursuant to section 515.109 are authorized to affix thereto or include therein a written statement that the policy does not cover loss or damage caused by nuclear reaction or nuclear radiation or radioactive contamination, all whether directly or indirectly resulting from an insured peril under ~~said~~ the policy~~; provided, however~~. However, that nothing ~~herein~~ contained in this section shall be construed to prohibit the attachment to any such policy of an endorsement or endorsements specifically assuming coverage for loss or damage caused by nuclear reaction or nuclear radiation or radioactive contamination.

Sec. 291. Section 520.5, Code 2020, is amended to read as follows:

520.5 Actions —— venue —— commissioner as process agent.

Concurrently with the filing of the declaration provided for by the terms of section 520.4, the attorney shall file with the commissioner of insurance, an instrument in writing executed by the attorney for ~~said~~ the subscribers, conditioned that, upon the issuance of certificate of authority provided for in this chapter, action may be brought in the county in which the property or person insured thereunder is located, and that service of process shall be had upon the commissioner of insurance or upon the attorney in fact in all suits in this state, whether arising out of such policies, contracts, agreements or otherwise~~, which service~~. Service shall be valid and binding upon all subscribers exchanging at any time reciprocal or interinsurance contracts through such attorney.

All suits of every kind and description brought against ~~such~~ the reciprocal exchange, or the subscribers ~~thereto~~ on account of their connection ~~therewith~~ with the reciprocal exchange, must be brought against the attorney in fact ~~therefor~~ or the exchange as such, and shall not be brought against any of the subscribers ~~thereto~~ individually on account of their connection with or membership in such reciprocal exchange, and must be brought in the manner and method ~~above~~ provided in this section.

Sec. 292. Section 520.15, Code 2020, is amended to read as follows:

520.15 Refusal or revocation of certificate.

In addition to the ~~foregoing~~ penalties provided in sections 520.10 and 520.12, and where not otherwise provided, the penalty for failure or refusal to comply with any of the terms and provisions of this chapter, upon the part of the attorney, shall be the refusal, suspension, or revocation of certificate of authority or license by the commissioner of insurance and the public announcement of the commissioner's act, after due notice and opportunity for hearing has been given such attorney so that the attorney may appear and show cause why such action should not be taken.

Sec. 293. Section 521I.5, subsections 2 and 3, Code 2020, are amended to read as follows:

2. A dividing insurer shall not amend the dividing insurer's plan of division after the plan of division becomes effective under section 521I.10, subsection 2.

3. A dividing insurer shall not amend the dividing insurer's plan of division after the plan of division is approved by the commissioner under section 521I.8.

Sec. 294. Section 521I.6, subsection 2, Code 2020, is amended to read as follows:

2. A dividing insurer shall not abandon the dividing insurer's plan of division after the plan of division becomes effective under section 521I.10, subsection 2.

Sec. 295. Section 521I.7, subsection 2, Code 2020, is amended to read as follows:

2. If a provision of a dividing insurer's articles of incorporation or bylaws adopted before July 1, 2019, requires that a specific number of or a percentage of the board of directors or shareholders propose or adopt a plan of merger or impose other procedures for the proposal or adoption of a plan of merger, the dividing insurer shall adhere to such provision in proposing or adopting a plan of division. If any such provision of the articles of incorporation or bylaws is amended on or after July 1, 2019, ~~such~~ the amended provision shall apply to a division ~~thereafter~~ occurring after adoption of the amendment only in accordance with ~~its~~ the express terms of the provision as amended.

Sec. 296. Section 522E.1, subsection 3, Code 2020, is amended to read as follows:

3. ~~*"Delivered or deliver by electronic means"*~~ *"Delivered by electronic means"* or *"deliver by electronic means"* means the same as defined in section 505B.1.

Sec. 297. Section 522E.9, subsection 7, Code 2020, is amended to read as follows:

7. In order for ~~all~~ portable electronic insurance notices and documents to be delivered by electronic means to the consumer, affirmative consent shall be obtained pursuant to section 505B.1, subsection 5.

Sec. 298. Section 522E.13, subsection 6, Code 2020, is amended to read as follows:

6. Whenever notice or correspondence with respect to a policy of portable electronics insurance is required pursuant to this section, it shall be in writing and sent within the notice period required pursuant to this section. Notices and correspondence shall be sent to the licensed portable electronics vendor that is the policyholder at the portable electronics vendor's mailing or electronic mail address specified for that purpose and to its affected enrolled

consumers' last known mailing or electronic mail addresses on file with the insurer or the portable electronics vendor. All notices and documents that are delivered by electronic means shall comply with section 505B.1, except for the provisions in section 505B.1, subsection 4. The insurer or portable electronics vendor shall maintain proof that the notice or correspondence was sent for not less than three years ~~after~~ from the date that the notice or correspondence was sent.

Sec. 299. Section 523C.7, subsection 2, paragraph a, Code 2020, is amended to read as follows:

a. A service contract shall be written in clear, understandable language in at least eight point ~~font~~ type.

Sec. 300. Section 523C.9, subsection 3, Code 2020, is amended to read as follows:

3. The service company has without just cause refused to perform or negligently or incompetently performed services required to be performed under its service contracts and the refusal, or negligent or incompetent performance has occurred with such frequency, as determined by the commissioner ~~determines~~, as to indicate the general business practices of the service company.

Sec. 301. Section 524.108, Code 2020, is amended to read as follows:

524.108 Applicability of safe deposit provisions.

The provisions of sections 524.809 ~~to~~ through 524.812 shall apply, to the extent applicable, to any person engaged in this state in the business of leasing safe deposit boxes for the storage of property.

Sec. 302. Section 524.1309, unnumbered paragraph 1, Code 2020, is amended to read as follows:

In lieu of the dissolution procedure prescribed in sections 524.1303 ~~to~~ through 524.1306, a state bank may cease to carry on the business of banking and, after compliance with this section, continue as a corporation subject to chapter 490; or if the state bank is organized as a limited liability company

under this chapter, continue as a limited liability company subject to chapter 489.

Sec. 303. Section 524.1310, subsection 1, paragraph b, Code 2020, is amended to read as follows:

b. All amounts due creditors and shareholders described in section 490.1440 shall be deposited with the treasurer of state in accordance with that section. Such amounts shall be retained by the treasurer of state and subject to claim in the manner provided for in section 490.1440. Amounts due to depositors who are unknown, or who are under a disability and there is no person legally competent to receive the amount, or who cannot be found after the exercise of reasonable diligence, shall be transmitted to the treasurer of state in the manner required by section 524.1305, subsection 6. Such property shall be treated as abandoned, retained by the treasurer of state, and is subject to claim, in the manner provided for in sections 556.14 ~~to~~ through 556.21.

Sec. 304. Section 524.1602, subsection 3, Code 2020, is amended to read as follows:

3. On which it has money loaned, credit extended or holds discounted or purchased evidences of indebtedness or agreements for the payment of money, in violation of sections 524.904 ~~to~~ through 524.907.

Sec. 305. Section 524.1807, Code 2020, is amended to read as follows:

524.1807 Penalties.

Any bank holding company which willfully violates any provision of sections 524.1801 ~~to~~ through 524.1806 shall, upon conviction, be fined not less than one hundred dollars nor more than one thousand dollars for each day during which the violation continues. Any individual who willfully participates in a violation of any provisions of sections 524.1801 ~~to~~ through 524.1806 shall be guilty of a serious misdemeanor.

Sec. 306. Section 533.401, subsection 2, Code 2020, is amended to read as follows:

2. ~~Prior to the sending of~~ At least fifteen days before notice of balloting for the membership vote on a merger is sent to the members, a merging credit union shall submit to the superintendent all materials to be included in the notice ~~at least fifteen days before the notice is sent to the members~~. The superintendent shall review and approve the materials to be included in the notice at least ten days before the notice is sent to the members. The superintendent may direct any materials to be included in the notice of balloting sent to members.

Sec. 307. Section 533.508, subsection 1, Code 2020, is amended to read as follows:

1. A director, officer, or employee of a state credit union shall not intentionally publish, disseminate, or distribute any advertising or notice containing any false, misleading, or deceptive statements concerning rates, terms, or conditions on which loans are made, or deposits or share installments are received, or concerning any charge which the state credit union is authorized to impose pursuant to this chapter, or concerning the financial condition of the state credit union. Any director, officer, or employee of a state credit union who violates the provisions of this ~~section~~ subsection is guilty of a fraudulent practice.

Sec. 308. Section 536.4, subsection 2, Code 2020, is amended to read as follows:

2. If the superintendent shall determine from such application and from such investigation that the applicant can have a reasonable expectancy of a successful lending business at the location of the office for which application is made, and that there is a real need and necessity in that community for additional lending facilities to adequately serve the local people, and that said applicant is one who will command the respect of and confidence from the people in that community; that the financial responsibility, experience, character, and general fitness of the applicant, and of

the members thereof if the applicant be a partnership or association, and of the officers and directors thereof if the applicant be a corporation, are such as to warrant the belief that the business will be operated lawfully, honestly, fairly, and efficiently within the purposes of this chapter, and if the superintendent shall find that the applicant has available or actually in use the assets described in section 536.2, the superintendent shall thereupon issue and deliver a license to the applicant to make loans in accordance with the provisions of this chapter at the place of business specified in the said application; if the superintendent shall not so find the superintendent shall not issue such license and the superintendent shall notify the applicant of the denial and return to the applicant the bond and the sum paid by the applicant as a license fee, retaining the investigation fee to cover the costs of investigating the application. The superintendent shall approve or deny every application for a license ~~hereunder~~ under this chapter within sixty days from the filing of the application and the approved bond and the payment of the said fees.

Sec. 309. Section 536.11, subsection 1, Code 2020, is amended to read as follows:

1. The licensee shall keep such books, accounts, and records as the superintendent may require in order to determine whether such licensee is complying with the provisions of this chapter and with the rules and regulations lawfully made by the superintendent ~~hereunder~~ under this chapter. Every licensee shall preserve for at least two years after making the last entry on any loan recorded therein all books, accounts, and records, including cards used in the card system, if any.

Sec. 310. Section 537.1101, Code 2020, is amended to read as follows:

537.1101 Short title.

Articles 1 ~~to~~ through 7 of this chapter shall be known and may be cited as the "*Iowa Consumer Credit Code*".

Sec. 311. Section 537.2201, subsection 1, Code 2020, is amended to read as follows:

1. With respect to a consumer credit sale, other than a sale pursuant to open-end credit, a creditor may contract for and receive a finance charge not exceeding the maximum charge permitted by the law of this state or the United States for similar creditors. In addition, with respect to a consumer credit sale of goods or services, other than a sale pursuant to open-end credit or a sale of a motor vehicle, a creditor may contract for and receive a finance charge not exceeding that permitted in subsections 2 ~~to~~ through 6. With respect to a consumer credit sale of a motor vehicle, a creditor may contract for and receive a finance charge as provided in section 322.19, and a finance charge in excess of that provided in section 322.19, is an excess charge in violation of this chapter.

Sec. 312. Section 544B.19, Code 2020, is amended to read as follows:

544B.19 Injunction.

In addition to any other remedies, and on the petition of the board or any person, any person violating any of the provisions of ~~sections 544B.1 to 544B.5 and 544B.7 to 544B.21~~ this chapter may be restrained and permanently enjoined from committing or continuing the violations.

Sec. 313. Section 551A.1, subsection 11, Code 2020, is amended to read as follows:

11. *"Record"* means the same as defined in section ~~516E.1~~ 523C.1.

Sec. 314. Section 558.33, Code 2020, is amended to read as follows:

558.33 Subpoenas.

An officer having power to take the proof ~~hereinbefore contemplated~~ of execution and delivery of a deed or other instrument under section 558.31 may issue the necessary subpoenas, and compel the attendance of witnesses residing

within the county, in the manner provided for the taking of depositions.

Sec. 315. Section 573.1, subsection 4, Code 2020, is amended to read as follows:

4. "*Public improvement*" is an improvement, the cost of which is payable from taxes or other funds under the control of the public corporation, except that in cases of public improvement for drainage or levee purposes the provisions of the drainage law, chapter 468, in cases of conflict shall govern.

Sec. 316. Section 573.19, Code 2020, is amended to read as follows:

573.19 Insufficiency of funds.

When the retained percentage ~~aforesaid~~ is insufficient to pay all claims for labor or materials, the court shall, in making distribution under section 573.18, order the claims in each class paid in the order of filing the same.

Sec. 317. Section 573.22, Code 2020, is amended to read as follows:

573.22 Unpaid claimants —— judgment on bond.

If, after the said retained percentage has been applied to the payment of duly filed and established claims, there remain any ~~such~~ claims that are unpaid in whole or in part, judgment shall be entered for the amount ~~thereof~~ of the claims that are unpaid against the principal and sureties on the bond. In case the said percentage has been paid over as ~~herein~~ provided in this chapter, judgment shall be entered against the principal and sureties on all such claims.

Sec. 318. Section 578A.7, subsection 2, paragraph b, Code 2020, is amended to read as follows:

b. Notify all persons ~~whom the operator has actual knowledge~~ who claim a security interest in the personal property of whom the operator has actual knowledge. An operator shall conduct a search to determine whether there is a security interest in property subject to sale if the property is registered under chapter 321 or 462A. At least seven days before the sale, the

operator shall also advertise the time, place, and terms of the sale in a commercially reasonable manner. The manner of advertisement is deemed commercially reasonable if it is likely to attract at least three independent bidders to attend or view the sale in person or online at the time and place advertised. The operator may buy the occupant's personal property at any public sale held pursuant to this section.

Sec. 319. Section 578A.7, subsection 5, Code 2020, is amended to read as follows:

5. In the event of a sale under this section, the operator may satisfy the lien from the proceeds of the sale, but shall hold the balance, if any, for a period of ninety days for delivery on demand to the occupant. If the occupant does not claim the balance within ninety days, the balance shall be paid to the county treasurer in the county where the self-service storage facility is located. The county treasurer shall hold the funds for a period of two years. If a claim is not made by the ~~owner of~~ occupant for the ~~fund~~ funds, then the ~~fund~~ funds shall become the property of the county. There shall be no further recourse by any person against the operator for an action pursuant to this section.

Sec. 320. Section 597.13, Code 2020, is amended to read as follows:

597.13 Annulment of decree.

The husband or wife affected by the proceedings contemplated in sections 597.10 ~~to~~ through 597.12 may obtain an annulment thereof, upon filing a petition ~~therefor~~ and serving a notice on the person in whose favor the ~~same~~ decree or order was granted, as in ordinary actions; but the setting aside of such decree or order shall not affect any act done thereunder.

Sec. 321. Section 597.17, Code 2020, is amended to read as follows:

597.17 Liability for separate debts.

Neither husband nor wife is liable for the debts or liabilities of the other incurred before marriage, and, except

as ~~herein~~ otherwise declared in this chapter, they are not liable for the debts of each other contracted after marriage; nor are the wages, earnings, or property of either, nor is the rent or income of the property of either, liable for the separate debts of the other.

Sec. 322. Section 602.9106, Code 2020, is amended to read as follows:

602.9106 Retirement.

Any person who shall have become separated from service as a judge of any of the courts included in this article and who has had an aggregate of at least four years of service as a judge of one or more of such courts and shall have attained the age of sixty-five years or who has had twenty years of consecutive service as a judge of one or more of said courts and shall have attained the age of fifty years, and who shall have otherwise qualified as provided in this article, shall be entitled to an annuity as ~~hereinafter~~ provided in this article.

Sec. 323. Section 602.10122, subsection 3, Code 2020, is amended to read as follows:

3. A willful violation of any of the duties of an attorney or counselor as ~~hereinbefore~~ prescribed in this article.

Sec. 324. Section 614.10, Code 2020, is amended to read as follows:

614.10 Failure of action.

If, after the commencement of an action, the plaintiff, for any cause except negligence in its prosecution, fails therein, and a new one is brought within six months thereafter, the second shall~~, for the purposes herein contemplated,~~ be held a continuation of the first.

Sec. 325. Section 614.13, Code 2020, is amended to read as follows:

614.13 Injunction.

When the commencement of an action shall be stayed by injunction or statutory prohibition, the time of the continuance of such injunction or prohibition shall not be part

of the time limited for the commencement of the action, except as ~~herein~~ otherwise provided in this chapter.

Sec. 326. Section 614.20, Code 2020, is amended to read as follows:

614.20 Limitation on Act.

Sections 614.17 ~~to~~ through 614.19 do not limit or extend the time within which actions by a spouse to recover dower or distributive share in real estate within this state may be brought or maintained under the provisions of section 614.15, nor do they limit or extend the time within which actions may be brought or maintained to foreclose or enforce any real estate mortgage, bond for deed, trust deed, or contract for the sale or conveyance of real estate under the provisions of section 614.21, nor do they revive or permit an action to be brought or maintained upon any claim or cause of action which is barred by a statute which is in force prior to July 1, 1991; nor do they affect litigation pending on July 1, 1991.

Sec. 327. Section 614.26, Code 2020, is amended to read as follows:

614.26 Indexing.

The provisions of section 614.18 are made applicable to the provisions of sections 614.24 ~~to~~ and 614.25, this section, and sections 614.27 and 614.28.

Sec. 328. Section 614.27, Code 2020, is amended to read as follows:

614.27 Persons under disability.

The provisions of section 614.8 as to the rights of minors and persons with mental illness shall not be applicable against the provisions of sections 614.24 ~~to~~ through 614.26, this section, and section 614.28.

Sec. 329. Section 614.28, Code 2020, is amended to read as follows:

614.28 Barred claims.

The provisions of sections 614.24 ~~to~~ through 614.27, ~~inclusive,~~ or the filing of a claim or claims~~, hereunder~~ under

this subchapter, shall not revive or permit an action to be brought or maintained upon any claim or cause of action which is barred by any other statute. Provided further, that nothing contained in these sections shall affect litigation pending on July 4, 1965.

Sec. 330. Section 622.51, Code 2020, is amended to read as follows:

622.51 Official signature presumed genuine.

In the cases contemplated in sections 622.41 ~~to~~ through 622.50, the signature of the officer shall be presumed to be genuine until the contrary is shown.

Sec. 331. Section 626.14, Code 2020, is amended to read as follows:

626.14 Delivery of possession and money recovery.

1. If ~~it is for~~ the judgment requires the delivery of the possession of real or personal property, ~~it~~ execution shall require the sheriff to deliver the possession of the ~~same~~ property, particularly describing it, to the party entitled ~~thereto~~ to the property, and may, at the same time, require the party to satisfy any costs, damages, or rents and profits, with interest, recovered by the same judgment, out of the property of the party against whom ~~it~~ judgment was rendered subject to execution.

2. The value of the property for which judgment was recovered shall be specified ~~therein~~ in the execution, if a delivery ~~thereof~~ of the property cannot be had, and it shall in that respect be regarded as an execution against property.

Sec. 332. Section 631.8, subsection 3, Code 2020, is amended to read as follows:

3. If commenced as a regular civil action or under the statutes relating to probate proceedings, a small claim shall be transferred to the small claims docket. A small claim commenced as a regular action shall not be dismissed but shall be transferred to the small claims docket. Civil and probate actions not small claims but commenced ~~hereunder~~

under this chapter shall be dismissed without prejudice except for defendants who have appeared, as to whom such actions shall be transferred to the combination or probate docket, as appropriate.

Sec. 333. Section 633.3, subsections 9 and 22, Code 2020, are amended to read as follows:

9. *Conservator* — means a person appointed by the court to have the custody and control of the property of a ward under the provisions of this probate code.

22. *Guardian* — means the person appointed by the court to have the custody of the person of the ward under the provisions of this probate code.

Sec. 334. Section 633.14, Code 2020, is amended to read as follows:

633.14 Concurrent jurisdiction.

When a case is originally within the jurisdiction of the courts of two or more counties, the ~~one~~ court which first takes cognizance ~~thereof~~ of the case by the commencement of the proceedings shall retain ~~the same~~ jurisdiction throughout the case.

Sec. 335. Section 633.71, Code 2020, is amended to read as follows:

633.71 Legal effect of appointment.

1. By qualifying as fiduciary, any ~~person,~~ resident or nonresident~~,~~ person submits to the jurisdiction of the court making the appointment of the fiduciary and, in addition, shall be deemed to agree ~~that~~ to all of the following:

~~1.~~ *a.* All property coming into the fiduciary's hands is subject to the jurisdiction of the court wherein are pending the proceedings in which the fiduciary is serving~~, and~~.

~~2.~~ *b.* The fiduciary is subject to all orders entered by the court in the proceedings in which the fiduciary is serving and ~~that~~ notices served upon the fiduciary with respect ~~thereto~~ to the proceedings, that are in compliance with the procedure prescribed by ~~the~~ this probate code, ~~shall~~ have the same force

and effect as if such service had been personally made upon the fiduciary within the state.

~~3.~~ *c.* The fiduciary ~~shall be~~ is subject to the jurisdiction of the courts of this state in all actions and proceedings against the fiduciary arising from or growing out of the fiduciary relationship and activities; ~~and that the~~ service of process in such actions and proceedings may be made upon the fiduciary by serving the original notice upon the fiduciary outside this state; and ~~that~~ such service ~~shall have~~ has the same force and effect as though the service had been personally made upon the fiduciary within this state.

~~4.~~ 2. The clerk of the court in which is pending the proceedings in which the fiduciary is serving is the lawful attorney or resident agent of such nonresident fiduciary upon whom service of process may be made whether such process be an order of the court entered in the proceedings in which the fiduciary is serving or an original notice of an action arising from or growing out of the fiduciary relationship and activities of the nonresident fiduciary.

Sec. 336. Section 633.83, Code 2020, is amended to read as follows:

633.83 Continuation of business.

Upon a showing of advantage to the estate, the court may authorize the fiduciary to continue any business of the estate for the estate's benefit ~~thereof~~. The order may be without notice, or after such notice as the court may prescribe. The court may on its own motion, and upon the application of any interested party shall, review ~~such~~ the authorization, and upon such review, may revoke or modify the ~~same~~ authorization. The order may provide for any of the following:

1. ~~For the~~ The conduct of the business solely by the fiduciary, or jointly with one or more other persons; ~~for~~ the formation of a partnership for the conduct of such business; or ~~for~~ the formation of, or for the fiduciary to join in the formation of, a corporation for the conduct of such business~~;~~.

2. ~~For the~~ The extent of the liability of the estate, or any part ~~thereof~~ of the estate, or of the fiduciary, for obligations incurred in the continuation of the business~~;~~.

3. ~~As to whether~~ Whether liabilities incurred in the conduct of the business are to be chargeable solely to the part of the estate set aside for use in the business, or to the estate as a whole~~;~~.

4. ~~As to the~~ The period of time for which the business may be conducted~~; and~~.

5. Such other conditions, restrictions, regulations, and requirements as the court may order.

Sec. 337. Section 633.85, Code 2020, is amended to read as follows:

633.85 Liability of fiduciary employing agents.

The fiduciary shall not be personally liable for the acts or omissions of any ~~such~~ specialist, subordinate, or agent, unless it can be shown that ~~said~~ the acts or omissions of the specialist, subordinate, or agent would have been a breach of duty by the fiduciary had the fiduciary personally done it, and that~~,~~ one of the following applies:

1. The fiduciary directed or permitted the breach~~; or~~.

2. The fiduciary did not select or retain the ~~said~~ specialist, subordinate, or agent with reasonable care~~; or~~.

3. The fiduciary did not properly supervise the specialist, subordinate, or agent~~; or~~.

4. The fiduciary approved, acquiesced, or cooperated in the neglect, omission, misconduct, or default by the specialist, subordinate, or agent.

Sec. 338. Section 633.98, Code 2020, is amended to read as follows:

633.98 Certificate of appointment and authority.

When any instrument executed in accordance with sections 633.95 ~~to~~ through 633.97~~, inclusive,~~ is to be recorded in a county other than the county in which the estate is pending, there shall also be recorded a certificate executed by the

clerk of the court making the appointment, with seal affixed, showing the name of the court making the appointment, the date of the same, and that such fiduciary had not been discharged at the time of the execution of such instrument.

Sec. 339. Section 633.129, Code 2020, is amended to read as follows:

633.129 Uniformity of interpretation.

Sections 633.126 ~~to~~ through 633.128 shall be so interpreted and construed as to effectuate their general purpose to make uniform the law of those states which enact the common trust funds.

Sec. 340. Section 633.146, unnumbered paragraph 1, Code 2020, is amended to read as follows:

The certificate ~~aforesaid~~ under section 633.145 shall be filed for record:

Sec. 341. Section 633.158, Code 2020, is amended to read as follows:

633.158 Liability for property not a part of estate.

Every fiduciary shall be chargeable in the fiduciary's accounts with property not a part of the estate that comes into the fiduciary's hands at any time, and shall be liable to the persons entitled ~~thereto~~ to the property, if either of the following applies:

1. The property was received under a duty imposed upon the fiduciary by law in the capacity of fiduciary~~; or~~.

2. The fiduciary has commingled ~~such~~ the property with the assets of the estate.

Sec. 342. Section 633.310, Code 2020, is amended to read as follows:

633.310 Objections prior to admission of will to probate.

Nothing ~~herein~~ contained in this part shall prevent any interested person from filing objections to probate of a proposed will prior to admission of the will to probate ~~thereof~~. If such objections are filed prior to the admission of the will to probate, the will shall not be admitted to

probate pending trial and determination as to whether or not ~~said~~ the instrument is the last will of the decedent.

Sec. 343. Section 633.331, Code 2020, is amended to read as follows:

633.331 Limitation of administration.

Probate of a will, original administration of an intestate estate, or ancillary administration of an estate, shall not be granted after five years from the death of the decedent, whether the decedent died within or without this state, unless a petition for probate or administration is filed prior to the expiration of the five-year period. ~~However, this section does not apply to the probate of a will of a decedent who died prior to January 1, 1964.~~

Sec. 344. Section 633.335, Code 2020, is amended to read as follows:

633.335 Share of survivor.

The share of ~~such~~ a survivor in the proceeds of ~~such~~ a policy or certificate made payable as ~~aforesaid~~ provided in sections 633.333 and 633.334 shall be the same as that provided by law for the distribution of the personal property of intestates.

Sec. 345. Section 633.423, subsection 1, Code 2020, is amended to read as follows:

1. If the creditor shall exhaust the security before receiving payment, then upon the full amount of the claim allowed, less the amount realized upon exhausting the security~~;~~ ~~or~~.

Sec. 346. Section 633.424, subsections 1, 2, and 3, Code 2020, are amended to read as follows:

1. The creditor and personal representative may determine, by agreement, arbitration, or compromise, the value ~~thereof~~ of the claim, according to its probable present worth, and upon approval thereof by the court, ~~it~~ the contingent claim may be allowed and paid in the same manner as an absolute claim~~, or~~.

2. The court may order the personal representative to make distribution of the estate but to retain sufficient funds to

pay the claim if and when the same becomes absolute~~; but~~,. However, for this purpose, the estate shall not be kept open longer than two years after distribution of the remainder of the estate~~; and if such~~. If the contingent claim has not become absolute within that time, distribution shall be made to the distributees of the funds so retained, after paying any costs and expenses accruing during such period~~, and such~~. The distributees shall be liable to the creditor to the extent of the estate received by them, if ~~such~~ the contingent claim ~~thereafter~~ becomes absolute after distribution. When distribution is so made to distributees, the court may require ~~such~~ the distributees to give bond for the satisfaction of their liability to the contingent creditor~~, or~~.

3. The court may order distribution of the estate as though ~~such~~ the contingent claim did not exist, but the distributees shall be liable to the creditor to the extent of the estate received by them, if the contingent claim ~~thereafter~~ becomes absolute~~; and the~~ after distribution. The court may require ~~such~~ the distributees to give bond for the performance of their liability to the contingent creditor~~, or~~.

Sec. 347. Section 633.528, Code 2020, is amended to read as follows:

633.528 Uniformity of interpretation.

Sections 633.523 ~~to~~ through 633.527 shall be so construed and interpreted as to effectuate their general purpose to make uniform the law relating to simultaneous death.

Sec. 348. Section 633.560A, subsection 2, paragraph a, Code 2020, is amended to read as follows:

a. The parties ~~will~~ must participate in good faith. Participation in mediation shall include attendance at a mediation session with the mediator and the parties to the action, listening to the mediator's explanation of the mediation process, presentation of one party's view of the case, and listening to the response of the other party. Participation in mediation does not require that the parties

reach an agreement.

Sec. 349. Section 633.561, subsection 4, paragraphs c and f, Code 2020, are amended to read as follows:

c. Ensure that the respondent has been properly advised of the respondent's rights in a guardianship or conservatorship proceeding.

f. Ensure that the guardianship or conservatorship procedures conform to the statutory and due process requirements of Iowa law.

Sec. 350. Section 633.561, subsection 5, paragraphs a and b, Code 2020, are amended to read as follows:

a. Inform the respondent of the effects of the order entered for appointment of guardian or conservator.

b. Advise the respondent of the respondent's rights to petition for modification or termination of the guardianship or conservatorship.

Sec. 351. Section 633.562, subsection 5, paragraphs a and b, Code 2020, are amended to read as follows:

a. A recommendation regarding the appropriateness of a limited guardianship or conservatorship for the respondent, including whether less restrictive alternatives are available.

b. A statement of the qualifications of the guardian or conservator together with a statement of whether the respondent has expressed agreement with the appointment of the proposed guardian or conservator.

Sec. 352. Section 633.563, subsection 7, unnumbered paragraph 1, Code 2020, is amended to read as follows:

The results of the evaluation ordered by the court shall be ~~made available to~~ filed with the court and made available to the following:

Sec. 353. Section 633.565, Code 2020, is amended to read as follows:

633.565 Qualifications and selection of guardian or conservator for an adult.

The court shall appoint as guardian or conservator for an

adult any qualified and suitable person who is willing to serve as guardian or conservator.

Sec. 354. Section 633.568, Code 2020, is amended to read as follows:

633.568 Appointment of guardian for an adult on a standby basis.

A petition for the appointment of a guardian for an adult on a standby basis may be filed by any person under the same procedure and requirements as provided in sections 633.591 ~~to~~ through 633.597, for appointment of standby conservator, insofar as applicable. In all proceedings to appoint a guardian, the court shall consider whether a limited guardianship, as authorized in section 633.635, is appropriate.

Sec. 355. Section 633.569, subsection 2, paragraph c, Code 2020, is amended to read as follows:

c. The reason the emergency appointment of a temporary guardian or conservator is sought.

Sec. 356. Section 633.569, subsection 3, unnumbered paragraph 1, Code 2020, is amended to read as follows:

The court may enter an ex parte order appointing a temporary guardian or conservator on an emergency basis under this section if the court finds that all of the following conditions are met:

Sec. 357. Section 633.653, Code 2020, is amended to read as follows:

633.653 Claims against the ward, the conservatorship, or the conservator in that capacity.

Claims accruing before or after the appointment of the conservator, and whether arising in contract or tort or otherwise, after being allowed or established as provided in sections 633.654 ~~to~~ through 633.656, shall be paid by the conservator from the assets of the conservatorship.

Sec. 358. Section 633.670, subsection 1, paragraphs b and d, Code 2020, are amended to read as follows:

b. Within two days after filing the initial plan, the

conservator shall give notice of the filing of the initial plan with a copy of the plan to the protected person, the protected person's attorney and court ~~advisor~~ visitor, if any, and others as directed by the court. The notice must state that any person entitled to a copy of the plan must file any objections to the plan not later than fifteen days after it is filed.

d. After approval by the court, the conservator shall provide a copy of the approved plan and order approving the plan to the protected person, the protected person's attorney and court ~~advisor~~ visitor, if any, and others as directed by the court.

Sec. 359. Section 633.670, subsection 2, Code 2020, is amended to read as follows:

2. A conservator shall file an inventory of the protected person's assets within ninety days after appointment which includes an oath or affirmation that the inventory is believed to be complete and accurate as far as information permits. Copies of the inventory shall be provided to the protected person, the protected person's attorney and court ~~advisor~~ visitor, if any, and others as directed by the court. When the conservator receives additional property of the protected person, or becomes aware of its existence, a description of the property shall be included in the conservator's next annual report.

Sec. 360. Section 633.670, subsection 3, paragraph c, Code 2020, is amended to read as follows:

c. Reports required by this section shall be served on the protected person's attorney and court ~~advisor~~ visitor, if any, and the veterans administration if the protected person is receiving veterans benefits.

Sec. 361. Section 633.675, subsection 1, unnumbered paragraph 1, Code 2020, is amended to read as follows:

A guardianship ~~and~~ or a conservatorship shall terminate upon the occurrence of any of the following circumstances:

Sec. 362. Section 633.675, subsection 2, Code 2020, is

amended to read as follows:

2. The court shall terminate a guardianship if it finds by clear and convincing evidence that the basis for appointing a guardian pursuant to section 633.552 ~~is~~ has not ~~satisfied~~ been established.

Sec. 363. Section 633.679, subsection 1, Code 2020, is amended to read as follows:

1. ~~Except as otherwise provided in subsection 2, at~~ At any time after the appointment of a guardian or conservator, the person under guardianship or conservatorship may apply to the court by petition, alleging that the person is no longer a proper subject thereof, and asking that the guardianship or conservatorship be terminated.

Sec. 364. Section 633A.3110, subsection 2, unnumbered paragraph 1, Code 2020, is amended to read as follows:

The trustee may give notice as described ~~herein~~ in this section to creditors, heirs, and the surviving spouse of the settlor for the purpose of establishing their rights to contest the trust and to file claims against the trust assets.

Sec. 365. Section 636.23, subsections 5, 6, and 7, Code 2020, are amended to read as follows:

5. *Real estate mortgage bonds.* Notes or bonds of any individual secured by a first mortgage on improved real estate located in this state, provided the aggregate amount of such notes ~~and/or~~ or bonds secured by such first mortgage, does not exceed fifty percent of the value of the mortgage property as determined by the fiduciary; any such loan may be made in an amount not to exceed seventy-five percentum of the appraised value of the real estate offered as security and for a term not longer than twenty years if the loan is secured by an amortized mortgage, deed of trust, or other such instrument under the terms of which the installment payments are sufficient to amortize the entire principal of the loan within the period ending on the date of its maturity.

6. *Corporate mortgages.* Notes or bonds of any corporation

secured by a first mortgage on improved real estate located in this or any adjoining state upon which no default in payment of principal or interest shall have occurred within five preceding years provided the aggregate amount of such notes ~~and/or~~ or bonds secured by such first mortgage does not exceed fifty percent of the value of the mortgage property as determined by the fiduciary.

7. *Railroad bonds.* Bonds of any railroad corporation which are secured by a first lien mortgage or trust deed upon not less than one hundred miles of main track in the United States and which mortgage or trust deed has been outstanding not less than fifteen years and upon which bonds issued thereunder there has been no default in the payment of principal ~~and/or~~ or interest since the date of said such trust deed.

Sec. 366. Section 657.3, Code 2020, is amended to read as follows:

657.3 Penalty —— abatement.

Whoever is convicted of erecting, causing, or continuing a public or common nuisance as provided in this chapter, or at common law when the same has not been modified or repealed by statute, where no other punishment therefor is specially provided, shall be guilty of an aggravated misdemeanor and the court may order such nuisance abated, and issue a warrant as ~~hereinafter~~ provided in this chapter.

Sec. 367. Section 657A.1, subsection 3, Code 2020, is amended to read as follows:

3. *"Building"* means a building or structure~~, excluding a mobile home, a modular home, and a manufactured home as defined in section 435.1, unless the mobile home or manufactured home has been converted to real estate pursuant to section 435.26,~~ located in a city or outside the limits of a city in a county, which is used or intended to be used for commercial or industrial purposes or which is used or intended to be used for residential purposes and includes a building or structure in which some floors may be used for retail stores,

shops, salesrooms, markets, or similar commercial uses, or for offices, banks, civic administration activities, professional services, or similar business or civic uses, and other floors are used, designed, or intended to be used for residential purposes. "*Building*" does not include a mobile home, a modular home, and a manufactured home as defined in section 435.1, unless the mobile home or manufactured home has been converted to real estate pursuant to section 435.26.

Sec. 368. Section 657A.2, subsection 1, Code 2020, is amended to read as follows:

1. No sooner than the ~~latter~~ later of thirty days after ~~provision of~~ the responsible building official's findings have been provided under section 657A.1A ~~and~~ or six months after a building has become abandoned, a petition for abatement under this chapter may be filed in the district court of the county in which the property is located by the city in which the property is located, by the county if the property is located outside the limits of a city, by a neighboring landowner, or by a duly organized nonprofit corporation which has as one of its goals the improvement of housing conditions in the county or city in which the property in question is located. The petition shall not demand a personal judgment against any party, but shall concern only the interests in the property. A petition for abatement filed under this chapter shall include the legal description of the real property upon which the public nuisance is located unless the public nuisance is not situated on or confined to a parcel of real property, or is portable or capable of being removed from the real property. Service shall be made on all interested persons by personal service or, if personal service cannot be made, by certified mail and first class mail to the last known address of record of the interested person and by posting the notice in a conspicuous place on the building, or by publication. The last known address of record for the property owner shall be the address of record with the county treasurer of the county where

the property is located. Service may also be made as provided in section 654.4A.

Sec. 369. Section 657A.4, Code 2020, is amended to read as follows:

657A.4 Appointment of receiver.

~~If after~~ After expiration of a date established pursuant to section 657A.3, subsection 1, or a hearing pursuant to section 657A.3, the court may appoint a receiver to take possession and control of the property in question. A person shall not be appointed as a receiver unless the person has first provided the court with a viable financial and construction plan for the rehabilitation of the property in question and has demonstrated the capacity and expertise to perform the required work in a satisfactory manner. The appointed receiver may be a financial institution that possesses an interest of record in the property, a nonprofit corporation that is duly organized and exists for the primary purpose of improving housing conditions in the county or city in which the property in question is located, or any person deemed qualified by the court. No part of the net earnings of a nonprofit corporation serving as a receiver under this section shall benefit a private shareholder or individual. Membership on the board of trustees of a nonprofit corporation does not constitute the holding of a public office or employment and is not an interest, either direct or indirect, in a contract or expenditure of money by a city or county. ~~No~~ A member of a board of trustees of a nonprofit corporation appointed as receiver is not disqualified from holding public office or employment~~, nor~~ and is ~~a member~~ also not required to forfeit public office or employment by reason of the membership on the board of trustees.

Sec. 370. Section 669.17, Code 2020, is amended to read as follows:

669.17 Adjustment of other claims.

Nothing contained ~~herein~~ in this chapter shall be deemed to repeal any provision of law authorizing any state agency to

consider, ascertain, adjust, compromise, settle, determine, allow, or pay any claim other than a claim as defined in this chapter.

Sec. 371. Section 670.4, subsection 1, unnumbered paragraph 1, Code 2020, is amended to read as follows:

The liability imposed by section 670.2 shall have no application to any enumerated in this section. As to any ~~such claim~~ of the following claims, a municipality shall be liable only to the extent liability may be imposed by the express statute dealing with such claims and, in the absence of such express statute, the municipality shall be immune from liability~~.~~:

Sec. 372. Section 670.4, subsection 2, Code 2020, is amended to read as follows:

2. The remedy against the municipality provided by section 670.2 shall ~~hereafter~~ be exclusive of any other civil action or proceeding by reason of the same subject matter against the officer, employee or agent whose act or omission gave rise to the claim, or the officer's, employee's, or agent's estate.

Sec. 373. Section 701.1, Code 2020, is amended to read as follows:

701.1 Short title.

Chapters 701 ~~to~~ through 728 shall be known and may be cited as the "*Iowa Criminal Code*".

Sec. 374. Section 709.15, subsection 1, paragraph f, subparagraph (1), subparagraph division (f), Code 2020, is amended to read as follows:

(f) A person employed by a community college full-time, part-time, or as a substitute who provides instruction to high school students under a sharing or concurrent enrollment program offered in accordance with section 257.11 or 261E.8.

Sec. 375. Section 714H.3, subsection 2, paragraph d, Code 2020, is amended to read as follows:

d. Section ~~516E.5, 516E.9,~~ 523C.7 or ~~516E.10~~ 523C.13.

Sec. 376. Section 724.8A, subsection 1, Code 2020, is

amended to read as follows:

1. ~~Notwithstanding subsections 2 and 3, the~~ The governing board of a university under the control of the state board of regents as provided in chapter 262 or a community college under the jurisdiction of a board of directors for a merged area as provided in chapter 260C shall not adopt or enforce any policy or rule that prohibits the carrying, transportation, or possession of a dangerous weapon that directs an electric current, impulse, wave, or beam that produces a high-voltage pulse designed to immobilize a person in the buildings or on the grounds of such a college or university, as long as such a dangerous weapon does not generate a projectile that directs an electric current, impulse, wave, or beam that produces a high-voltage pulse designed to immobilize a person, and such a dangerous weapon is not used in the commission of a public offense.

Sec. 377. Section 724.11, subsection 1, Code 2020, is amended to read as follows:

1. Applications for permits to carry weapons shall be made to the sheriff of the county in which the applicant resides. Applications for professional permits to carry weapons for persons who are nonresidents of the state, or whose need to go armed arises out of employment by the state, shall be made to the commissioner of public safety. In either case, the sheriff or commissioner, before issuing the permit, shall determine that the requirements of sections 724.6 ~~to~~ through 724.10 have been satisfied. A renewal applicant shall apply within thirty days prior to the expiration of the permit, or within thirty days after the expiration of the permit; otherwise the applicant shall be considered an applicant for an initial permit for purposes of renewal fees under subsection 3.

Sec. 378. Section 801.1, Code 2020, is amended to read as follows:

801.1 Short title.

Chapters 801 ~~to~~ through 819 shall be known and may be cited

as the *"Iowa Code of Criminal Procedure"*.

Sec. 379. Section 802.6, subsection 1, Code 2020, is amended to read as follows:

1. When a person leaves the state, the indictment or information may be found within the ~~time herein limited~~ period of limitation prescribed in this chapter after the person's coming into the state, and no period during which the party charged was not publicly resident within the state is a part of the limitation.

Sec. 380. Section 805.15, Code 2020, is amended to read as follows:

805.15 Other citation forms.

The provisions of sections 321.485 ~~to~~ through 321.487 shall govern with respect to offenses charged in the manner provided in section 321.485. The provisions of sections 805.6 ~~to~~ through 805.14 shall govern with respect to offenses chargeable upon a uniform citation and complaint.

Sec. 381. Section 901.11, subsection 5, Code 2020, is amended to read as follows:

5. At the time of sentencing, the court shall determine when a person convicted of arson in the first degree as described in section 902.12, subsection 5, shall first become eligible for parole or work release within the parameters specified in section 902.12, subsection ~~4~~ 5, based upon all pertinent information including the person's criminal record, a validated risk assessment, and the negative impact the offense has had on the victim or other persons.

Sec. 382. Section 901D.7, subsection 2, Code 2020, is amended to read as follows:

2. An order or directive placing a participant in the program shall include the type of testing required to be administered in the program and the length of time that the participant is required to remain in the program which shall be for no less than ninety days. The order or directive shall additionally require that the participant not have failed a

~~test result~~ required testing or have missed a required testing during the thirty-day period immediately preceding the end of participation in the program. The person issuing the order or directive shall send a copy of the order or directive to the law enforcement agency of the participating jurisdiction.

Sec. 383. 2019 Iowa Acts, chapter 26, section 14, is amended to read as follows:

SEC. 14. NEW SECTION. **489.12206 Information required in biennial report —— effect of failure to provide.**

1. In the biennial report required by section 489.209, a series limited liability company shall include the name of each protected series of the company for which all of the following ~~applies~~ apply:

a. For which the company has previously delivered to the secretary of state for filing a protected series designation.

b. Which has not dissolved and completed winding up.

2. A failure by a series limited liability company to comply with subsection 1 with regard to a protected series prevents issuance of a certificate of ~~good standing~~ existence pertaining to the protected series but does not otherwise affect the protected series.

Sec. 384. 2019 Iowa Acts, chapter 26, section 44, is amended by striking the section and inserting in lieu thereof the following:

SEC. 44. Section 489.101, Code 2019, is amended to read as follows:

489.101 Short title.

1. This chapter may be cited as the "*Revised Uniform Limited Liability Company Act*".

2. In addition, article 14 of this chapter may be cited as provided in section 489.14101.

Sec. 385. 2019 Iowa Acts, chapter 135, section 27, is amended to read as follows:

SEC. 27. Section 260I.10, Code 2019, is amended by adding the following new subsection:

NEW SUBSECTION. 4. The department of education, in coordination with the community colleges, may adjust the allocations generated pursuant to section ~~260I~~ 206I.2, subsection 2, paragraph "c", to ensure efficient delivery of services.

Sec. 386. 2019 Iowa Acts, chapter 148, section 48, is amended to read as follows:

SEC. 48. Section 49.31, subsection 1, paragraph b, Code 2019, is amended to read as follows:

b. (1) The commissioner shall determine the order of candidates on the ballot as provided in this paragraph. The order shall be the same for each office on the ballot and for each precinct in the county voting in the election.

(2) The state commissioner shall compile a list of each county in the state in alphabetical order and assign a number to each county such that the first county listed is number one, the second county listed is number two, and continuing in descending order in the same manner. The commissioner shall put in alphabetical order the top two political parties receiving the highest votes from the most recent election.

(3) The commissioner of each county assigned an even number pursuant to subparagraph (2) shall arrange the ballot as follows:

(a) The candidates of the first political party by alphabetical order pursuant to subparagraph (2) shall appear first on the ballot for the first general election at which the president of the United States is to be elected following the effective date of this division of this Act and second on the ballot for the first general election at which the governor will be elected following the effective date of this division of this Act and second on the ballot for the second general election at which the president of the United States is to be elected following the effective date of this division of this Act and first on the ballot for the second general election at which the governor will be elected following the effective date

of this division of this Act, and thereafter alternating with the candidates of the second political party by alphabetical order pursuant to subparagraph (2).

(b) The candidates of the second political party by alphabetical order pursuant to subparagraph (2) shall appear second on the ballot for the first general election at which the president of the United States is to be elected following the effective date of this division of this Act and first on the ballot for the first general election at which the governor will be elected following the effective date of this division of this Act and first on the ballot for the second general election at which the president of the United States is to be elected following the effective date of this division of this Act and second on the ballot for the second general election at which the governor will be elected following the effective date of this division of this Act, and thereafter alternating with the candidates of the first political party by alphabetical order pursuant to subparagraph (2).

(4) The commissioner of each county assigned an odd number pursuant to subparagraph (2) shall arrange the ballot as follows:

(a) The candidates of the second political party by alphabetical order pursuant to subparagraph (2) shall appear first on the ballot for the first general election at which the president of the United States is to be elected following the effective date of this division of this Act and second on the ballot for the first general election at which the governor will be elected following the effective date of this division of this Act and second on the ballot for the second general election at which the president of the United States is to be elected following the effective date of this division of this Act and first on the ballot for the second general election at which the governor will be elected following the effective date of this division of this Act, and thereafter alternating with the candidates of the first political party by alphabetical

order pursuant to subparagraph (2).

(b) The candidates of the first political party by alphabetical order pursuant to subparagraph (2) shall appear second on the ballot for the first general election at which the president of the United States is to be elected following the effective date of this division of this Act and first on the ballot for the first general election at which the governor will be elected following the effective date of this division of this Act and first on the ballot for the second general election at which the president of the United States is to be elected following the effective date of this division of this Act and second on the ballot for the second general election at which the governor will be elected following the effective date of this division of this Act, and thereafter alternating with the candidates of the second political party by alphabetical order pursuant to subparagraph (2).

(c) The commissioner shall determine the order of candidates of nonparty political organizations on the ballot. The order shall be the same for each office on the ballot and for each precinct in the county voting in the election.

Sec. 387. 2019 Iowa Acts, chapter 155, section 4, is amended to read as follows:

SEC. 4. JUDICIAL OFFICER —— UNPAID LEAVE. Notwithstanding the annual salary rates for judicial officers established by ~~2013 Iowa Acts, chapter 140, section 40~~ section 6 of this Act, for the fiscal year beginning July 1, 2019, and ending June 30, 2020, the supreme court may by order place all judicial officers on unpaid leave status on any day employees of the judicial branch are placed on temporary layoff status. The biweekly pay of the judicial officers shall be reduced accordingly for the pay period in which the unpaid leave date occurred in the same manner as for noncontract employees of the judicial branch. Through the course of the fiscal year, the judicial branch may use an amount equal to the aggregate amount of salary reductions due to the judicial officer unpaid leave

days for any purpose other than for judicial salaries.

Sec. 388. REPEAL. 2019 Iowa Acts, chapter 26, section 52, is repealed.

Sec. 389. REPEAL. Sections 15.300, 15.301, 52.8, 189.10, and 235.6, Code 2020, are repealed.

Sec. 390. IMPLEMENTATION PROVISION.

*1. The [sections] of this division of this Act amending section 249L.2, shall only be implemented upon receipt by the department of human services of approval of the Medicaid state plan amendment by CMS, and if such approval is received, is applicable no earlier than the first day of the calendar quarter following the date of receipt of such approval.

Sec. 391. EFFECTIVE DATE. The following, being deemed of immediate importance, take effect upon enactment:

1. The section of this Act amending 2019 Iowa Acts, chapter 135, section 27.

2. The section of this Act amending 2019 Iowa Acts, chapter 148, section 48.

3. The section of this Act amending 2019 Iowa Acts, chapter 155, section 4.

Sec. 392. RETROACTIVE APPLICABILITY. The following apply retroactively to July 1, 2019:

1. The section of this Act amending 2019 Iowa Acts, chapter 135, section 27.

2. The section of this Act amending 2019 Iowa Acts, chapter 148, section 48.

3. The section of this Act amending 2019 Iowa Acts, chapter 155, section 4.

DIVISION II

CODE EDITOR DIRECTIVES

Sec. 393. CODE EDITOR DIRECTIVES.

1. The Code editor may designate unnumbered chapter headings as numbered subchapters and correct internal references as necessary within and to chapter 359.

2. The Code editor may add a new subchapter to chapter 359,

1 preceding section 359.52 and entitled "DISPOSAL OF PROPERTY".