HOUSE FILE 2643
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO HSB 710)

(As Amended and Passed by the House June 12, 2020)

[= New Language by the House

* = Language Stricken by the House

A BILL FOR

An Act relating to state and local finances by making appropriations, providing for legal and regulatory responsibilities, providing for other properly related matters, and including effective date and retroactive applicability provisions.

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

DIVISION I

CONTINUING APPROPRIATIONS

Section 1. CONTINUING APPROPRIATIONS — FY 2020-2021.

1. APPROPRIATIONS DETERMINED FROM FY 2019-2020 LINE ITEM AND LIMITED STANDING APPROPRIATIONS.

a. For all line item appropriations, standing limited appropriations, and standing unlimited appropriations otherwise limited by law, including appropriations from federal and nonstate funds, the department of management, in consultation with the legislative services agency, shall determine the amount of such line item appropriations, standing limited appropriations, and standing unlimited appropriations otherwise limited by law, including appropriations from federal and nonstate funds, made for the fiscal year beginning July 1, 2019, and ending June 30, 2020, by taking into consideration all of the following:

(1) 2020 Iowa Acts, Senate Files 2144 and 2408, and other 2020 Iowa Acts.

(2) 2019 Iowa Acts.

(3) All interdepartmental and intradepartmental transfers made pursuant to section 8.39 and other provisions of law.

(4) Other provisions of law.

b. The department of management, in consultation with the legislative services agency, shall also identify the entities to which such appropriations were made, or the entities' successors.

2. CONTINUING APPROPRIATIONS. There is appropriated from the appropriate state fund or account to the entities identified pursuant to subsection 1, for the fiscal year beginning July 1, 2020, and ending June 30, 2021, amounts, or so much thereof as is necessary, equal to the amounts of all line item appropriations, standing limited appropriations, and standing unlimited appropriations otherwise limited by law, including federal and nonstate funds, made for the fiscal year beginning July 1, 2019, and ending June 30, 2020, as determined

pursuant to subsection 1, to be used for the same designated purposes.

3. DUPLICATIVE STANDING APPROPRIATIONS SUPPLANTED. The amounts appropriated under subsection 2 shall supplant any duplicative standing appropriation for the fiscal year beginning July 1, 2020, and ending June 30, 2021.

4. MISCELLANEOUS PROVISIONS APPLICABLE TO FY 2020–2021. Any powers, duties, limitations, or requirements, including reporting requirements, set forth in 2019 Iowa Acts, chapters 85, 89, 131, 135, 136, 154, 155, and 163, for the fiscal year beginning July 1, 2019, and ending June 30, 2020, are applicable for the fiscal year beginning July 1, 2020, and ending June 30, [2021, and any specified date contained therein shall apply one year later than specified in such chapters].

5. ALLOCATION AMOUNTS. For any line item appropriation, standing limited appropriation, or standing unlimited appropriation otherwise limited by law identified pursuant to subsection 1 which is subject to an allocation amount for the fiscal year beginning July 1, 2019, and ending June 30, 2020, the amount appropriated under subsection 2 based on such appropriation shall be subject to the same allocation amount for the fiscal year beginning July 1, 2020, and ending June 30, 2021.

6. NONREVERSION PROVISIONS. For any line item appropriation, standing limited appropriation, or standing unlimited appropriation otherwise limited by law identified pursuant to subsection 1 that is subject to a specified nonreversion provision, whether for a limited or unlimited period, the amount appropriated under subsection 2 based on such appropriation shall be subject to the same specified nonreversion provision, and in the case of a specified nonreversion provision for a limited period, the period shall be considered to be one fiscal year longer than specified for the appropriation identified pursuant to subsection 1.

7. FULL-TIME EQUIVALENT POSITIONS. The amounts

appropriated under subsection 2 to an entity identified pursuant to subsection 1 may be used by the entity for a number of full-time equivalent positions for the fiscal year beginning July 1, 2020, and ending June 20, 2021, equal to the number of full-time equivalent positions authorized for the entity for the fiscal year beginning July 1, 2019, and ending June 30, 2020.

8. EXCLUSIONS. This section does not apply to any of the following:

a. Appropriations made from the rebuild Iowa infrastructure fund and the technology reinvestment fund pursuant to 2019 Iowa Acts, chapter 137.

b. Appropriations made to the department of transportation from the road use tax fund and the primary road fund pursuant to 2019 Iowa Acts, chapter 52.

c. The appropriation made to the department of administrative services from the general fund of the state for establishing a listing of real property owned or leased by the state pursuant to 2019 Iowa Acts, chapter 136, section 1, subsection 1, paragraph "d".

* d. The appropriation made to the department of cultural affairs from the general fund of the state for payment of rent for the state records center pursuant to 2019 Iowa Acts, chapter 154, section 1, subsection 1, paragraph "g".

e. The appropriation made to the Iowa law enforcement academy from the general fund of the state for costs associated with temporary relocation of the Iowa law enforcement academy pursuant to 2019 Iowa Acts, chapter 163, section 10, subsection * 1, paragraph "a", [subparagraph (2), as amended in this Act].

f. The appropriation made to the department of homeland security and emergency management from the general fund of the state for flood recovery pursuant to 2020 Iowa Acts, Senate File 2144, section 3.

g. The appropriation made to the department of management for distribution of moneys to other governmental entities for

the payment of rate adjustments established by the office of the chief information officer pursuant to 2019 Iowa Acts, chapter 136, section 16, subsection 2.

h. Any line item appropriation, standing limited appropriation, or standing unlimited appropriation otherwise limited by law that is otherwise provided for in this Act.

Sec. 2. REPEAL. 2020 Iowa Acts, Senate File 2408, sections 7 and 8, are repealed.

DIVISION II

ADMINISTRATION AND REGULATION APPROPRIATIONS — FY 2020-2021

Sec. 3. DEPARTMENT OF ADMINISTRATIVE SERVICES. There is appropriated from the general fund of the state to the department of administrative services for the fiscal year beginning July 1, 2020, and ending June 30, 2021, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For the payment of utility costs, and for not more than the following full-time equivalent positions:

..... $ 3,882,948

..... FTEs 1.00

Notwithstanding section 8.33, any excess moneys appropriated for utility costs in this section shall not revert to the general fund of the state at the end of the fiscal year but shall remain available for expenditure for the purposes designated during the succeeding fiscal year.

DIVISION III

EDUCATION APPROPRIATIONS — FY 2020-2021

Sec. 4. STATE BOARD OF REGENTS. There is appropriated from the general fund of the state to the state board of regents for the fiscal year beginning July 1, 2020, and ending June 30, 2021, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. STATE SCHOOL FOR THE DEAF

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time

equivalent positions:

..... $ 10,536,171

..... FTEs 101.84

2. IOWA BRAILLE AND SIGHT SAVING SCHOOL

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

..... $ 4,434,459

..... FTEs 58.00

[Sec. 5. Section 261.20, subsection 2, Code 2020, is amended to read as follows:

2. The maximum balance of the scholarship and tuition grant reserve fund is an amount equal to ~~one~~ two percent of the funds appropriated to the scholarship and tuition grant programs under section 261.25 during the preceding fiscal year. The moneys in the fund shall be placed in separate accounts within the fund, according to the source and purpose of the original appropriation. Moneys in the various accounts shall only be used to alleviate a current fiscal year shortfall in appropriations for scholarship or tuition grant programs that have the same nature as the programs for which the moneys were originally appropriated. At the conclusion of a fiscal year, any surplus appropriations made to the commission for scholarship or tuition grant programs are appropriated to the scholarship and grant reserve fund in an amount equal to the amount of the surplus or the amount necessary to achieve the maximum balance, whichever amount is less.]

DIVISION IV

HEALTH AND HUMAN SERVICES APPROPRIATIONS — FY 2020-2021

Sec. 6. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK GRANT. There is appropriated from the fund created in section 8.41 to the department of human services for the fiscal year beginning July 1, 2020, and ending June 30, 2021, from moneys received under the federal temporary assistance for needy families (TANF) block grant pursuant to the federal Personal

Responsibility and Work Opportunity Reconciliation Act of 1996, Pub. L. No. 104-193, and successor legislation, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

To be credited to the family investment program account and used for assistance under the family investment program under chapter 239B:

..... $ 5,002,006

Sec. 7. MEDICAL ASSISTANCE. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2020, and ending June 30, 2021, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For medical assistance program reimbursement and associated costs as specifically provided in the reimbursement methodologies in effect on June 30, 2020, except as otherwise expressly authorized by law, consistent with options under federal law and regulations, and contingent upon receipt of approval from the office of the governor of reimbursement for each abortion performed under the program:

..... $ 1,466,364,409

The prohibitions, limitations, transfers, authorizations, requirements applicable to state and private entities, and requirements applicable to the use of appropriated moneys, including allocation amounts, set forth in 2019 Iowa Acts, chapter 85, section 13, subsections 1 through [20], apply to the moneys appropriated in this section for the fiscal year beginning July 1, 2020, and ending June 30, 2021.

Sec. 8. STATE SUPPLEMENTARY ASSISTANCE.

1. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2020, and ending June 30, 2021, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For the state supplementary assistance program:

..... $ 7,349,002

2. The department shall increase the personal needs allowance for residents of residential care facilities by the same percentage and at the same time as federal supplemental security income and federal social security benefits are increased due to a recognized increase in the cost of living. The department may adopt emergency rules to implement this subsection.

3. If during the fiscal year beginning July 1, 2020, the department projects that state supplementary assistance expenditures for a calendar year will not meet the federal pass-through requirement specified in Tit. XVI of the federal Social Security Act, section 1618, as codified in 42 U.S.C. §1382g, the department may take actions including but not limited to increasing the personal needs allowance for residential care facility residents and making programmatic adjustments or upward adjustments of the prescribed residential care facility or in-home health-related care reimbursement rates to ensure that federal requirements are met. In addition, the department may make other programmatic and rate adjustments necessary to remain within the amount appropriated in this section while ensuring compliance with federal requirements. The department may adopt emergency rules to implement the provisions of this subsection.

4. Notwithstanding section 8.33, moneys appropriated in this section that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated[, including for liability amounts associated with the supplemental nutrition assistance program payment error rate,] until the close of the succeeding fiscal year.

Sec. 9. CHILDREN'S HEALTH INSURANCE PROGRAM.

1. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2020, and ending June 30, 2021, the following

amount, or so much thereof as is necessary, to be used for the purpose designated:

For maintenance of the healthy and well kids in Iowa (hawk-i) program pursuant to chapter 514I, including supplemental dental services, for receipt of federal financial participation under Tit. XXI of the federal Social Security Act, which creates the children's health insurance program:

..... $ 37,598,984

2. Of the funds appropriated in this section, $146,682 is allocated for continuation of the contract for outreach with the department of public health.

3. A portion of the funds appropriated in this section may be transferred to the appropriations made for field operations or medical contracts to be used for the integration of hawk-i program eligibility, payment, and administrative functions under the purview of the department of human services, including for the Medicaid management information system upgrade.

Sec. 10. STATE RESOURCE CENTERS.

1. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2020, and ending June 30, 2021, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

a. For the state resource center at Glenwood for salaries, support, maintenance, and miscellaneous purposes:

..... $ 16,700,867

b. For the state resource center at Woodward for salaries, support, maintenance, and miscellaneous purposes:

..... $ 10,913,360

2. The department may continue to bill for state resource center services utilizing a scope of services approach used for private providers of intermediate care facilities for persons with an intellectual disability services, in a manner which does not shift costs between the medical assistance program,

counties, or other sources of funding for the state resource centers.

3. The state resource centers may expand the time-limited assessment and respite services during the fiscal year.

4. If the department's administration and the department of management concur with a finding by a state resource center's superintendent that projected revenues can reasonably be expected to pay the salary and support costs for a new employee position, or that such costs for adding a particular number of new positions for the fiscal year would be less than the overtime costs if new positions would not be added, the superintendent may add the new position or positions. If the vacant positions available to a resource center do not include the position classification desired to be filled, the state resource center's superintendent may reclassify any vacant position as necessary to fill the desired position. The superintendents of the state resource centers may, by mutual agreement, pool vacant positions and position classifications during the course of the fiscal year in order to assist one another in filling necessary positions.

5. If existing capacity limitations are reached in operating units, a waiting list is in effect for a service or a special need for which a payment source or other funding is available for the service or to address the special need, and facilities for the service or to address the special need can be provided within the available payment source or other funding, the superintendent of a state resource center may authorize opening not more than two units or other facilities and begin implementing the service or addressing the special need during fiscal year 2020-2021.

6. Notwithstanding section 8.33, and notwithstanding the amount limitation specified in section 222.92, moneys appropriated in this section that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes

designated until the close of the succeeding fiscal year.

Sec. 11. JUVENILE INSTITUTION. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2020, and ending June 30, 2021, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. a. For operation of the state training school at Eldora and for salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... $ 16,029,488

..... FTEs 207.00

b. Of the funds appropriated in this subsection, $91,000 shall be used for distribution to licensed classroom teachers at this and other institutions under the control of the department of human services based upon the average student yearly enrollment at each institution as determined by the department.

2. A portion of the moneys appropriated in this section shall be used by the state training school at Eldora for grants for adolescent pregnancy prevention activities at the institution in the fiscal year beginning July 1, 2020.

3. Of the funds appropriated in this subsection, $212,000 shall be used by the state training school at Eldora for a substance use disorder treatment program at the institution for the fiscal year beginning July 1, 2020.

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

DIVISION V

HEALTH AND HUMAN SERVICES — PRIOR APPROPRIATIONS AND OTHER PROVISIONS

RURAL PSYCHIATRIC RESIDENCIES

Sec. 12. 2019 Iowa Acts, chapter 85, section 3, subsection 4, paragraph j, is amended to read as follows:

j. Of the funds appropriated in this subsection, $400,000 shall be used for rural psychiatric residencies to support the annual creation and training of four psychiatric residents who will provide mental health services in underserved areas of the state. Notwithstanding section 8.33, moneys that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated for subsequent fiscal years.

FAMILY INVESTMENT PROGRAM ACCOUNT

Sec. 13. 2019 Iowa Acts, chapter 85, section 9, is amended by adding the following new subsection:

NEW SUBSECTION. 7. Notwithstanding section 8.33, moneys appropriated in this section that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated, and may be transferred to the appropriations made in this division of this Act for general administration and field operations for technology needs including the eligibility integrated applications solutions (ELIAS) project, until the close of the succeeding fiscal year.

STATE SUPPLEMENTARY ASSISTANCE

Sec. 14. 2019 Iowa Acts, chapter 85, section 15, subsection 4, is amended to read as follows:

4. Notwithstanding section 8.33, moneys appropriated in this section that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated, including for liability amounts associated with the supplemental nutrition assistance program payment error rate, until the close of the succeeding fiscal year.

CHILD AND FAMILY SERVICES

Sec. 15. 2019 Iowa Acts, chapter 85, section 19, subsection 18, is amended to read as follows:

18. Of the funds appropriated in this section, at least $147,000 shall be used for the continuation of the child welfare provider training academy, a collaboration between the coalition for family and children's services in Iowa and the department. Notwithstanding section 8.33, moneys allocated under this subsection that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year.

Sec. 16. 2019 Iowa Acts, chapter 85, section 19, is amended by adding the following new subsection:

NEW SUBSECTION. 24. Notwithstanding section 8.33, moneys appropriated in this section that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated, and including services implemented to meet the requirements of the federal Family First Prevention Services Act, until the close of the succeeding fiscal year.

MENTAL HEALTH INSTITUTES

Sec. 17. 2019 Iowa Acts, chapter 85, section 24, subsection 2, is amended to read as follows:

2. a. Notwithstanding sections 218.78 and 249A.11, any revenue received from the state mental health institute at Cherokee or the state mental health institute at Independence pursuant to 42 C.F.R §438.6(e) may be retained and expended by the mental health institute.

b. Notwithstanding sections 218.78 and 249A.11, any COVID-19 related funding received through federal funding sources by the state mental health institute at Cherokee or the state mental health institute at Independence may be retained and expended by the mental health institute.

FIELD OPERATIONS

Sec. 18. 2019 Iowa Acts, chapter 85, section 27, is amended by adding the following new subsection:

NEW SUBSECTION. 4. Notwithstanding section 8.33, moneys

appropriated in this section that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year.

GENERAL ADMINISTRATION

Sec. 19. 2019 Iowa Acts, chapter 85, section 28, is amended by adding the following new subsection:

NEW SUBSECTION. 7. Notwithstanding section 8.33, moneys appropriated in this section that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year.

DECATEGORIZATION FY 2018 CARRYOVER FUNDING

Sec. 20. DECATEGORIZATION CARRYOVER FUNDING FY 2018 — TRANSFER TO MEDICAID PROGRAM. Notwithstanding section 232.188, subsection 5, paragraph "b", any state-appropriated moneys in the funding pool that remained unencumbered or unobligated at the close of the fiscal year beginning July 1, 2017, and were deemed carryover funding to remain available for the two succeeding fiscal years that still remain unencumbered or unobligated at the close of the fiscal year beginning July 1, 2019, shall not revert but shall be transferred to the medical assistance program for the fiscal year beginning July 1, 2020.

Sec. 21. LIMITATION NOT APPLICABLE TO FY 2020-2021. All of the following amendments to 2019 Iowa Acts, chapter 85, are not applicable to the associated appropriations made for the fiscal year beginning July 1, 2020, and ending June 30, 2021, notwithstanding section 1 of this Act:

1. 2019 Iowa Acts, chapter 85, section 9, as amended in this division of this Act.

2. 2019 Iowa Acts, chapter 85, section 19, subsection 18, as amended in this division of this Act.

3. 2019 Iowa Acts, chapter 85, section 19, subsection 24, if enacted by this division of this Act.

4. 2019 Iowa Acts, chapter 85, section 27, as amended in

this division of this Act.

5. 2019 Iowa Acts, chapter 85, section 28, as amended in this division of this Act.

Sec. 22. LIMITATION APPLICABLE TO FY 2020-2021. All of the following amendments to 2019 Iowa Acts, chapter 85, are applicable to the associated appropriations made for the fiscal year beginning July 1, 2020, and ending June 30, 2021, pursuant to section 1 of this Act:

1. 2019 Iowa Acts, chapter 85, section 3, subsection 4, paragraph "j".

2. 2019 Iowa Acts, chapter 85, section 15, subsection 4.

3. 2019 Iowa Acts, chapter 85, section 24, subsection 2, as amended in this division of this Act.

Sec. 23. EFFECTIVE DATE. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

Sec. 24. RETROACTIVE APPLICABILITY. This division of this Act applies retroactively to July 1, 2019.

DIVISION VI

HEALTH AND HUMAN SERVICES — FY 2019-2020 PROVISIONS NOT APPLICABLE FOR FY 2020-2021

Sec. 25. HEALTH AND HUMAN SERVICES PROVISIONS NOT APPLICABLE TO FY 2020-2021. The following provisions of 2019 Iowa Acts, chapter 85, are not applicable to the associated appropriations made for the fiscal year beginning July 1, 2020, and ending June 30, 2021, notwithstanding section 1 of this Act:

1. 2019 Iowa Acts, chapter 85, section 3, subsection 2, paragraph "a".

2. 2019 Iowa Acts, chapter 85, section 3, subsection 7, paragraph "b".

3. 2019 Iowa Acts, chapter 85, section 3, subsection 9, paragraph "b".

4. 2019 Iowa Acts, chapter 85, section 4, subsection 1.

5. 2019 Iowa Acts, chapter 85, section 9, subsection 4.

6. 2019 Iowa Acts, chapter 85, section 13, subsections 21,

22, 23, and 24.

7. 2019 Iowa Acts, chapter 85, section 22, subsection 2.

8. 2019 Iowa Acts, chapter 85, section 24, subsection 1, paragraph "a", subparagraph (2).

9. 2019 Iowa Acts, chapter 85, section 24, subsection 1, paragraph "b", subparagraph (2).

10. 2019 Iowa Acts, chapter 85, section 26, subsection 1, paragraph "b".

11. 2019 Iowa Acts, chapter 85, section 27, subsection 2.

12. 2019 Iowa Acts, chapter 85, section 32, subsection 1.

13. 2019 Iowa Acts, chapter 85, section 33.

14. 2019 Iowa Acts, chapter 85, divisions VII, VIII, XI, XII, XIV, XVI, XIX, and XXVII.

DIVISION VII

HEALTH AND HUMAN SERVICES — NEW PROVISIONS APPLICABLE FOR FY 2020-2021

STATE MEDICAL EXAMINER

Sec. 26. STATE MEDICAL EXAMINER — USE OF MONEYS. For the fiscal year beginning July 1, 2020, and ending June 30, 2021, a portion of the moneys appropriated from the general fund of the state to the department of public health for public protection shall be used to support the office of the state medical examiner and to address the growth in demand for services. The office of the state medical examiner shall enter into a memorandum of understanding with the university of Iowa hospitals and clinics to coordinate the completion of forensic autopsies to address increased caseloads and prolonged backlogs, and to promote regional efficiencies.

HOPES — HFI

Sec. 27. HEALTHY OPPORTUNITIES FOR PARENTS TO EXPERIENCE SUCCESS (HOPES) — HEALTHY FAMILIES IOWA (HFI) PROGRAM. For the fiscal year beginning July 1, 2020, and ending June 30, 2021, of the funds appropriated from the general fund of the state to the department of public health for healthy children and families, not more than $734,000 shall be used for the

healthy opportunities for parents to experience success (HOPES) — healthy families Iowa (HFI) program established pursuant to section 135.106.

SEXUAL VIOLENCE PREVENTION PROGRAMMING

Sec. 28. SEXUAL VIOLENCE PREVENTION PROGRAMMING. For the fiscal year beginning July 1, 2020, and ending June 30, 2021, of the moneys appropriated from the general fund of the state to the department of public health for public protection, up to $243,000 shall be used for sexual violence prevention programming through a statewide organization representing programs serving victims of sexual violence through the department's sexual violence prevention program, and for continuation of a training program for sexual assault response team (SART) members, including representatives of law enforcement, victim advocates, prosecutors, and certified medical personnel. The amount allocated in this section shall not be used to supplant funding administered for other sexual violence prevention or victims assistance programs.

TAX PREPARATION ASSISTANCE

Sec. 29. DEPARTMENT OF HUMAN SERVICES — TAX PREPARATION ASSISTANCE. For the fiscal year beginning July 1, 2020, and ending June 30, 2021, of the moneys appropriated from the general fund of the state to the department of human services to be credited to the family investment program account and used for family investment assistance under chapter 239B, $195,000 shall be used for a contract executed in accordance with 2019 Iowa Acts, chapter 85, section 9, subsection 4, with an Iowa-based nonprofit organization with a history of providing tax preparation assistance to low-income Iowans in order to expand the usage of the earned income tax credit. The purpose of the contract is to supply this assistance to underserved areas of the state.

HEALTH PROGRAM OPERATIONS

Sec. 30. HEALTH PROGRAM OPERATIONS. There is appropriated from the general fund of the state to the department of human

services for the fiscal year beginning July 1, 2020, and ending June 30, 2021, the following amount or so much thereof as is necessary, to be used for the purposes designated:

For health program operations:

..... $ 17,831,343

1. The department of inspections and appeals shall provide all state matching moneys for survey and certification activities performed by the department of inspections and appeals. The department of human services is solely responsible for distributing the federal matching moneys for such activities.

2. Of the moneys appropriated in this section, $50,000 shall be used for continuation of home and community-based services waiver quality assurance programs, including the review and streamlining of processes and policies related to oversight and quality management to meet state and federal requirements.

3. Of the amount appropriated in this section, up to $200,000 may be transferred to the appropriation for general administration to be used for additional full-time equivalent positions in the development of key health initiatives such as development and oversight of managed care programs and development of health strategies targeted toward improved quality and reduced costs in the Medicaid program.

4. Of the moneys appropriated in this section, $1,000,000 shall be used for planning and development, in cooperation with the department of public health, of a phased-in program to provide a dental home for children.

5. a. Of the moneys appropriated in this section, $573,000 shall be credited to the autism support program fund created in section 225D.2 to be used for the autism support program created in chapter 225D, with the exception of the following amount of this allocation which shall be used as follows:

b. Of the moneys allocated in this subsection, $25,000 shall be used for the public purpose of continuation of a grant to a nonprofit provider of child welfare services that has been in

existence for more than 115 years, is located in a county with a population between 200,000 and 220,000 according to the most recent federal decennial census, is licensed as a psychiatric medical institution for children, and provides school-based programming, to be used for support services for children with autism spectrum disorder and their families.

Sec. 31. REFERENCES TO MEDICAL CONTRACTS — REPLACED. For the fiscal year beginning July 1, 2020, and ending June 30, 2021, all references in 2019 Iowa Acts, chapter 85, division V, to "medical contracts" shall be replaced with the term "health program operations" and all transfers of funds made to or from the appropriation for medical contracts shall instead be made to or from the appropriation for health program operations.

CHILD AND FAMILY SERVICES

Sec. 32. CHILD AND FAMILY SERVICES — GROUP FOSTER CARE. For the fiscal year beginning July 1, 2020, and ending June 30, 2021, of the funds appropriated from the general fund of the state to the department of human services for child and family services, $26,025,000 is allocated as the statewide expenditure target under section 232.143 for group foster care maintenance and services. If the department projects that such expenditures for the fiscal year will be less than the target amount allocated in this paragraph "a", the department may reallocate the excess to provide additional funding for family foster care, independent living, family-centered services, shelter care, or the child welfare emergency services addressed with the allocation for shelter care.

FAMILY SUPPORT SUBSIDY PROGRAM

Sec. 33. FAMILY SUPPORT SUBSIDY PROGRAM. For the fiscal year beginning July 1, 2020, and ending June 30, 2021, of the moneys appropriated from the general fund of the state to the department of human services for the family support subsidy program, at least $875,195 is transferred to the department of public health for the family support center component of the comprehensive family support program under chapter 225C,

subchapter V.

DEPARTMENT OF HUMAN SERVICES PROVIDER REIMBURSEMENTS

Sec. 34. PROVIDERS REIMBURSED UNDER THE DEPARTMENT OF HUMAN SERVICES.

1. For the fiscal year beginning July 1, 2020, and ending June 30, 2021, the following reimbursement rates and methodologies shall apply:

a. (1) For the fiscal year beginning July 1, 2020, case-mix, non-case-mix, and special population nursing facilities shall be reimbursed in accordance with the methodology in effect on June 30, 2020.

(2) For managed care claims, the department of human services shall adjust the payment rate floor for nursing facilities, annually, to maintain a rate floor that is no lower than the Medicaid fee-for-service case-mix adjusted rate calculated in accordance with subparagraph (1) and 441 IAC 81.6. The department shall then calculate adjusted reimbursement rates, including but not limited to add-on payments, annually, and shall notify Medicaid managed care organizations of the adjusted reimbursement rates within 30 days of determining the adjusted reimbursement rates. Any adjustment of reimbursement rates under this subparagraph shall be budget neutral to the state budget.

(3) Medicaid managed care organizations shall adjust facility-specific rates based upon payment rate listings issued by the department. The rate adjustments shall be applied prospectively from the effective date of the rate letter issued by the department.

b. For the fiscal year beginning July 1, 2020, reimbursement rates for inpatient hospital services shall be rebased effective October 1, 2020, subject to Medicaid program upper payment limit rules, and adjusted as necessary to maintain expenditures within the amount appropriated to the department for this purpose for the fiscal year.

c. For the fiscal year beginning July 1, 2020, under

both fee-for-service and managed care administration of the Medicaid program, critical access hospitals shall be reimbursed for inpatient and outpatient services based on the hospital-specific critical access hospital cost adjustment factor methodology utilizing the most recent and complete cost reporting period as applied prospectively within the funds appropriated for such purpose for the fiscal year.

d. For the fiscal year beginning July 1, 2020, assertive community treatment per diem rates shall remain at the rates in effect on June 30, 2020.

e. Notwithstanding section 234.38, for the fiscal year beginning July 1, 2020, the foster family basic daily maintenance rate and the maximum adoption subsidy rate for children ages 0 through 5 years shall be $16.78, the rate for children ages 6 through 11 years shall be $17.45, the rate for children ages 12 through 15 years shall be $19.10, and the rate for children and young adults ages 16 and older shall be $19.35. For youth ages 18 through 23 who have exited foster care, the preparation for adult living program maintenance rate shall be $602.70 per month. The maximum payment for adoption subsidy nonrecurring expenses shall be limited to $500 and the disallowance of additional amounts for court costs and other related legal expenses implemented pursuant to 2010 Iowa Acts, chapter 1031, section 408, shall be continued.

f. For the fiscal year beginning July 1, 2020, the reimbursement rate for family-centered services providers shall be established by contract.

2. With the exception of the providers and services specified in subsection 1, all other provider and service reimbursement rates and methodologies specified in 2019 Iowa Acts, chapter 85, section 31, shall continue to be applicable for the fiscal year beginning July 1, 2020, and ending June 30, 2021.

EMERGENCY RULES

Sec. 35. EMERGENCY RULES.

1. If necessary to comply with federal requirements including time frames, or if specifically authorized by a provision of this division of this Act, the department of human services or the mental health and disability services commission may adopt administrative rules under section 17A.4, subsection 3, and section 17A.5, subsection 2, paragraph "b", to implement the provisions of this division of this Act and the rules shall become effective immediately upon filing or on a later effective date specified in the rules, unless the effective date of the rules is delayed or the applicability of the rules is suspended by the administrative rules review committee. Any rules adopted in accordance with this section shall not take effect before the rules are reviewed by the administrative rules review committee. The delay authority provided to the administrative rules review committee under section 17A.4, subsection 7, and section 17A.8, subsection 9, shall be applicable to a delay imposed under this section, notwithstanding a provision in those sections making them inapplicable to section 17A.5, subsection 2, paragraph "b". Any rules adopted in accordance with the provisions of this section shall also be published as a notice of intended action as provided in section 17A.4.

2. If during a fiscal year, the department of human services is adopting rules in accordance with this section or as otherwise directed or authorized by state law, and the rules will result in an expenditure increase beyond the amount anticipated in the budget process or if the expenditure was not addressed in the budget process for the fiscal year, the department shall notify the persons designated by this division of this Act for submission of reports, the chairpersons and ranking members of the committees on appropriations, and the department of management concerning the rules and the expenditure increase. The notification shall be provided at least 30 calendar days prior to the date notice of the rules is submitted to the administrative rules coordinator and the

administrative code editor.

REPORT ON NONREVERSION OF FUNDS

Sec. 36. REPORT ON NONREVERSION OF FUNDS. The department of human services shall report the expenditure of any moneys for which nonreversion authorization was provided for the fiscal year beginning July 1, 2019, and ending June 30, 2020, for the family investment program account, state supplementary assistance, child and family services, the mental health institutes, field operations, or general administration to the chairpersons and ranking members of the joint appropriations subcommittee on health and human services, the legislative services agency, and the four legislative caucus staffs on a quarterly basis beginning October 1, 2020.

CHILD AND FAMILY SERVICES

Sec. 37. CHILD AND FAMILY SERVICES APPROPRIATION. For the fiscal year beginning July 1, 2020, and ending June 30, 2021, a portion of the funds appropriated from the general fund of the state to the department of human services for child and family services may be used for family-centered services for purposes of complying with the federal Family First Prevention Services Act of 2018, Pub. L. No. 115-123, and successor legislation.

DIVISION VIII

PUBLIC HEALTH EMERGENCY PROVISIONS

COVID-19 REGULATIONS

Sec. 38. COVID-19 FEDERAL REGULATION. For the time period beginning on the effective date of this division of this Act, and ending June 30, 2021, notwithstanding state administrative rules to the contrary, to the extent federal regulations relating to the COVID-19 pandemic differ from state administrative rules, including applicable federal waivers, the federal regulations are controlling during the pendency of the federally declared state of emergency.

COUNTY HOSPITAL FUNDING

Sec. 39. COUNTY HOSPITAL FUNDING — SUSTAINING OF HOSPITAL OPERATIONS. For the time period beginning on the effective

date of this division of this Act, and ending June 30, 2021, notwithstanding any provision of section 347.14, subsection 4, to the contrary, a board of trustees of a county hospital may borrow moneys secured solely by hospital revenues for the purpose of providing working capital or for general financing needs to sustain hospital operations.

Sec. 40. COUNTY HOSPITAL FUNDING — NONCURRENT DEBT ISSUANCE. For the time period beginning on the effective date of this division of this Act, and ending June 30, 2021, notwithstanding any provision of section 331.478, subsections 2 and 3, to the contrary, a board of trustees of a county hospital may authorize noncurrent debt for the purpose of providing working capital or for general financing needs to sustain a county hospital's operations including in the form of natural disaster loans from the state or federal government.

Sec. 41. EFFECTIVE DATE. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

DIVISION IX

MENTAL HEALTH AND DISABILITY SERVICES

Sec. 42. Section 331.389, subsection 4, paragraph c, Code 2020, is amended to read as follows:

c. The department shall work with any county that has not agreed to be part of a region in accordance with paragraph "*a*" and with the regions forming around the county to resolve issues preventing the county from joining a region. In addition to the regional governance agreement requirements in section 331.392, the department may compel the county and region to engage in mediation for resolution of a dispute. The costs incurred for mediation shall be paid by the county and the region in dispute according to their governance agreement. A county that has not agreed to be part of a region in accordance with paragraph "*a*" shall be assigned by the department to a region, unless exempted prior to July 1, 2014. A county assigned by the department to a region shall be included in that region's amended governance agreement

pursuant to this section as of an effective date designated by the department. The assigned county and region shall operate according to the region's existing governance agreement until the regional governance agreement is amended.

Sec. 43. Section 331.389, subsection 5, Code 2020, is amended to read as follows:

5. *a.* If the department determines that a region or an exempted county is not adequately fulfilling the requirements under this chapter for a regional service system, the department shall address the region or county in the following order:

~~*a.*~~ (1) Require compliance with a corrective action plan.

~~*b.*~~ (2) Reduce the amount of the annual state funding provided for the regional service system, not to exceed fifteen percent of the amount.

~~*c.*~~ (3) Withdraw approval for the region or for the county exemption, as applicable.

b. The department shall rely on all information available, including annual audits submitted under section 331.391, regional governance agreements submitted under section 331.392, and annual service and budget plans submitted under section 331.393 in determining whether a region or an exempted county is adequately fulfilling the requirements for a regional service system. The department may request and review financial documents, contracts, and other audits, and may perform on-site reviews and interviews to gather information.

Sec. 44. Section 331.392, subsection 4, Code 2020, is amended to read as follows:

4. The financial provisions of the agreement shall include all of the following:

a. Methods for pooling, management, and expenditure of the funding under the control of the regional administrator. If the agreement does not provide for pooling of the participating county moneys in a single fund, the agreement shall specify how the participating county moneys will be subject to the control

of the regional administrator.

b. (1) Methods for allocating administrative funding and resources.

(2) Methods for allocating a region's cash flow amount in the event a county leaves the region. A region's cash flow amount shall be divided by the percentage of each county's population according to the region's population indicated in the region's annual service and budget plan and shall be allocated to the counties. This subparagraph shall apply to all agreements in existence or entered into on or after July 1, 2020.

c. Contributions and uses of initial funding or related contributions made by the counties participating in the region for purposes of commencing operations by the regional administrator.

d. Methods for acquiring or disposing of real property.

e. A process for determining the use of savings for reinvestment.

f. A process for performance of an annual independent audit of the regional administrator. The annual independent audit prepared by the regional administrator shall be submitted to the department upon completion of the audit.

Sec. 45. Section 331.392, Code 2020, is amended by adding the following new subsection:

NEW SUBSECTION. 6. All agreements shall be submitted to the department. The department shall approve the agreement if the agreement complies with the requirements of this section.

Sec. 46. MENTAL HEALTH AND DISABILITY SERVICES — REGIONALIZATION AUTHORIZATION.

1. The department of human services shall facilitate the county social services mental health and disability services region dividing into two separate regions. All member counties shall participate in the planning as required by the department. Counties in the western portion of the region may form a new region if the counties meet the requirements of

this section. Counties in the eastern portion of the region shall retain the name county social services if a new region is formed by the counties in the western portion of the region.

2. County formation of a proposed new mental health and disability services region pursuant to this section is subject to all of the following:

a. The aggregate population of all counties forming the region is at least 50,000 and includes at least one incorporated city with a population of more than 24,000. For purposes of this subparagraph, "population" means the same as defined in section 331.388, subsection 4, Code 2020.

b. Notwithstanding section 331.389, subsection 4, on or before February 1, 2021, the counties forming the region have complied with section 331.389, subsection 3, and all of the following additional requirements:

(1) The board of supervisors of each county forming the region has voted to approve a chapter 28E agreement.

(2) The duly authorized representatives of all the counties forming the region have signed a chapter 28E agreement that is in compliance with section 331.392 and 441 IAC 25.14.

(3) The county board of supervisors' or supervisors' designee members and other members of the region's governing board are appointed in accordance with section 331.390.

(4) Executive staff for the region's regional administrator are identified or engaged.

(5) The regional service management plan is developed in accordance with section 331.393 and 441 IAC 25.18 and 441 IAC 25.21 and is submitted to the department.

(6) The initial regional service management plan shall identify the service provider network for the region, identify the information technology and data management capacity to be employed to support regional functions, and establish business functions, accounting procedures, and other administrative processes.

c. Each county forming the region shall submit the

compliance information required in paragraph "b" to the director of human services on or before February 1, 2021. Within forty-five days of receipt of such information, the director of human services shall determine if the region is in full compliance and shall approve the region if the region has met all of the requirements of this section.

d. The director of human services shall work with a county making a request under this section that has not agreed or is unable to join the proposed new region to resolve issues preventing the county from joining the proposed new region.

e. By February 1, 2021, the director of human services shall assign a county, making a request under this section that has not reached an agreement to be part of the proposed new region, to an existing region or to another new proposed region, consistent with this section.

3. If approved by the department, the region shall commence full operations no later than July 1, 2021.

Sec. 47. MENTAL HEALTH AND DISABILITY SERVICES — TRANSFER OF FUNDS. Notwithstanding section 331.432, a county with a population of over 300,000 based on the most recent federal decennial census may transfer funds from any other fund of the county to the mental health and disability regional services fund for the purposes of providing mental health and disability services for the fiscal year beginning July 1, 2020, and ending June 30, 2021. The county shall submit a report to the governor and the general assembly by September 1, 2021, including the source of any funds transferred, the amount of the funds transferred, and the mental health and disability services provided with the transferred funds. The county shall work with the department to maximize the use of the medical assistance program and other third-party payment sources, including but not limited to identifying individuals enrolled with or eligible for Medicaid whose Medicaid-covered services are being paid by the county or could be converted to Medicaid-covered services.

DIVISION X

FOSTER HOME INSURANCE FUND

Sec. 48. Section 237.13, Code 2020, is amended by striking the section and inserting in lieu thereof the following:

237.13 Foster home insurance fund.

1. For the purposes of this section, "*foster home*" means an individual, as defined in section 237.1, subsection 7, who is licensed to provide child foster care and shall also be known as a "*licensed foster home*".

2. The foster home insurance fund shall be administered by the department of human services. The fund shall consist of all moneys appropriated by the general assembly for deposit in the fund. The department shall use moneys in the fund to reimburse foster parents for the cost of purchasing foster care liability insurance and to perform the administrative functions necessary to carry out this section.

3. The department of human services shall adopt rules, pursuant to chapter 17A, to carry out the provisions of this section.

DIVISION XI

VETERANS HOME CARRYFORWARD

Sec. 49. Section 35D.18, subsection 5, Code 2020, is amended to read as follows:

5. Notwithstanding section 8.33, ~~any~~ up to eight hundred thousand dollars of the balance in the Iowa veterans home annual appropriation or revenues that remains unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for specified purposes of the Iowa veterans home until the close of the succeeding fiscal year.

DIVISION XII

PROPERTY TAX CREDITS

Sec. 50. PROPERTY TAX CREDITS.

1. In lieu of the standing appropriations in the following designated sections, for the fiscal year beginning July 1,

2020, and ending June 30, 2021, there is appropriated from the general fund of the state the following amounts for the following designated purposes:

a. For reimbursement for the homestead property tax credit under section 425.1:

..... $139,984,518

b. For implementing the elderly and disabled tax credit and reimbursement pursuant to sections 425.16 through 425.40:

..... $ 20,500,000

2. If the director of revenue determines that the amount of claims for credit for property taxes due pursuant to paragraphs "a" and "b", plus the amount of claims for reimbursement for rent constituting property taxes paid which are to be paid during a fiscal year may exceed the total amount appropriated for that fiscal year, the director shall estimate the percentage of the credits and reimbursements which will be funded by the appropriation. The county treasurer shall notify the director of the amount of property tax credits claimed by June 26, 2020. The director shall estimate the percentage of the property tax credits and rent reimbursement claims that will be funded by the appropriation and notify the county treasurer of the percentage estimate by June 30, 2020. The estimated percentage shall be used in computing for each claim the amount of property tax credit and reimbursement for rent constituting property taxes paid for that fiscal year. If the director overestimates the percentage of funding, claims for reimbursement for rent constituting property taxes paid shall be paid until they can no longer be paid at the estimated percentage of funding. Rent reimbursement claims filed after that point in time shall receive priority and shall be paid in the following fiscal year.

Sec. 51. TAXPAYER RELIEF FUND — APPROPRIATION. There is appropriated from the taxpayer relief fund created in section 8.57E to the department of revenue for the fiscal year beginning July 1, 2020, and ending June 30, 2021, the following

amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For reimbursement for the homestead property tax credit under section 425.1:

..... $ 2,799,690

2. For implementing the elderly and disabled tax credit and reimbursement pursuant to sections 425.16 through 425.40:

..... $ 2,460,000

Sec. 52. RETROACTIVE APPLICABILITY. This division of this Act, if approved by the governor after June 26, 2020, applies retroactively to June 26, 2020.

DIVISION XIII

CORRECTIVE PROVISIONS

Sec. 53. Section 100B.41, as enacted by 2020 Iowa Acts, Senate File 2259, section 1, is amended to read as follows:

100B.41 Donation of fire fighting, emergency medical response, and law enforcement equipment.

A fire department, emergency medical services provider, or law enforcement agency may donate used vehicles or equipment to an organization that provides fire response or emergency medical services, or to a law enforcement agency. An entity making a good faith donation of equipment pursuant to this ~~subsection~~ section shall be immune from civil liability from any claim arising from the performance, failure to perform, nature, age, condition, or packaging of any vehicle or equipment used in fire fighting, emergency medical response, or law enforcement.

[Sec. 54. Section 124E.9, subsection 15, if enacted by 2020 Iowa Acts, House File 2589, section 20, is amended to read as follows:

15. A medical cannabidiol dispensary may dispense more than a combined total of four and one-half grams of total tetrahydrocannabinol to a patient and the patient's primary caregiver in a ninety-day period if any of the following apply:

a. The health care practitioner who certified the patient to

receive a medical cannabidiol registration card certifies that patient's debilitating medical condition is a terminal illness with a life expectancy of less than one year. A certification issued pursuant to this paragraph shall include a total tetrahydrocannabinol cap deemed appropriate by the patient's health care practitioner.

b. The health care practitioner who certified the patient to receive a medical cannabidiol registration card certifies that the patient has participated in the medical cannabidiol program and that the health care practitioner has determined that four and one-half grams of total tetrahydrocannabinol in a ninety-day period is insufficient to treat the patient's debilitating medical condition. A certification issued pursuant to this paragraph shall include a total tetrahydrocannabinol cap deemed appropriate by the patient's health care practitioner.

Sec. 55. Section 218.70, Code 2020, as amended by 2020 Iowa Acts, House File 2536, section 78, if enacted, is amended to read as follows:

218.70 Payment to party entitled.

Moneys transmitted to the treasurer ~~or~~ of 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. 56. Section 260C.48, subsection 1, paragraph a, subparagraph (2), Code 2020, as enacted by 2020 Iowa Acts, House File 2454, section 1, is amended to read as follows:

(2) For purposes of subparagraph (1), subparagraph divisions (b) and (c), if the instructor is a licensed practitioner who holds a career and technical endorsement under chapter 272, relevant work experience in the occupational area includes but is not limited to classroom instruction in a career and technical education subject area offered by a school

district or accredited nonpublic school.

Sec. 57. Section 321.279, subsection 2, paragraph b, as enacted by 2020 Iowa Acts, Senate File 2275, section 1, is amended to read as follows:

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

Sec. 58. Section 514C.35, subsection 4, paragraph d, subparagraph (1), if enacted by 2020 Iowa Acts, Senate File 2261, section 5, is amended to read as follows:

(1) ~~A any~~ Any school, other than a public school, that is accredited pursuant to section 256.11 for any and all levels for grades one through twelve.

Sec. 59. Section 709.23, subsection 2, if enacted by 2020 Iowa Acts, House File 2554, section 4, is amended to read as follows:

2. A person who commits continuous sexual abuse of a child is, upon conviction, guilty of a class "B" felony. Notwithstanding section 902.9, subsection 1, paragraph "*b*", a person convicted of a violation of this ~~subsection~~ section involving any combination of three or more acts of sexual abuse that includes a violation of section 709.3 or 709.4 shall be confined for no more than fifty years.

Sec. 60. 2020 Iowa Acts, Senate File 2357, section 9, subsection 2, paragraph b, subparagraph (1), subparagraph division (a), is amended to read as follows:

(a) Review of requirements. The supervising physician and the physician assistant shall review all of the requirements of physician assistant licensure, practice, supervision, and delegation of medical services as set forth in section 148.13 and chapter 148C, the Iowa administrative code ~~chapter~~ chapters under 653 IAC, and 645 IAC chapters 326 to 329.

Sec. 61. 2020 Iowa Acts, Senate File 2357, section 10, subsection 1, unnumbered paragraph 1, is amended to read as

follows:

~~The~~ Notwithstanding section 148C.5, the board of physician assistants shall rescind all of the following:

Sec. 62. EFFECTIVE DATE. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

Sec. 63. RETROACTIVE APPLICABILITY. The following apply retroactively to March 18, 2020:

1. The section of this division of this Act amending 2020 Iowa Acts, Senate File 2357, section 9.

2. The section of this division of this Act amending 2020 Iowa Acts, Senate File 2357, section 10.

DIVISION XIV

IOWA STATE FAIR BOARD — BOND AUTHORIZATION

Sec. 64. IOWA STATE FAIR BOARD — BOND AUTHORIZATION. If the Iowa state fair board decides not to hold the Iowa state fair for the fiscal year beginning July 1, 2020, and ending June 30, 2021, the Iowa state fair board is authorized to issue and sell negotiable revenue bonds of the Iowa state fair authority pursuant to section 173.14B during the fiscal year for purposes of providing sufficient funds for the advancement of any of its corporate purposes, including salaries, support, maintenance, and miscellaneous purposes.

DIVISION XV

IOWA LAW ENFORCEMENT ACADEMY — RELOCATION

Sec. 65. 2019 Iowa Acts, chapter 163, section 10, subsection 1, paragraph a, subparagraph (2), is amended to read as follows:

(2) For the costs associated with temporary relocation of the Iowa law enforcement academy:

..... $ 1,015,442

Notwithstanding section 8.33, moneys appropriated in this subparagraph that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the fiscal year that begins July 1, 2020.

Sec. 66. EFFECTIVE DATE. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

Sec. 67. RETROACTIVE APPLICABILITY. This division of this Act, if approved by the governor on or after July 1, 2020, applies retroactively to June 30, 2020.

DIVISION XVI

NONPUBLIC SCHOOL CONCURRENT ENROLLMENT

Sec. 68. 2019 Iowa Acts, chapter 135, section 5, subsection 27, is amended to read as follows:

27. NONPUBLIC SCHOOL CONCURRENT ENROLLMENT PAYMENTS TO COMMUNITY COLLEGES

For payments to community colleges for the concurrent enrollment of accredited nonpublic students under section 261E.8, subsection 2, paragraph "b", if enacted by 2019 Iowa Acts, Senate File 603:

..... $ 1,000,000

Notwithstanding section 8.33, moneys appropriated in this subsection that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the fiscal year that begins July 1, 2020.

Sec. 69. NONREVERSION NOT APPLICABLE TO FY 2020-2021. The specified nonreversion provision set forth in 2019 Iowa Acts, chapter 135, section 5, subsection 27, as amended in this division of this Act, is not applicable to the associated appropriation made for the fiscal year beginning July 1, 2020, and ending June 30, 2021, notwithstanding section 1 of this Act.

Sec. 70. EFFECTIVE DATE. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

Sec. 71. RETROACTIVE APPLICABILITY. This division of this Act, if approved by the governor on or after July 1, 2020, applies retroactively to June 30, 2020.

DIVISION XVII

RESOURCE ENHANCEMENT AND PROTECTION

Sec. 72. Section 455A.18, subsection 3, paragraph a, Code 2020, is amended to read as follows:

a. For each fiscal year of the fiscal period beginning July 1, 1997, and ending June 30, ~~2021~~ 2023, there is appropriated from the general fund, to the Iowa resources enhancement and protection fund, the amount of twenty million dollars, to be used as provided in this chapter. However, in any fiscal year of the fiscal period, if moneys from the lottery are appropriated by the state to the fund, the amount appropriated under this subsection shall be reduced by the amount appropriated from the lottery.

DIVISION XVIII

CIVIL TRIALS — LOCATION

Sec. 73. CIVIL TRIALS — LOCATION. Notwithstanding any provision to the contrary, for the fiscal year beginning July 1, 2020, and ending June 30, 2021, if all parties in a case agree, a civil trial including a jury trial may take place in a county contiguous to the county with proper jurisdiction, even if the contiguous county is located in an adjacent judicial district or judicial election district. If the trial is moved pursuant to this section, court personnel shall treat the case as if a change of venue occurred.

DIVISION XIX

CLERKS OF THE DISTRICT COURT

Sec. 74. Section 602.1215, subsection 1, Code 2020, is amended to read as follows:

1. Subject to the provisions of section 602.1209, subsection 3, the district judges of each judicial election district shall by majority vote appoint persons to serve as clerks of the district court within the judicial election district. The district judges of a judicial election district may appoint a person to serve as clerk of the district court for more than one ~~but not more than four contiguous counties~~ county in the same judicial district. A person does not qualify for appointment to the office of clerk of the district

court unless the person is at the time of application a resident of the state. A clerk of the district court may be removed from office for cause by the chief judge of the judicial district, after consultation with the district judges of the judicial election district. Prior to removal, the clerk of the district court shall be notified of the cause for removal.

DIVISION XX

DEPARTMENT OF PUBLIC SAFETY APPROPRIATION — FY 2019-2020

Sec. 75. DEPARTMENT OF PUBLIC SAFETY. There is appropriated from the general fund of the state to the department of public safety for the fiscal year beginning July 1, 2019, and ending June 30, 2020, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For overtime expenses, including salaries, support, maintenance, and miscellaneous purposes:

..... $ 2,400,000

Notwithstanding section 8.33, moneys appropriated in this section that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the fiscal year that begins July 1, 2020.

Sec. 76. APPROPRIATION NOT APPLICABLE TO FY 2020-2021. The appropriation set forth in this division of this Act is not applicable for the fiscal year beginning July 1, 2020, and ending June 30, 2021, notwithstanding section 1 of this Act.

Sec. 77. EFFECTIVE DATE. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

Sec. 78. RETROACTIVE APPLICABILITY. This division of this Act, if approved by the governor on or after July 1, 2020, applies retroactively to June 30, 2020.

DIVISION XXI

ALARM SYSTEM CONTRACTORS — FEES AND FINES

Sec. 79. Section 100C.1, Code 2020, is amended by adding the following new subsection:

NEW SUBSECTION. 8A. *"False alarm"* means the activation of an alarm system when a situation requiring emergency response does not actually exist. For purposes of this chapter, *"false alarm"* does not include the activation of an alarm system as a result of weather conditions.

Sec. 80. Section 100C.6, subsection 1, Code 2020, is amended to read as follows:

1. Relieve any person from payment of any local permit or building fee, except as provided in section 100C.11.

Sec. 81. NEW SECTION. **100C.11 Alarm systems — fees or fines — limitations.**

A political subdivision shall not adopt or enforce an ordinance, resolution, rule, or other measure requiring an alarm system contractor to pay a fee or fine associated with any of the following:

1. False alarms.

2. Emergency response to false alarms.

3. Permits associated with placing or keeping an alarm system in service, not including any installation permits required by the political subdivision's building code.

Sec. 82. NEW SECTION. **100C.12 Collection of fees.**

1. If, prior to the effective date of this division of this Act, an alarm system contractor charged its customers an amount equal to the costs the political subdivision of the state imposed on the alarm system contractor for permits associated with placing or keeping an alarm in service, as shown on a separate line item on the customer's invoice, the alarm system contractor may continue to collect from its customers such fees until December 31, 2020. The alarm system contractor shall pay to the political subdivision of the state or its designee the fees collected under this section in accordance with the instructions of the political subdivision or the political subdivision's designee.

2. Fees collected by an alarm system contractor under this section shall not be subject to audit by a political

subdivision or the political subdivision's designee.

Sec. 83. EFFECTIVE DATE. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

DIVISION XXII

ECONOMIC DEVELOPMENT AUTHORITY

Sec. 84. 2019 Iowa Acts, chapter 154, section 3, subsection 1, paragraph b, is amended by adding the following new subparagraph:

NEW SUBPARAGRAPH. (7) For technical assistance to communications service providers in completing applications for federal funds, or any other funds from any public or private sources, related to improving broadband infrastructure.

Sec. 85. POWERS APPLICABLE TO FY 2020-2021. The powers set forth in 2019 Iowa Acts, chapter 154, section 3, subsection 1, paragraph b, as amended in this division of this Act, are applicable to the associated appropriation made for the fiscal year beginning July 1, 2020, and ending June 30, 2021, pursuant to section 1 of this Act.

Sec. 86. INSURANCE ECONOMIC DEVELOPMENT. From the moneys collected by the insurance division in excess of the anticipated gross revenues under section 505.7, subsection 3, during the fiscal year beginning July 1, 2020, $100,000 shall be transferred to the economic development authority for insurance economic development and international insurance economic development.

Sec. 87. UNEMPLOYMENT COMPENSATION PROGRAM. Notwithstanding section 96.9, subsection 4, paragraph "a", moneys credited to the state by the secretary of the treasury of the United States pursuant to section 903 of the Social Security Act are appropriated to the department of workforce development and shall be used by the department for the administration of the unemployment compensation program only. This appropriation shall not apply to any fiscal year beginning after December 31, 2020.

Sec. 88. EFFECTIVE DATE. This division of this Act, being

deemed of immediate importance, takes effect upon enactment.

Sec. 89. RETROACTIVE APPLICABILITY. The following applies retroactively to July 1, 2019:

The section of this division of this Act enacting 2019 Iowa Acts, chapter 154, section 3, subsection 1, paragraph b, subparagraph (7).

DIVISION XXIII

CONTINGENT APPROPRIATIONS — FY 2020-2021

Sec. 90. COLLEGE STUDENT AID COMMISSION. There is appropriated from the general fund of the state to the college student aid commission for the fiscal year beginning July 1, 2020, and ending June 30, 2021, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For implementation of 2020 Iowa Acts, House File 2629, if enacted, including salaries, support, maintenance, and miscellaneous purposes:

..... $ 32,000

Sec. 91. COLLEGE STUDENT AID COMMISSION. There is appropriated from the general fund of the state to the college student aid commission for the fiscal year beginning July 1, 2020, and ending June 30, 2021, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For implementation of 2020 Iowa Acts, Senate File 2398, if enacted, including salaries, support, maintenance, and miscellaneous purposes:

..... $ 300,000

Sec. 92. DEPARTMENT OF PUBLIC SAFETY. There is appropriated from the general fund of the state to the department of public safety for the fiscal year beginning July 1, 2020, and ending June 30, 2021, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For implementation of 2020 Iowa Acts, House File 2581, as amended in this Act, if enacted, including salaries, support,

maintenance, and miscellaneous purposes:
..... $ 411,000

Sec. 93. IOWA LAW ENFORCEMENT ACADEMY. There is appropriated from the general fund of the state to the Iowa law enforcement academy for the fiscal year beginning July 1, 2020, and ending June 30, 2021, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For implementation of 2020 Iowa Acts, House File 2647, if enacted, including salaries, support, maintenance, and miscellaneous purposes:
..... $ 140,000

Sec. 94. CONTINGENT REPEAL. The section of this division of this Act appropriating moneys to the college student aid commission for implementation of 2020 Iowa Acts, House File 2629, is repealed if 2020 Iowa Acts, House File 2629, is not enacted.

Sec. 95. CONTINGENT EFFECTIVE DATE. The following takes effect on the effective date of 2020 Iowa Acts, Senate File 2398, if enacted:

The section of this division of this Act appropriating moneys to the college student aid commission for implementation of 2020 Iowa Acts, Senate File 2398.

Sec. 96. CONTINGENT EFFECTIVE DATE. The following takes effect on the effective date of 2020 Iowa Acts, House File 2581, as amended in this Act, if enacted:

The section of this division of this Act appropriating moneys to the department of public safety.

Sec. 97. CONTINGENT EFFECTIVE DATE. The following takes effect on the effective date of 2020 Iowa Acts, House File 2647, if enacted:

The section of this division of this Act appropriating moneys to the Iowa law enforcement academy.

DIVISION XXIV
ADJUSTMENT TO SCHOOL FOUNDATION AID

Sec. 98. ADJUSTMENT TO STATE FOUNDATION AID FOR SCHOOL BUDGET YEAR 2020-2021.

1. If a school district was required to repay property taxes paid or had a reduction in property taxes due for school taxes levied for the school budget year beginning July 1, 2019, on a property that received an assessed value reduction for the assessment year beginning January 1, 2018, by action of the board of review or property assessment appeal board, or by judicial action, and the amount of the reduction for the property exceeded $47,000,000, the school district is eligible for an adjustment in state foundation aid for the budget year beginning July 1, 2020.

2. To receive the adjustment in state foundation aid, the school district shall apply to the department of management within thirty days following the effective date of this division of this Act and section 257.12, subsection 3, shall not apply. The department of management shall determine the amount of adjustment in state foundation aid pursuant to subsection 3.

3. The department of management shall determine the amount of state foundation aid which the school district would have received under section 257.1 for the school budget year beginning July 1, 2019, in the manner provided in section 257.12, subsection 2. The adjustment in state foundation aid under this section shall be paid as provided in section 257.16.

Sec. 99. EFFECTIVE DATE. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

DIVISION XXV

HEMP REGULATION

Sec. 100. REPEAL. 2020 Iowa Acts, House File 2581, section 19, if enacted, is repealed.

Sec. 101. 2020 Iowa Acts, House File 2581, if enacted, is amended by adding the following new section:

NEW SECTION. 19A. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment.

Sec. 102. RETROACTIVE APPLICABILITY. The following applies retroactively to the effective date of 2020 Iowa Acts, House File 2581, as amended in this division of this Act, if enacted:

The section of this division of this Act repealing 2020 Iowa Acts, House File 2581, section 19.

DIVISION XXVI

GRAIN REGULATION

Sec. 103. APPROPRIATION. There is appropriated from the general fund of the state to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2020, and ending June 30, 2021, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

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

..... $ 350,000

Sec. 104. SUSPENSION. Notwithstanding section 203D.5, the fees described in that section shall not be assessable or owing.

Sec. 105. REPEAL. The section of this division of this Act suspending fees under section 203D.5 is repealed on March 1, 2021.

Sec. 106. EFFECTIVE DATE. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

DIVISION XXVII

RETURNS ON SEARCH WARRANTS

Sec. 107. Section 808.8, subsection 2, Code 2020, is amended to read as follows:

2. The officer must file, with the officer's return, a complete inventory of the property taken, ~~and state under oath~~ including a sworn statement that it is accurate to the best of the officer's knowledge. The magistrate must, if requested, deliver a copy of the inventory of seized property to the person from whose possession it was taken and to the applicant

for the warrant.

Sec. 108. CONTINGENT EFFECTIVE DATE. This division of this Act takes effect on the effective date of rules prescribed by the supreme court and submitted to the legislative council pursuant to section 602.4202, that establish processes and procedures for the application and issuance of a search warrant by electronic means to implement 2017 Iowa Acts, chapter 37.

DIVISION XXVIII

RURAL IMPROVEMENT ZONES

Sec. 109. Section 357H.1, subsection 1, Code 2020, is amended to read as follows:

1. The board of supervisors of a county with less than twenty thousand residents, not counting persons admitted or committed to an institution enumerated in section 218.1 or 904.102, based upon the most recent certified federal census, and with a private ~~lake~~ real estate development adjacent to or abutting in part a lake may designate an area surrounding the lake, if it is an unincorporated area of the county, a rural improvement zone upon receipt of a petition pursuant to section 357H.2, and upon the board's determination that the area is in need of improvements.

Sec. 110. EFFECTIVE DATE. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

Sec. 111. APPLICABILITY. This division of this Act applies to rural improvement zones in existence on or established on or after the effective date of this division of this Act.

DIVISION XXIX

COUNTY ZONING

Sec. 112. Section 335.8, subsection 1, Code 2020, as amended by 2020 Iowa Acts, House File 2512, section 3, is amended to read as follows:

1. In order to avail itself of the powers conferred by this chapter, the board of supervisors shall appoint a commission consisting of eligible electors, as defined in section 39.3, who reside within the ~~area regulated by the county zoning~~

~~ordinance~~ county, but outside the corporate limits of any city, to be known as the county zoning commission. The commission may recommend the boundaries of the various districts and appropriate regulations and restrictions to be enforced in the districts. The commission shall, with due diligence, prepare a preliminary report and hold public hearings on the preliminary report before submitting the commission's final report. The board of supervisors shall not hold its public hearings or take action until it has received the final report of the commission. After the adoption of the regulations, restrictions, and boundaries of districts, the zoning commission may, from time to time, recommend to the board of supervisors amendments, supplements, changes, or modifications. The commission's report and any recommendations may include a proposed ordinance or amendments to an ordinance.

Sec. 113. Section 335.11, Code 2020, as amended by 2020 Iowa Acts, House File 2512, section 4, is amended to read as follows:

335.11 Membership of board.

The board of adjustment shall consist of five members who are eligible electors, as defined in section 39.3, and who reside within the ~~area regulated by the county zoning ordinance~~ county, but outside the corporate limits of any city, each to be appointed for a term of five years, excepting that when the board shall first be created one member shall be appointed for a term of five years, one for a term of four years, one for a term of three years, one for a term of two years, and one for a term of one year. Members shall be removable for cause by the appointing authority upon written charges and after public hearing. Vacancies shall be filled for the unexpired term of any member whose term becomes vacant.

Sec. 114. EFFECTIVE DATE. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

Sec. 115. RETROACTIVE APPLICABILITY. This division of this Act applies retroactively to June 1, 2020, to members of county

zoning commissions and county boards of adjustment holding office on or after that date.

DIVISION XXX

COLLEGE STUDENT AID COMMISSION

Sec. 116. 2019 Iowa Acts, chapter 154, section 17, subsection 1, paragraph d, is amended to read as follows:

d. COLLEGE STUDENT AID COMMISSION

For deposit in the future ready Iowa skilled workforce grant fund established pursuant to section 261.132, as enacted by 2018 Iowa Acts, chapter 1067, section 13:

..... $ 1,000,000

Of the moneys appropriated in this lettered paragraph, $600,000 shall be transferred to the future ready Iowa skilled workforce last-dollar scholarship fund created in section 261.131.

Sec. 117. EFFECTIVE DATE. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

Sec. 118. RETROACTIVE APPLICABILITY. This division of this Act applies retroactively to July 1, 2019.]

DIVISION XXXI

CONTINGENT EFFECTIVE DATE AND RETROACTIVE APPLICABILITY

Sec. 119. EFFECTIVE UPON ENACTMENT. Unless otherwise provided, this Act, if approved by the governor on or after July 1, 2020, takes effect upon enactment.

Sec. 120. RETROACTIVE APPLICABILITY. Unless otherwise provided, this Act, if approved by the governor on or after July 1, 2020, applies retroactively to July 1, 2020.