SENATE FILE 2295
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SSB 3109)

(As Amended and Passed by the Senate February 21, 2022)

* = Language Stricken by the Senate

see page 68

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 retroactive applicability provisions.

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

DIVISION I

MISCELLANEOUS CHANGES

Section 1. Section 8B.11, subsection 5, paragraph b, Code 2022, is amended to read as follows:

b. Fifty percent of a communications service provider's project costs for projects that will result in the installation of broadband infrastructure in a targeted service area within which no communications service provider offers or facilitates broadband service that provides download ~~and upload~~ speeds less than or equal to the tier 2 download ~~and upload~~ speeds specified in the definition of targeted service area in section 8B.1.

Sec. 2. Section 9.14, subsection 2, Code 2022, is amended to read as follows:

2. If the secretary reports the approval of a proposed filing of the document, the secretary shall return the proposed filing's document stamped with the approval date. If an inaccuracy or defect was present in an approved proposed filing of a document, but that inaccuracy or defect prevents the actual filing of the document by the secretary, the filer may timely submit a corrected document. The corrected document is effective retroactively as of the ~~effective~~ date that the ~~actual filing of the document was~~ filer submitted the approved proposed filing to the secretary for actual filing.

Sec. 3. Section 12.30, subsection 5, Code 2022, is amended by striking the subsection.

Sec. 4. Section 12I.3, unnumbered paragraph 1, Code 2022, is amended to read as follows:

~~On or after July 1, 2016, the~~ The trust may enter into participation agreements pursuant to the following terms and agreements:

Sec. 5. Section 15.331C, subsections 1 and 2, Code 2022, are amended to read as follows:

1. An eligible business may claim a tax credit in an amount equal to the sales and use taxes paid by a third-party

developer under chapter 423 for gas, electricity, water, or sewer utility services, ~~goods, wares, or merchandise~~ tangible personal property, or on services rendered, furnished, or performed to or for a contractor or subcontractor and used in the fulfillment of a written contract relating to the construction or equipping of a facility of the eligible business. Taxes attributable to intangible property and furniture and furnishings shall not be included, but taxes attributable to racks, shelving, and conveyor equipment to be used in a warehouse or distribution center shall be included. Any credit in excess of the tax liability for the tax year may be credited to the tax liability for the following seven years or until depleted, whichever occurs earlier. An eligible business may elect to receive a refund of all or a portion of an unused tax credit.

2. A third-party developer shall state under oath, on forms provided by the department of revenue, the amount of taxes paid as described in subsection 1 and shall submit such forms to the department of revenue. The taxes paid shall be itemized to allow identification of the taxes attributable to racks, shelving, and conveyor equipment to be used in a warehouse or distribution center. After receiving the form from the third-party developer, the department of revenue shall issue a tax credit certificate to the eligible business equal to the sales and use taxes paid by a third-party developer under chapter 423 for gas, electricity, water, or sewer utility services, ~~goods, wares, or merchandise~~ tangible personal property, or on services rendered, furnished, or performed to or for a contractor or subcontractor and used in the fulfillment of a written contract relating to the construction or equipping of a facility. The department of revenue shall also issue a tax credit certificate to the eligible business equal to the taxes paid and attributable to racks, shelving, and conveyor equipment to be used in a warehouse or distribution center. The aggregate combined total amount

of tax refunds under section 15.331A for taxes attributable to racks, shelving, and conveyor equipment to be used in a warehouse or distribution center and of tax credit certificates issued by the department of revenue for the taxes paid and attributable to racks, shelving, and conveyor equipment to be used in a warehouse or distribution center shall not exceed five hundred thousand dollars in a fiscal year. If an applicant for a tax credit certificate does not receive a certificate for the taxes paid and attributable to racks, shelving, and conveyor equipment to be used in a warehouse or distribution center, the application shall be considered in succeeding fiscal years. The eligible business shall not claim a tax credit under this section unless a tax credit certificate issued by the department of revenue is included with the taxpayer's tax return for the tax year for which the tax credit is claimed. A tax credit certificate shall contain the eligible business's name, address, tax identification number, the amount of the tax credit, and other information deemed necessary by the department of revenue.

Sec. 6. Section 15E.71, Code 2022, is amended to read as follows:

15E.71 Executive council action.

Notwithstanding section 7D.29, subsection 1, the executive council in full consultation with the attorney general, and with the agreement of the attorney general, shall take any action deemed necessary to protect the interests of the state with respect to any certificates, tax credits, entities created, or action taken in relation to this subchapter. Such actions may include but are not limited to initiation of legal action, commencement of special investigations, institution of special audits of any involved entity, or establishment of receiverships. If such action is taken, the council may incur the necessary expense to perform such a duty or cause such a duty to be performed, and pay the ~~same~~ expense out of any moneys in the state treasury not otherwise appropriated.

Sec. 7. Section 15E.370, subsection 6, unnumbered paragraph 1, Code 2022, is amended to read as follows:

Applications shall be accepted during one or more annual application periods to be determined by the authority by rule. Upon reviewing and scoring all applications that are received during an application period, and subject to funding availability, the authority may, in consultation with the department, award financial assistance to eligible businesses. A financial assistance award shall not exceed the amount of eligible project costs included in the eligible business's application. Priority shall be given to eligible businesses whose proposed ~~project~~ projects under subsection 3 will do any of the following:

Sec. 8. Section 17A.8, subsections 2 and 8, Code 2022, are amended to read as follows:

2. A committee member shall be appointed as of the convening of a regular session convened in an odd-numbered year. The term of office for a member ~~of~~ from the house of representatives shall end upon the convening of the general assembly following the appointment. The term of office for a member ~~of~~ from the senate shall end upon the convening of the general assembly after the general assembly following appointment. However, a member shall serve until a successor is appointed. A vacancy on the committee shall be filled by the original appointing authority for the remainder of the term. A vacancy shall exist whenever a committee member ceases to be a member of the house from which the member was appointed.

8. If the committee finds objection to a rule, it may utilize the procedure provided in section 17A.4, subsection 6. In addition or in the alternative, the committee may include in the referral, under subsection 7 of this section, a recommendation that ~~this~~ the rule be overcome by statute. If the committee of the general assembly to which a rule is referred finds objection to the referred rule, it may recommend

to the general assembly that this rule be overcome by statute. This section shall not be construed to prevent a committee of the general assembly from reviewing a rule on its own motion.

Sec. 9. Section 17A.9A, subsections 4 and 5, Code 2022, are amended to read as follows:

4. A grant or denial of a waiver petition shall be indexed, filed, and available for public inspection as provided in section 17A.3. The administrative code editor and the administrative rules coordinator shall ~~devise~~ maintain an internet site to identify rules for which a petition for a waiver has been granted or denied and make this information available to the public. When an agency grants or denies a waiver, the agency shall submit the information required by this subsection on the internet site within sixty days. The internet site shall identify the rules for which a waiver has been granted or denied, the number of times a waiver was granted or denied for each rule, a citation to the statutory provisions implemented by these rules, and a general summary of the reasons justifying the agencies' actions on the waiver request. To the extent practicable, the agency shall include information detailing the extent to which the granting of a waiver has established a precedent for additional waivers and the extent to which the granting of a waiver has affected the general applicability of the rule itself.

5. For purposes of this section, ~~*"a waiver"*~~ *"waiver"* means an agency action which suspends in whole or in part the requirements or provisions of a rule as applied to an identified person on the basis of the particular circumstances of that person.

Sec. 10. Section 22A.1, Code 2022, is amended by adding the following new unnumbered paragraph before subsection 1:

NEW UNNUMBERED PARAGRAPH. As used in this chapter:

Sec. 11. Section 23A.2, subsection 10, paragraph k, subparagraphs (8) and (10), Code 2022, are amended to read as follows:

(8) Health care and related services provided to patients and visitors by the university of Iowa.

(10) Services provided to the public at the Iowa state university college of veterinary medicine.

Sec. 12. Section 24.4, Code 2022, is amended to read as follows:

24.4 Time of filing estimates.

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~~ of the estimates and action ~~thereon~~ to be taken as ~~hereinafter~~ provided in this chapter.

Sec. 13. Section 24.9, subsection 1, paragraph a, Code 2022, is amended to read as follows:

a. Each municipality shall file with the secretary or clerk thereof the estimates required to be made in sections 24.3 ~~to~~ through 24.8, at least twenty days before the date fixed by law for certifying the same to the levying board and shall forthwith fix a date for a hearing ~~thereon~~ on the estimates, and shall publish such estimates and any annual levies previously authorized as provided in section 76.2, with a notice of the time when and the place where such hearing shall be held not less than ten nor more than twenty days before the hearing. Provided that in municipalities of less than two hundred population such estimates and the notice of hearing ~~thereon~~ shall be posted in three public places in the district in lieu of publication. For any other municipality such publication shall be in a newspaper published ~~therein~~ in the municipality, if any, if not, then in a newspaper of general circulation ~~therein~~ in the municipality.

Sec. 14. Section 24.10, Code 2022, is amended to read as follows:

24.10 Levies void.

The verified proof of the publication of ~~such~~ the notice under section 24.9 shall be filed in the office of the county auditor and preserved by the auditor. ~~No~~ A levy shall not be valid unless and until ~~such~~ that notice is published and filed.

Sec. 15. Section 24.11, Code 2022, is amended to read as follows:

24.11 Meeting for review.

The certifying board or the levying board, as the case may be, shall meet at the time and place designated in ~~said~~ the notice~~, at which~~ published under section 24.9. At the meeting, any person who would be subject to ~~such~~ the tax levy~~,~~ shall be heard in favor of or against the ~~same~~ budget estimates and proposed levy or any part thereof.

Sec. 16. Section 25B.6, subsection 2, Code 2022, is amended to read as follows:

2. The fiscal ~~note~~ impact statement shall also be submitted to the legislative fiscal committee of the legislative council. Beginning in the first full fiscal year after adoption of the state administrative rule, the fiscal committee shall annually prepare a report for each fiscal ~~note~~ impact statement submitted detailing the fiscal impact of the administrative rule on the affected political subdivision, or agencies and entities which contract with the political subdivision to provide services. The report shall be transmitted to the governor and the general assembly.

Sec. 17. Section 27B.1, Code 2022, is amended by adding the following new unnumbered paragraph before subsection 1:

NEW UNNUMBERED PARAGRAPH. As used in this chapter, unless the context otherwise requires:

Sec. 18. Section 29C.25, subsection 1, paragraph b, Code 2022, is amended to read as follows:

b. Suspend or revoke, except in accordance with section 724.13, a permit issued pursuant to section 724.6, 724.7, or ~~724.15~~ 724.19.

Sec. 19. Section 34A.2, subsections 1, 2, 3, and 17, Code 2022, are amended to read as follows:

1. *"911 call processing equipment"* means equipment owned by the department of homeland security and emergency management that functions in a host remote environment, provides 911 call processing functionality to public safety answering points, and utilizes the next generation 911 network. *"911 call processing equipment"* includes but is not limited to computer aided dispatch, voice logging recorders, mapping, and emergency medical dispatch.

2. *"911 call processing equipment provider"* means a vendor or vendors selected by the department of homeland security and emergency management to provide 911 call processing equipment.

3. *"911 call transport provider"* means a vendor or vendors selected by the department of homeland security and emergency management to deliver aggregated wire-line 911 call traffic to the next generation 911 network and from the next generation 911 network to public safety answering points.

17. *"Next generation 911 network service provider"* means a vendor or vendors selected by the department of homeland security and emergency management to provide next generation 911 network functionality.

Sec. 20. Section 34A.8, subsection 1, Code 2022, is amended to read as follows:

1. A local exchange service provider shall furnish to the next generation 911 network service provider, designated by the department of homeland security and emergency management, all names, addresses, and telephone number information concerning its subscribers which will be served by the next generation 911 network and shall periodically update the local exchange service information. The 911 service provider shall furnish the addresses and telephone number information received from the local exchange service provider to the director for use in the mass notification and emergency messaging system as defined in section 29C.2. The local exchange service provider shall

receive as compensation for the provision of local exchange service information charges according to its tariffs on file with and approved by the Iowa utilities board. The tariff charges shall be the same whether or not the local exchange service provider is designated as the next generation 911 network service provider by the department of homeland security and emergency management.

Sec. 21. Section 44.6, Code 2022, is amended to read as follows:

44.6 Hearing before state commissioner.

Objections filed with the state commissioner shall be considered by the secretary of state and auditor of state and attorney general, and a majority decision shall be final~~;~~ ~~but~~. However, if the objection is to the certificate of nomination of one or more of the above named officers, ~~said~~ the officer or officers ~~so~~ objected to shall not pass upon the ~~same~~ objection, but their places shall be filled, respectively, by the treasurer of state, the governor, and the secretary of agriculture. Objections relating to incorrect or incomplete information for information that is required under section 44.3 shall be sustained.

Sec. 22. Section 49.53, subsection 1, Code 2022, is amended to read as follows:

1. The commissioner shall not less than four nor more than twenty days before the day of each election, except those for which different publication requirements are prescribed by law, publish notice of the election. The notice shall list the names of all candidates or nominees and the office each seeks, and all public questions, to be voted upon at the election. The notice shall also state the date of the election, the hours the polls will be open, that each voter is required to provide identification at the polling place before the voter can receive and cast a ballot, the location of each polling place at which voting is to occur in the election, and the names of the precincts voting at each polling place. The notice shall

include the full text of all public measures to be voted upon at the election. The notice may contain one or more facsimiles of the portion of the ballot containing the first ~~rotation~~ arrangement of candidates as prescribed by section 49.31, subsection 2.

Sec. 23. Section 53.47, subsection 2, Code 2022, is amended to read as follows:

2. There is ~~hereby~~ appropriated to the department of administrative services from the general fund of the state such sums as may be necessary to purchase any materials provided for ~~herein~~ in this section. The proceeds from sale of such materials to counties shall be ~~turned into~~ deposited in the general fund of the state upon receipt of ~~same~~ the moneys by the department of administrative services.

Sec. 24. Section 70A.39, subsection 2, paragraph c, Code 2022, is amended to read as follows:

c. A leave of absence of up to two consecutive hours in a workday for an employee who requests a leave of absence to serve as a voluntary blood donor if the employee provides written verification from the employee's physician or the facility involved with the blood donation that the employee will serve as a voluntary blood donor. An employee may submit a request for a leave of absence under this ~~subsection~~ paragraph no more than four times in a year.

Sec. 25. Section 80.6A, subsection 1, paragraph a, Code 2022, is amended to read as follows:

a. Notwithstanding any provision to the contrary, peace officers employed within the department ~~that~~ who are not covered under a collective bargaining agreement but who were at any time eligible to be enrolled in the group health insurance plan that is negotiated under chapter 20 between the state and the state police officers council labor union and who elect to participate in a group health insurance plan provided by the state, shall only be permitted to participate in the group health insurance plan that is negotiated under chapter

20 between the state and the state police officers council labor union for peace officers subject to the requirements of this ~~subsection~~ section. In addition, a peace officer who was covered under a collective bargaining agreement and who becomes a manager or supervisor and is no longer covered by the agreement shall not lose group health insurance benefits as provided by the agreement.

Sec. 26. Section 85.1, subsection 3, paragraph b, subparagraph (2), Code 2022, is amended to read as follows:

(2) The spouse of a partner of a partnership, the parents, brothers, sisters, children, and stepchildren of either a partner or the spouse of a partner, and the spouses of the brothers, sisters, children, and stepchildren of either a partner or the spouse of a partner, who are employed by the partnership and actually engaged in agricultural pursuits or operations immediately connected with the agricultural pursuits either on or off the premises of the partnership. For the purpose of this ~~section~~ subparagraph, "*partnership*" includes partnerships, limited partnerships, and joint ventures.

Sec. 27. Section 85.31, subsection 5, Code 2022, is amended to read as follows:

5. Except as otherwise provided by treaty, whenever, under the provisions of this chapter and chapters 86 and 87, compensation is payable to a dependent who is an alien not residing in the United States at the time of the injury, the employer shall pay fifty percent of the compensation herein otherwise provided to such dependent, and the other fifty percent shall be paid into the second injury fund in the custody of the treasurer of state. But if the nonresident alien dependent is a citizen of a government having a compensation law which excludes citizens of the United States, either resident or nonresident, from partaking of the benefits of such law in as favorable degree as herein extended to the nonresident alien, then ~~said~~ the compensation which would otherwise be payable to ~~such~~ the dependent shall be paid into

the second injury fund in the custody of the treasurer of state.

Sec. 28. Section 85A.8, Code 2022, is amended to read as follows:

85A.8 Occupational disease defined.

~~Occupational diseases shall be~~ *"Occupational disease"* is limited to only those diseases which arise out of and in the course of the employee's employment. ~~Such~~ The diseases shall have a direct causal connection with the employment and must have followed as a natural incident thereto from injurious exposure occasioned by the nature of the employment. ~~Such~~ An occupational disease must be incidental to the character of the business, occupation, or process in which the employee was employed and not independent of the employment. ~~Such~~ The disease need not have been foreseen or expected, but, after its contraction ~~it~~, the disease must appear to have had its origin in a risk connected with the employment and to have resulted from that source as an incident and rational consequence. A disease which follows from a hazard to which an employee has or would have been equally exposed outside of ~~said~~ that occupation is not compensable as an occupational disease.

Sec. 29. Section 87.19, Code 2022, is amended to read as follows:

87.19 Failure to comply — proceedings.

1. Upon the receipt of information by the workers' compensation commissioner of any employer failing to comply with section 87.14A, the commissioner shall at once notify such employer by certified mail that unless such employer ~~comply~~ complies with the requirements of law, legal proceedings will be instituted to enforce ~~such~~ compliance.

2. Unless such employer ~~comply~~ complies with the provisions of the law within fifteen days after the giving of ~~such~~ notice under subsection 1, the workers' compensation commissioner shall report ~~such~~ the failure to the attorney general, whose duty it shall be to bring an action in a court of equity to

enjoin the further violation. Upon decree being entered for a temporary or permanent injunction, a violation shall be a contempt of court and punished as provided for contempt of court in other cases.

Sec. 30. Section 89A.10, subsection 1, Code 2022, is amended to read as follows:

1. If an inspection report indicates a failure to comply with applicable rules, or with the detailed plans and specifications approved by the commissioner, the commissioner may, upon giving notice, order the owner ~~thereof~~ of a conveyance to make the changes necessary for compliance.

Sec. 31. Section 91D.1, subsection 1, paragraph d, Code 2022, is amended to read as follows:

d. An employer is not required to pay an employee the applicable state hourly wage provided in paragraph "*a*" until the employee has completed ninety calendar days of employment with the employer. ~~An employee who has completed ninety calendar days of employment with the employer prior to April 1, 2007, or January 1, 2008, shall earn the applicable state hourly minimum wage as of that date.~~ An employer shall pay an employee who has not completed ninety calendar days of employment with the employer an hourly wage of at least $5.30 as of April 1, 2007, and $6.35 as of January 1, 2008.

Sec. 32. Section 96.1A, subsection 14, paragraph h, Code 2022, is amended to read as follows:

h. After December 31, 1971, this state or a state instrumentality and after December 31, 1977, a government entity unless the service is specifically excluded from the definition of employment.

Sec. 33. Section 96.1A, subsection 16, paragraph e, subparagraph (2), Code 2022, is amended to read as follows:

(2) The service is performed both within and without such state, but the service performed without such state is incidental to the individual's service within the state, for example, or is temporary or transitory in nature or consists of

isolated transactions.

Sec. 34. Section 96.7, subsection 7, paragraphs a and b, Code 2022, are amended to read as follows:

a. (1) A governmental entity which is an employer under this chapter shall pay benefits in a manner provided for a reimbursable employer unless the governmental entity elects to make contributions as a contributory employer. The election shall be effective for a minimum of one calendar year and may be changed if an election is made to become a reimbursable employer prior to December 1 for a minimum of the following calendar year.

(2) However, if on the effective date of the election the governmental entity has a negative balance in its contributory account, the governmental entity shall pay to the fund within a time period determined by the department the amount of the negative balance and shall immediately become liable to reimburse the unemployment compensation fund for benefits paid in lieu of contributions. Regular or extended benefits paid after the effective date of the election, including those based on wages paid while the governmental entity was a contributory employer, shall be billed to the governmental entity as a reimbursable employer.

b. (1) A governmental entity electing to make contributions as a contributory employer, with at least eight consecutive calendar quarters immediately preceding the computation date throughout which the employer's account has been chargeable with benefits, shall be assigned a contribution rate under this paragraph. Contribution rates shall be assigned by listing all governmental contributory employers by decreasing percentages of excess from the highest positive percentage of excess to the highest negative percentage of excess. The employers so listed shall be grouped into seven separate percentage of excess ranks each containing as nearly as possible one-seventh of the total taxable wages of governmental entities eligible to be assigned a rate under this paragraph.

(2) As used in this ~~subsection~~ paragraph, *"percentage of excess"* means a number computed to six decimal places on July 1 of each year obtained by dividing the excess of all contributions attributable to an employer over the sum of all benefits charged to an employer by the employer's average annual payroll. An employer's percentage of excess is a positive number when the total of all contributions paid to an employer's account for all past periods to and including those for the quarter immediately preceding the rate computation date exceeds the total benefits charged to such account for the same period. An employer's percentage of excess is a negative number when the total of all contributions paid to an employer's account for all past periods to and including those for the quarter immediately preceding the rate computation date is less than the total benefits charged to such account for the same period.

(3) As used in this ~~subsection~~ section, *"average annual taxable payroll"* means the average of the total amount of taxable wages paid by an employer for insured work during the three periods of four consecutive calendar quarters immediately preceding the computation date. However, for an employer which qualifies on any computation date for a computed rate on the basis of less than twelve consecutive calendar quarters of chargeability immediately preceding the computation date, *"average annual taxable payroll"* means the average of the employer's total amount of taxable wages for the two periods of four consecutive calendar quarters immediately preceding the computation date.

(4) The department shall annually calculate a base rate for each calendar year. The base rate is equal to the sum of the benefits charged to governmental contributory employers in the calendar year immediately preceding the computation date plus or minus the difference between the total benefits and contributions paid by governmental contributory employers since January 1, 1980, which sum is divided by the total taxable

wages reported by governmental contributory employers during the calendar year immediately preceding the computation date, rounded to the next highest one-tenth of one percent. Excess contributions from the years 1978 and 1979 shall be used to offset benefits paid in any calendar year where total benefits exceed total contributions of governmental contributory employers. The contribution rate as a percentage of taxable wages of the employer shall be assigned as follows:

If the percentage of excess rank is:	The contribution rate shall be:	Approximate cumulative taxable payroll
1	Base Rate − 0.9	14.3
2	Base Rate − 0.6	28.6
3	Base Rate − 0.3	42.9
4	Base Rate	57.2
5	Base Rate + 0.3	71.5
6	Base Rate + 0.6	85.8
7	Base Rate + 0.9	100.0

(5) If a governmental contributory employer is grouped into two separate percentage of excess ranks, the employer shall be assigned the lower contribution rate of the two percentage of excess ranks. Notwithstanding the provisions of this paragraph, a governmental contributory employer shall not be assigned a contribution rate less than one-tenth of one percent of taxable wages unless the employer has a positive percentage of excess greater than five percent.

(6) Governmental entities electing to be contributory employers which are not eligible to be assigned a contribution rate under this paragraph shall be assigned the base rate as a contribution rate for the calendar year.

Sec. 35. Section 96.14, subsection 1, Code 2022, is amended to read as follows:

1. *Interest.* Any employer who ~~shall fail~~ fails to pay any

contribution and fails to pay the contribution at the time required by this chapter and the rules of the department, shall pay to the department in addition to ~~such~~ the contribution, interest ~~thereon~~ on the contribution at the rate of one percent per month and one-thirtieth of one percent for each day or fraction thereof computed from the date upon which ~~said~~ the contribution should have been paid.

Sec. 36. Section 96.14, subsection 3, paragraphs b and i, Code 2022, are amended to read as follows:

b. In order to preserve the ~~aforesaid~~ lien attached to any property situated in a county under paragraph "*a*" against subsequent mortgagees, purchasers, or judgment creditors~~,~~ for value and without notice of the lien, ~~on any property situated in a county,~~ the department shall file with the recorder of the county~~,~~ in which ~~said~~ the property is located, a notice of ~~said~~ the lien.

i. It is expressly provided that the ~~foregoing~~ remedies of the state under this section shall be cumulative and that no action taken by the department shall be construed to be an election on the part of the state or any of its officers to pursue any remedy ~~hereunder~~ under this section to the exclusion of any other remedy provided by law.

Sec. 37. Section 96.15, subsection 1, Code 2022, is amended to read as follows:

1. *Waiver of rights void.* Any agreement by an individual to waive, release, or commute the individual's rights to benefits or any other rights under this chapter shall be void. Any agreement by any individual in the employ of any person or concern to pay all or any portion of an employer's contributions, required under this chapter from such employer, shall be void. No employer shall directly or indirectly make or require or accept any deduction from wages to finance the employer's contributions required from the employer, or require or accept any waiver of any right ~~hereunder~~ under this chapter by any individual in the employer's employ. Any employer or

officer or agent of an employer who violates any provision of this subsection shall, for each offense, be guilty of a serious misdemeanor.

Sec. 38. Section 97B.56, Code 2022, is amended to read as follows:

97B.56 Abolished system — liquidation fund.

The assets of the old-age and survivors' liquidation fund, established by sections 97.50 through 97.53 and any future payments or assets payable to the old-age and survivors' liquidation fund, are ~~hereby~~ transferred to the retirement fund, and all payments ~~hereafter~~ due in accordance with the provisions of ~~said~~ sections 97.50 through 97.53 shall be paid from the retirement fund.

Sec. 39. Section 99G.36, subsections 4 and 5, Code 2022, are amended to read as follows:

4. A person who knowingly or intentionally passes a lottery ticket or share in order to circumvent prohibited player provisions found in section 99G.31, subsection 3, paragraph "*g*" or "*h*", or applicable game specific rules ~~commits~~ is guilty of a class "D" felony.

5. No person shall knowingly or intentionally make a material false statement in any lottery prize claim, make a material false statement in any application for a license or proposal to conduct lottery activities, or make a material false entry in any book or record which is compiled or maintained or submitted to the authority or the board pursuant to the provisions of this chapter. Any person who violates the provisions of this ~~section~~ subsection shall be guilty of a class "D" felony.

Sec. 40. Section 103.36, Code 2022, is amended to read as follows:

103.36 Procedure.

Proceedings for any action under section 103.35 shall be commenced by filing with the board written charges against the accused. Upon the filing of charges, the board shall conduct

an investigation into the charges. The board shall designate a time and place for a hearing, and shall notify the accused of this action and furnish the accused a copy of all charges at least thirty days prior to the date of the hearing. The accused has the right to appear personally or by counsel, to cross-examine witnesses, ~~or~~ and to produce witnesses in defense.

Sec. 41. Section 124.401, subsection 5, Code 2022, is amended to read as follows:

5. *a.* It is unlawful for any person knowingly or intentionally to possess a controlled substance unless such substance was obtained directly from, or pursuant to, a valid prescription or order of a practitioner while acting in the course of the practitioner's professional practice, or except as otherwise authorized by this chapter. Any person who violates this subsection is guilty of a serious misdemeanor for a first offense. A person who commits a violation of this subsection and who has previously been convicted of violating this chapter or chapter 124B or 453B, or chapter 124A as it existed prior to July 1, 2017, is guilty of an aggravated misdemeanor. A person who commits a violation of this subsection and has previously been convicted two or more times of violating this chapter or chapter 124B or 453B, or chapter 124A as it existed prior to July 1, 2017, is guilty of a class "D" felony.

b. If the controlled substance is marijuana, the punishment shall be by imprisonment in the county jail for not more than six months or by a fine of not more than one thousand dollars, or by both such fine and imprisonment for a first offense. If the controlled substance is marijuana and the person has been previously convicted of a violation of this subsection in which the controlled substance was marijuana, the punishment shall be as provided in section 903.1, subsection 1, paragraph "*b*". If the controlled substance is marijuana and the person has been previously convicted two or more times of a violation of this

subsection in which the controlled substance was marijuana, the person is guilty of an aggravated misdemeanor.

c. A person may knowingly or intentionally recommend, possess, use, dispense, deliver, transport, or administer cannabidiol if the recommendation, possession, use, dispensing, delivery, transporting, or administering is in accordance with the provisions of chapter 124E. For purposes of this paragraph, "*cannabidiol*" means the same as defined in section 124E.2.

d. All or any part of a sentence imposed pursuant to this subsection may be suspended and the person placed upon probation upon such terms and conditions as the court may impose including the active participation by such person in a drug treatment, rehabilitation or education program approved by the court.

e. If a person commits a violation of this subsection, the court shall order the person to serve a term of imprisonment of not less than forty-eight hours. Any sentence imposed may be suspended, and the court shall place the person on probation upon such terms and conditions as the court may impose. If the person is not sentenced to confinement under the custody of the director of the department of corrections, the terms and conditions of probation shall require submission to random drug testing. If the person fails a drug test, the court may transfer the person's placement to any appropriate placement permissible under the court order.

f. If the controlled substance is amphetamine, its salts, isomers, or salts of its isomers, or methamphetamine, its salts, isomers, or salts of its isomers, the court shall order the person to serve a term of imprisonment of not less than forty-eight hours. Any sentence imposed may be suspended, and the court shall place the person on probation upon such terms and conditions as the court may impose. The court may place the person on intensive probation. However, the terms and conditions of probation shall require submission to random

drug testing. If the person fails a drug test, the court may transfer the person's placement to any appropriate placement permissible under the court order.

Sec. 42. Section 124E.2, subsection 13, Code 2022, is amended by striking the subsection.

Sec. 43. Section 135C.2, subsection 1, Code 2022, is amended to read as follows:

1. The purpose of this chapter is to promote and encourage adequate and safe care and housing for individuals who are aged or who, regardless of age, are infirm, convalescent, or mentally or physically dependent, by both public and private agencies by providing for the adoption and enforcement of rules and standards for all of the following:

a. ~~For the~~ The housing, care, and treatment of individuals in health care facilities~~, and~~.

b. ~~For the~~ The location, construction, maintenance, renovation, and sanitary operation of such health care facilities which will promote safe and adequate care of individuals in such homes so as to further the health, welfare, and safety of such individuals.

Sec. 44. Section 148F.3, subsection 8, Code 2022, is amended by striking the subsection.

Sec. 45. Section 154C.3, subsection 1, paragraph c, subparagraph (4), Code 2022, is amended to read as follows:

(4) Has engaged in the practice of social work, under supervision, for at least two years as a full-time employee or for four thousand hours prior to taking the examination given by the board.

(a) Supervision shall be provided in any of the following manners:

(i) By a social worker licensed at least at the level of the social worker being supervised and qualified under this section to practice without supervision.

(ii) By a person licensed under section 154D.2 to practice marital and family therapy without supervision or mental health

counseling without supervision.

(iii) By another qualified professional, if the board determines that supervision by a social worker as defined in subparagraph subdivision (i) is unobtainable or in other situations considered appropriate by the board.

(b) Additional standards for supervision shall be determined by the board.

Sec. 46. Section 154C.3, subsection 1, paragraph c, subparagraph (5), Code 2022, is amended by striking the subparagraph.

Sec. 47. Section 161A.20, subsection 2, Code 2022, is amended to read as follows:

2. On or before January 10 of each year ~~its~~, the governing body of a subdistrict shall make an estimate of the amount it deems necessary to be raised by such special tax for the ensuing year and transmit ~~said~~ the estimate in dollars to the board of supervisors of the county in which the subdistrict lies.

Sec. 48. Section 232.52, subsection 2, paragraph c, Code 2022, is amended to read as follows:

c. An order providing special care and treatment required for the physical, emotional, or mental health of the child, and that does all of the following:

(1) ~~Placing~~ Places the child on probation or other supervision~~; and~~.

(2) If the court deems appropriate, ~~ordering~~ orders the parent, guardian, or custodian to reimburse the county for any costs incurred as provided in section 232.141, subsection 1, or to otherwise pay or provide for such care and treatment.

Sec. 49. Section 249.3, unnumbered paragraph 1, Code 2022, is amended to read as follows:

The persons eligible to receive state supplementary assistance under section 249.1, subsection 5, paragraph "*b*", are all of the following:

Sec. 50. Section 256.9, subsection 31, paragraph c, Code

2022, is amended to read as follows:

c. For purposes of this ~~section~~ subsection, "*substantial parental involvement*" means the physical presence of parents in the classroom, learning experiences designed to enhance the skills of parents in parenting and in providing for their children's learning and development, or educational materials which may be borrowed for home use.

Sec. 51. Section 256B.9, subsection 3, Code 2022, is amended to read as follows:

3. The weight that a child is assigned under this section shall be dependent upon the required educational modifications necessary to meet the special education needs of the child. Enrollment for the purpose of this section, and all payments to be made pursuant thereto, includes all children for whom a special education program or course is to be provided pursuant to section 256.12, subsection 2, sections 273.1 ~~to~~ through 273.9, and this chapter, whether or not the children are actually enrolled upon the records of a school district.

Sec. 52. Section 266.28, Code 2022, is amended to read as follows:

266.28 Receipt of funds — work authorized.

The Iowa state board of regents is hereby authorized and empowered to receive the grants of money appropriated under the ~~said~~ Smith-Lever Act; and to organize and conduct agricultural extension work which shall be carried on in connection with the Iowa state university of science and technology, in accordance with the terms and conditions expressed in ~~the~~ that Act of Congress ~~aforesaid~~.

Sec. 53. Section 272.31, subsection 4, Code 2022, is amended to read as follows:

4. The board shall issue a substitute authorization that allows an individual to substitute in grades prekindergarten through twelve for no more than ten consecutive days in a thirty-day period in one job assignment for a regularly assigned teacher who is absent, except in the driver education

classroom. A school district administrator may file a written request with the board for an extension of the ten-day limit in one job assignment in a thirty-day period on the basis of documented need and benefit to the instructional program. The executive director of the board or ~~appointee~~ the executive director's designee shall review the request and provide a written decision either approving or denying the request. A substitute teacher authorization shall require not less than the successful completion of an associate degree or not less than sixty undergraduate semester hours, or the equivalent, from a college or university accredited by an institutional accrediting agency recognized by the United States department of education.

Sec. 54. Section 279.1, subsection 2, Code 2022, is amended to read as follows:

2. ~~Such organization~~ Organization of the board shall be effected by the election of a president from the members of the board ~~to~~. The president shall serve for one year~~,~~ and ~~who~~ shall be entitled to vote as a member. During nonelection years, the president shall be elected to serve for one year at a regular meeting held not less than one year, nor more than thirteen months, after the prior organizational meeting.

Sec. 55. Section 279.60, subsection 2, Code 2022, is amended to read as follows:

2. The school district shall also collect information from each parent, guardian, or legal custodian of a kindergarten student enrolled in the district on whether the student attended preschool. Each school district shall report the preschool information collected to the department of education in the manner prescribed by the department not later than January 1 of that school year. The early childhood Iowa office in the department of management shall have access to the raw data. The department of education shall review the information submitted pursuant to this section and shall submit its findings and recommendations annually in a report to the

governor, the general assembly, the early childhood Iowa state board, and the early childhood Iowa area boards.

Sec. 56. Section 306A.13, Code 2022, is amended to read as follows:

306A.13 Definition.

The term *"utility"* ~~shall include~~ includes all privately, publicly, municipally or cooperatively owned systems for supplying water, sewer, electric lights, street lights and traffic lights, gas, power, telegraph, telephone, transit, pipeline, heating plants, railroads, and bridges, or the like service to the public, or any part ~~thereof~~ of such a system if ~~such~~ the system ~~be~~ is authorized by law to use the streets or highways for the location of its facilities.

Sec. 57. Section 309.17, Code 2022, is amended to read as follows:

309.17 Engineer — term.

The board of supervisors shall employ one or more licensed civil engineers ~~who shall be known~~ as county engineers. The board shall fix ~~their~~ the term of employment for county engineers, which shall not exceed three years, but the tenure of office may be terminated at any time by the board.

Sec. 58. Section 309.27, Code 2022, is amended to read as follows:

309.27 Report of engineer.

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

Sec. 59. Section 309.28, Code 2022, is amended to read as follows:

309.28 Recommendations.

The county engineer may in the engineer's report recommend that certain definitely described roads or parts ~~thereof~~ of a

road be omitted from or added to the provisional program or project~~, or that certain definitely described roads or parts thereof be added thereto, and in~~. In such a case, the county engineer shall clearly enter on the report the reasons ~~therefor~~ for the recommendations.

Sec. 60. Section 309.29, Code 2022, is amended to read as follows:

309.29 Map required.

A map of the county showing the location of the proposed program or project shall accompany the report of the county engineer.

Sec. 61. Section 309.37, unnumbered paragraph 1, Code 2022, is amended to read as follows:

The county engineer's survey shall show all of the following:

Sec. 62. Section 309.38, Code 2022, is amended to read as follows:

309.38 Existing surveys.

The county engineer may adopt any existing survey of any road or part ~~thereof~~ of a road which is embraced in ~~said~~ the program or project, provided ~~such~~ that the existing survey substantially complies, or is made to comply, with the requirements of this chapter.

Sec. 63. Section 309.63, Code 2022, is amended to read as follows:

309.63 Gravel beds.

The board of supervisors of any county may, within the limits of such county and ~~without~~ outside the limits of any city, purchase or condemn any lands for the purpose of obtaining gravel or other suitable material with which to improve the secondary ~~highways~~ roads of such county, including a sufficient roadway to such land by the most reasonable route, or the board may purchase such material outside the limits of their county~~, and in~~. In either case, the board may pay for the ~~same~~ materials out of the secondary road funds.

Sec. 64. Section 309.69, Code 2022, is amended to read as follows:

309.69 Enforcement of duty.

If the boards are unable to agree and one of the boards appeals to the department, the department shall notify the auditors of the interested counties that it will, ~~on a day not less than~~ within ten days ~~hence~~ of the notice, at a named time and place within any of the interested counties, hold a hearing to determine all matters relating to any anticipated duty. At the hearing, the department shall fully investigate all questions pertaining to the disputed matters, and shall, as soon as practicable, certify its decision to the different boards~~, which~~. The department's decision shall be final, and each of the boards shall ~~forthwith~~ immediately comply with the order in the same manner as though the work was located wholly within the county.

Sec. 65. Section 309.81, Code 2022, is amended to read as follows:

309.81 Record of plans.

Before beginning the construction of a permanent bridge or culvert by day labor or by contract, the county engineer shall file the plans, specifications, estimate of drainage area, estimates of costs, and specific designation of the location of the bridge or culvert ~~shall be filed~~ in the county engineer's office ~~by the engineer~~.

Sec. 66. Section 309.82, Code 2022, is amended to read as follows:

309.82 Record of final cost.

On completion of a bridge or culvert, a detailed statement of cost, and of additions or alterations to the plans shall be filed by the county engineer, all of which shall be retained in the county engineer's office as permanent records.

Sec. 67. Section 321.89, subsection 2, Code 2022, is amended to read as follows:

2. *Authority to take possession of abandoned vehicles.* A

police authority, upon the authority's own initiative or upon the request of any other authority having the duties of control of highways or traffic, shall take into custody an abandoned vehicle on public property and may take into custody an abandoned vehicle on private property. The police authority may employ its own personnel, equipment, and facilities or hire a private entity, equipment, and facilities for the purpose of removing, preserving, storing, or disposing of abandoned vehicles. A property owner or other person in control of private property may employ a private entity who is a garagekeeper, as defined in section 321.90, to dispose of an abandoned vehicle, and the private entity may take into custody the abandoned vehicle without a police authority's initiative. If a police authority employs a private entity to dispose of abandoned vehicles, the police authority shall provide the private entity with the names and addresses of the registered owners, all lienholders of record, and any other known claimant to the vehicle or the personal property found in the vehicle. The owners, lienholders, or other claimants of the abandoned vehicle shall not have a cause of action against a private entity for action taken under this section if the private entity provides notice as required by subsection 3, ~~paragraph "a"~~ paragraphs "a" through "f".

Sec. 68. Section 321.105A, subsection 2, paragraph a, subparagraph (2), subparagraph division (c), subparagraph subdivision (iii), Code 2022, is amended to read as follows:

(iii) A trade involving an entity, if one of the owners listed on the title of the traded vehicle is an entity. If multiple names ~~are on the names~~ appear on the title, the names must be separated by "or". For purposes of trades under this subparagraph subdivision, a sole proprietorship shall not be distinguished from an individual owner.

Sec. 69. Section 321.158, Code 2022, is amended to read as follows:

321.158 Registration dependent on schedule.

~~No~~ Except as provided in section 321.159, a motor vehicle shall not be registered in this state unless the manufacturer ~~thereof~~ of the vehicle has furnished ~~to the department the sworn statement herein provided, giving~~, in compliance with section 321.157, the list price and weight of the model of the motor vehicle that is offered for registration~~, except as provided in section 321.159~~.

Sec. 70. Section 321.320, Code 2022, is amended to read as follows:

321.320 Left turns — yielding.

The driver of a vehicle ~~intending~~ who intends to turn to the left within an intersection or into an alley, private road, or driveway shall yield the right-of-way to all vehicles approaching from the opposite direction which are within the intersection or so close ~~thereto~~ as to constitute an immediate hazard~~, then said~~. The driver, ~~having so yielded and having given~~ after yielding and giving a signal ~~when and~~ as required by this chapter, may make ~~such~~ the left turn.

Sec. 71. Section 321.389, Code 2022, is amended to read as follows:

321.389 Reflector required.

Every new motor vehicle, trailer, or semitrailer ~~hereafter~~ sold and every commercial vehicle ~~hereafter~~ operated on a highway shall ~~also carry~~ be equipped at the rear, either as a part of the rear lamp or separately, with a red reflector meeting the requirements of this chapter.

Sec. 72. Section 321.420, Code 2022, is amended to read as follows:

321.420 Number of lamps lighted.

Whenever a motor vehicle equipped with headlamps as required in this chapter is also equipped with any auxiliary lamps or a spot lamp or any other lamp on the front ~~thereof projecting~~ of the vehicle, that projects a beam of an intensity greater than three hundred candlepower, not more than a total of four of any such lamps on the front of ~~a~~ the vehicle shall be lighted at any

one time when upon a highway.

Sec. 73. Section 321.483, Code 2022, is amended to read as follows:

321.483 Felony penalty — class "D" felony.

Any person who is convicted of a violation ~~of any of the provisions~~ of this chapter ~~herein declared to constitute~~ which constitutes a felony, and for which another punishment is not otherwise provided, ~~shall be~~ is guilty of a class "D" felony.

Sec. 74. Section 321.501, Code 2022, is amended to read as follows:

321.501 Manner of service.

The plaintiff in any action against a nonresident shall cause the original notice of suit to be served ~~as follows~~ by doing all of the following:

1. By filing a copy of ~~said~~ the original notice of suit with ~~said~~ the director, together with a fee of two dollars~~, and~~.

2. By mailing to the defendant, and to each of the defendants if there are more than one, within ten days after said filing with the director, by restricted certified mail addressed to the defendant at the defendant's last known residence or place of abode, a notification of the ~~said~~ filing with the director.

Sec. 75. Section 321A.1, subsection 11, Code 2022, is amended to read as follows:

11. *"Proof of financial responsibility"* means proof of ability to respond in damages for liability, on account of accidents occurring subsequent to the effective date of the proof, arising out of the ownership, maintenance, or use of a motor vehicle, in ~~amounts as follows:~~

~~*a. With respect to accidents occurring on or after January 1, 1981, and prior to January 1, 1983, the amount of fifteen thousand dollars because of bodily injury to or death of one person in any one accident, and, subject to the limit for one person, the amount of thirty thousand dollars because of bodily injury to or death of two or more persons in any one accident,*~~

~~and the amount of ten thousand dollars because of injury to or destruction of property of others in any one accident.~~

~~*b. With respect to accidents occurring on or after January 1, 1983,*~~ the amount of twenty thousand dollars because of bodily injury to or death of one person in any one accident, and, subject to the limit for one person, the amount of forty thousand dollars because of bodily injury to or death of two or more persons in any one accident, and the amount of fifteen thousand dollars because of injury to or destruction of property of others in any one accident.

Sec. 76. Section 321A.5, subsection 3, Code 2022, is amended to read as follows:

3. A policy or bond is not effective under this section unless issued by an insurance company or surety company authorized to do business in this state, except that if the motor vehicle was not registered in this state, or was a motor vehicle which was registered elsewhere than in this state at the effective date of the policy or bond, or the most recent renewal thereof, the policy or bond is not effective under this section unless the insurance company or surety company if not authorized to do business in this state executes a power of attorney authorizing the department to accept service on its behalf of notice or process in any action upon the policy or bond arising out of the accident. ~~However, with respect to accidents occurring on or after January 1, 1981, and before January 1, 1983, every such policy or bond is subject, if the accident has resulted in bodily injury or death, to a limit, exclusive of interest and costs, of not less than fifteen thousand dollars because of bodily injury to or death of one person in any one accident and, subject to the limit for one person, to a limit of not less than thirty thousand dollars because of bodily injury to or death of two or more persons in any one accident, and, if the accident has resulted in injury to or destruction of property, to a limit of not less than ten thousand dollars because of injury to or destruction of~~

~~property of others in any one accident; and with respect to accidents occurring on or after January 1, 1983, every~~ Every such policy or bond is subject, if the accident has resulted in bodily injury or death, to a limit, exclusive of interest and costs, of not less than twenty thousand dollars because of bodily injury to or death of one person in any one accident and, subject to the limit for one person, to a limit of not less than forty thousand dollars because of bodily injury to or death of two or more persons in any one accident, and, if the accident has resulted in injury to or destruction of property, to a limit of not less than fifteen thousand dollars because of injury to or destruction of property of others in any one accident.

Sec. 77. Section 321A.15, subsection 1, Code 2022, is amended to read as follows:

1. ~~*a. Judgments referred to in this chapter and rendered upon claims arising from accidents occurring on or after January 1, 1981, and before January 1, 1983, shall, for the purpose of this chapter only, be deemed satisfied when the following occur:*~~

~~(1) When fifteen thousand dollars has been credited upon any judgment or judgments rendered in excess of that amount because of bodily injury to or death of one person as the result of any one accident.~~

~~(2) When, subject to the limit of fifteen thousand dollars because of bodily injury to or death of one person, the sum of thirty thousand dollars has been credited upon any judgment or judgments rendered in excess of that amount because of bodily injury to or death of two or more persons as the result of any one accident.~~

~~(3) When ten thousand dollars has been credited upon any judgment or judgments rendered in excess of that amount because of injury to or destruction of property of others as a result of any one accident.~~

~~*b.*~~ Judgments referred to in this chapter ~~and rendered upon~~

~~claims arising from accidents occurring on or after January 1, 1983,~~ shall, for the purpose of this chapter only, be deemed satisfied when the following occur:

~~(1)~~ *a.* When twenty thousand dollars has been credited upon any judgment or judgments rendered in excess of that amount because of bodily injury to or death of one person as the result of any one accident.

~~(2)~~ *b.* When, subject to the limit of twenty thousand dollars because of bodily injury to or death of one person, the sum of forty thousand dollars has been credited upon any judgment or judgments rendered in excess of that amount because of bodily injury to or death of two or more persons as the result of any one accident.

~~(3)~~ *c.* When fifteen thousand dollars has been credited upon any judgment or judgments rendered in excess of that amount because of injury to or destruction of property of others as a result of any one accident.

Sec. 78. Section 321A.21, subsection 2, paragraph b, Code 2022, is amended to read as follows:

b. Shall insure the person named in the policy and any other person, as insured, using the motor vehicles with the express or implied permission of the named insured, against loss from the liability imposed by law for damages arising out of the ownership, maintenance, or use of the motor vehicles within the United States of America or the Dominion of Canada, subject to limits exclusive of interest and costs, with respect to each such motor vehicle, ~~as follows: With respect to all accidents which occur on or after January 1, 1981, and before January 1, 1983, fifteen thousand dollars because of bodily injury to or death of one person in any one accident and, subject to said limit for one person, thirty thousand dollars because of bodily injury to or death of two or more persons in any one accident, and ten thousand dollars because of injury to or destruction of property of others in any one accident; and with respect to all accidents which occur on or after January 1, 1983,~~ twenty

thousand dollars because of bodily injury to or death of one person in any one accident and, subject to said limit for one person, forty thousand dollars because of bodily injury to or death of two or more persons in any one accident, and fifteen thousand dollars because of injury to or destruction of property of others in any one accident.

Sec. 79. Section 321J.3, subsection 3, Code 2022, is amended to read as follows:

3. The state department of transportation, in cooperation with the judicial branch, shall adopt rules, pursuant to the procedure in section 125.33, regarding the assignment of persons ordered under section 321J.17 to submit to substance abuse evaluation and treatment. The rules shall be applicable only to persons other than those committed to the custody of the director of the department of corrections under section 321J.2. The rules shall be consistent with the practices and procedures of the judicial branch in sentencing persons to substance abuse evaluation and treatment under section 321J.2. The rules shall include the requirement that the treatment programs utilized by a person pursuant to an order of the department of transportation meet the licensure standards of the department of public health for substance abuse treatment programs under chapter 125. The rules shall also include provisions for payment of costs by the offenders, including insurance reimbursement on behalf of offenders, or other forms of funding, and shall also address reporting requirements of the facility, consistent with the provisions of sections 125.84 and 125.86. The department of transportation shall be entitled to treatment information contained in reports to the department of transportation, notwithstanding any provision of chapter 125 that would restrict department access to treatment information and records.

Sec. 80. Section 327D.77, Code 2022, is amended to read as follows:

327D.77 Transportation prohibited.

~~No~~ A common carrier shall not undertake to perform any service nor engage or participate in the transportation of persons or property between points within this state, until ~~its~~ the carrier's schedule of rates ~~shall have~~ has been filed and posted as ~~herein~~ provided in this chapter.

Sec. 81. Section 327D.78, Code 2022, is amended to read as follows:

327D.78 Change in rate.

Unless the department otherwise orders, no change shall be made by any common carrier in any rate, except after thirty days' notice to the department and to the public as ~~herein~~ provided in this chapter. The department shall adopt rules to ensure public notice is provided in any action instituted under this section.

Sec. 82. Section 331.323, subsection 1, paragraph a, Code 2022, is amended to read as follows:

a. A county may combine the duties of two or more of the following county officers and employees as provided in this subsection:

(1) Sheriff.

(2) Treasurer.

(3) Recorder.

(4) Auditor.

(5) Medical examiner.

(6) General assistance director.

(7) County care facility administrator.

(8) Commission on veteran affairs.

(9) ~~Director of social welfare~~ Executive officer of the service area advisory board.

(10) County assessor.

(11) County weed commissioner.

Sec. 83. Section 331.381, subsections 1 and 11, Code 2022, are amended to read as follows:

1. Proceed in response to a petition to establish a unified law enforcement district in accordance with sections 28E.21 ~~to~~

through 28E.28A, or the board may proceed under those sections on its own motion.

11. Proceed in response to a petition to establish or end an airport commission in accordance with sections 330.17 ~~to~~ through 330.20.

Sec. 84. Section 335.19, Code 2022, is amended to read as follows:

335.19 Review by court.

Upon the presentation of ~~such~~ a petition under section 335.18, the court may allow a writ of certiorari directed to the board of adjustment to review the decision of the board of adjustment and shall prescribe within the writ the time within which a return must be made and served upon the relator's attorney, which shall not be less than ten days and may be extended by the court. The allowance of the writ shall not stay proceedings upon the decision appealed from, but the court may, on application, on notice to the board, and on due cause shown, grant a restraining order.

Sec. 85. Section 347.20, Code 2022, is amended to read as follows:

347.20 Municipal jurisdiction.

When ~~such~~ a county hospital is located on land outside of, but adjacent to a city, the ordinances of ~~such~~ the city relating to fire and police protection and control, sanitary regulations, and public utility service, shall be in force upon and over ~~such~~ the hospital and grounds, and ~~such~~ the city shall have jurisdiction to enforce ~~such~~ those ordinances.

Sec. 86. Section 349.13, Code 2022, is amended to read as follows:

349.13 Trial of appeal.

~~Said~~ An appeal under section 349.11 shall be triable de novo as an equitable action without formal pleadings at any time after the expiration of twenty days following the filing of ~~such~~ the transcript as provided in section 349.12.

Sec. 87. Section 351.43, Code 2022, is amended to read as

follows:

351.43 Penalty.

Any person ~~refusing~~ who violates or refuses to comply with the provisions of section 351.33~~,~~ or sections 351.35 through 351.42 ~~or violating any of their provisions, shall be deemed~~ is guilty of a simple misdemeanor.

Sec. 88. Section 357.4, Code 2022, is amended to read as follows:

357.4 Public hearing.

When the board of supervisors receives a petition for the establishment of a benefited water district, the board shall hold a public hearing ~~shall be held~~ within thirty days of the ~~presentation~~ receipt of the petition. Notice of the hearing shall be ~~given publication~~ published as provided in section 331.305.

Sec. 89. Section 357.6, Code 2022, is amended to read as follows:

357.6 Examination by engineer.

When the board of supervisors ~~shall have~~ has established the benefited water district, ~~they~~ the board shall appoint a competent disinterested civil engineer and instruct the engineer to examine the proposed improvement~~,~~ and to make preliminary designs in sufficient detail to ~~make~~ permit an accurate estimate of the cost of the proposed water system to be made. The civil engineer shall also report as to the suitability of the proposed source of water supply.

Sec. 90. Section 357.21, Code 2022, is amended to read as follows:

357.21 Substance of bonds.

1. Each of ~~such~~ the bonds issued under section 357.20 shall ~~be~~ meet all of the following requirements:

a. The bond shall be numbered~~, and~~.

b. The bond shall have printed upon its face that it is a benefited water district bond, stating the county and the number of the district for which it is issued, and the date of

maturity~~,~~.

c. The bond shall state that it is ~~in pursuance of~~ issued pursuant to a resolution of the board of supervisors, and that it is to be paid for only from a special assessment ~~theretofore levied~~ and taxes levied as ~~hereinafter~~ provided under section 357.22 for that purpose within the ~~said~~ district for which the bond is issued.

2. The provisions of sections 468.76 and 468.78 shall govern the issuance of these bonds except that the contractor will not be paid anything on the work until its completion and final acceptance.

Sec. 91. Section 357.33, Code 2022, is amended to read as follows:

357.33 Appeal procedure.

Any person aggrieved~~,~~ may appeal from any final action of the board of supervisors in relation to any matter involving the person's rights~~,~~ to the district court of the county in which the district is located. The procedure in such appeals shall be governed by the provisions of sections 468.84 through 468.98 provided that whenever in ~~the above~~ those sections the words "drainage district" occur, the words "benefited water district" shall be substituted.

Sec. 92. Section 357F.8, subsection 2, paragraph c, subparagraph (2), Code 2022, is amended to read as follows:

(2) The advisory council established under subparagraph (1) shall recommend to the board of trustees an amount of funding to be specified on the ballot for the election held under this subsection 2, ~~and~~ shall annually assess and review the emergency medical services needs of the district, and shall include the results of such review and assessment in an annual report filed with the board of trustees. The annual report shall be publicly available upon filing with the board of trustees. The board of trustees shall receive public comment regarding the report at one or more meetings of the board of trustees. Any meeting of the board of trustees at which

public comment on the annual report is heard shall be at least fourteen days following the date the annual report is filed with the board of trustees.

Sec. 93. Section 359.6, Code 2022, is amended to read as follows:

359.6 Petition — remonstrance.

~~Such~~ A petition under section 359.5 shall be accompanied by the affidavit of three eligible electors, to the effect that all of the signatures to ~~such~~ the petition are genuine, and that the signers thereof are all eligible electors of ~~said~~ the township, residing outside ~~said~~ the corporate limits of the city. Remonstrances signed by such eligible electors may also be presented at the hearing before the board of supervisors provided for in this subchapter, ~~and~~ but if the same persons petition and remonstrate, they shall be counted on the remonstrance only.

Sec. 94. Section 359.9, Code 2022, is amended to read as follows:

359.9 Restoration to former township.

When the citizens of any township ~~so~~ set off as provided in section 359.8 desire to dissolve their township organization and return again to the township from which they were taken, they may do so by the same proceedings as provided for the division ~~thereof~~ of the township, except that ~~said~~ the petition shall be signed by a majority of the electors of both townships.

Sec. 95. Section 359.13, Code 2022, is amended to read as follows:

359.13 Service and return.

~~Such~~ The order for election issued under section 359.12 may be directed to any citizen of the same township, by name, and shall be served by posting copies ~~thereof~~ of the order, in three of the most public places in the township, fifteen days before the day of the election~~; the~~. The original order shall be returned to the presiding officer of the election, to

be returned to the clerk when elected, with a return thereon of the manner of service, verified by oath, if served by any person other than an officer.

Sec. 96. Section 359.25, Code 2022, is amended to read as follows:

359.25 Clerk and council to act.

The duties required by law of the township clerk in ~~such~~ cities described in section 359.24 shall be performed by the city clerk, and those required of the board of trustees shall be performed by the city council.

Sec. 97. Section 359.26, Code 2022, is amended to read as follows:

359.26 Transfer of funds.

The moneys and assets belonging to ~~such~~ each civil township described in section 359.24 shall become the moneys and assets of the city in which ~~said~~ the civil township is situated~~, and the~~. The township clerks shall turn such moneys and assets over to the city treasurer or clerk, to be disbursed by the city in the same manner and for the same purposes as required by law for the disposition of township funds~~, and such cities~~. The city shall assume all liabilities of a civil township to which the provisions of this section apply.

Sec. 98. Section 376.5, Code 2022, is amended to read as follows:

376.5 Publication of ballot.

Notice for each regular, special, primary, or runoff city election shall be published by the county commissioner of elections as provided in section 362.3, except that notice of a regular, primary, or runoff election may be published not less than four days before the date of the election. The published notice must list the names of all candidates, and ~~may~~ must not contain any party designations. The published notice must include any question to be submitted to the voters. The notice may contain one or more facsimiles of the portion of the ballot containing the first arrangement of candidates as prescribed

by section 49.31, subsection 2.

Sec. 99. Section 384.12, subsection 19, paragraph g, Code 2022, is amended to read as follows:

g. The election provisions of this subsection shall supersede other provisions for elections only to the extent necessary to comply with the provisions ~~hereof~~ of this subsection.

Sec. 100. Section 422.20, subsection 5, paragraph a, unnumbered paragraph 1, Code 2022, is amended to read as follows:

Prior to the record in an appeal or contested case being made available for public inspection, the department shall redact ~~from the record in an appeal or contested case~~ the following information from any pleading, exhibit, attachment, motion, written evidence, final order, decision, or opinion contained in that record:

Sec. 101. Section 422.72, subsection 8, paragraph a, unnumbered paragraph 1, Code 2022, is amended to read as follows:

Prior to the record in an appeal or contested case being made available for public inspection, the department shall redact ~~from the record in an appeal or contested case~~ the following information from any pleading, exhibit, attachment, motion, written evidence, final order, decision, or opinion contained in that record:

Sec. 102. Section 423.3, subsection 47A, paragraph b, subparagraphs (2) and (3), Code 2022, are amended to read as follows:

(2) *"Competitive local exchange service provider"* means any person, including a municipal utility, that provides local exchange services, other than a local exchange carrier or a non-rate-regulated wireline provider of local exchange services under an authorized certificate of public convenience and necessity within a specific geographic area described in maps filed with and approved by the Iowa utilities board as of

September 30, 1992.

(3) *"Local exchange carrier"* means any person that was the incumbent and historical rate-regulated wireline provider of local exchange services or any successor to such person that provides local exchange services under an authorized certificate of public convenience and necessity within a specific geographic area described in maps filed with and approved by the Iowa utilities board as of September 30, 1992.

Sec. 103. Section 423.3, subsection 107, Code 2022, is amended to read as follows:

107. The sales price of the sale ~~or rental~~ of tangible personal property sold to and of services furnished to a nonprofit food bank, if the property or services are used by the nonprofit food bank for a charitable purpose. For purposes of this subsection, *"nonprofit food bank"* means an organization organized under chapter 504 and qualifying under section 501(c)(3) of the Internal Revenue Code as an organization exempt from federal income tax under section 501(a) of the Internal Revenue Code that maintains an established operation involving the provision of food or edible commodities or the products thereof on a regular basis to persons in need or to food pantries, soup kitchens, hunger relief centers, or other food or feeding centers that, as an integral part of their normal activities, provide meals or food on a regular basis to persons in need.

Sec. 104. Section 425.10, Code 2022, is amended to read as follows:

425.10 Reversal of allowed claim.

In the event any claim is allowed, and subsequently reversed on appeal, any credit made ~~thereunder~~ under the claim shall be void~~, and the~~. The amount of ~~such~~ the erroneous credit shall be charged against the property in question, and the director of revenue, the county auditor, and the county treasurer are authorized and directed to correct their books and records accordingly. The amount of ~~such~~ the erroneous credit, when

collected, shall be returned by the county treasurer to the homestead credit fund to be reallocated the following year as provided in this subchapter.

Sec. 105. Section 441.2, Code 2022, is amended to read as follows:

441.2 Conference board.

In each county and each city having an assessor there shall be established a conference board. In counties the conference board shall consist of the mayors of all incorporated cities in the county whose property is assessed by the county assessor~~,~~; one representative from the board of directors of each high school district of the county, who is a resident of the county, said board of directors appointing said representative for a one-year term and notifying the clerk of the conference board as to their representative~~,~~; and members of the board of supervisors. In cities having an assessor the conference board shall consist of the members of the city council, school board, and county board of supervisors. In the counties the chairperson of the board of supervisors shall act as chairperson of the conference board, in cities having an assessor the mayor of the city council shall act as chairperson of the conference board. In any action taken by the conference board, the mayors of all incorporated cities in the county whose property is assessed by the county assessor shall constitute one voting unit, the members of the city board of education or one representative from the board of directors of each high school district of the county shall constitute one voting unit, the members of the city council shall constitute one voting unit, and the county board of supervisors shall constitute one voting unit, each unit having a single vote and no action shall be valid except by the vote of not less than two out of the three units. The majority vote of the members present of each unit shall determine the vote of the unit. The assessor shall be clerk of the conference board.

Sec. 106. Section 441.19, subsection 1, paragraphs b and e,

Code 2022, are amended to read as follows:

b. Upon receipt of such supplemental return from any person the assessor shall prepare a roll assessing ~~such~~ the person ~~as hereinafter provided~~. In the preparation of such assessment roll the assessor shall be guided not only by the information contained in such supplemental roll, but by any other information the assessor may have or which may be obtained by the assessor as prescribed by the law relating to the assessment of property. The assessor shall not be bound by any values as listed in such supplemental return, and may include in the assessment roll any property omitted from the supplemental return which in the knowledge and belief of the assessor should be listed as required by law by the person making the supplemental return. Upon completion of such roll the assessor shall deliver to the person submitting such supplemental return a copy of the assessment roll, either personally or by mail.

e. In the event of a failure of any person required to list property to make a supplemental return~~, as required herein,~~ on or before the fifteenth day of February of any year when ~~such~~ the listing is required, the assessor shall proceed in the listing and assessment of the person's property as provided by this chapter~~, and no~~. A person subject to taxation shall not be relieved of the person's obligation to list the person's property through failure to make a supplemental return ~~as herein provided,~~ and any roll prepared by the assessor after receiving a supplemental return, or when prepared in accordance with other provisions of this chapter, shall be a valid assessment.

Sec. 107. Section 455B.303, subsection 2, Code 2022, is amended to read as follows:

2. Local boards of health shall cooperate in the enforcement of the provisions of ~~said~~ this part 1 of subchapter IV and the director may seek their aid and delegate administrative duties of the department to the local boards of health in matters

relating to solid waste, refuse disposal plants, and sanitary disposal projects.

Sec. 108. Section 455D.11A, subsection 4, Code 2022, is amended to read as follows:

4. If the owner or operator of a waste tire collection or processing site chooses to provide financial assurance in the form of a surety bond, the bond shall be executed by a surety company authorized to do business in this state. The bond shall be continuous in nature until canceled by the surety. A surety shall provide at least ninety days' notice in writing to the owner or operator and to the department indicating the surety's intent to cancel the bond and the effective date of the cancellation. The surety bond shall be for the benefit of the citizens of this state and shall be conditioned upon compliance with this section. The surety's liability under this subsection is limited to the amount of the bond or the amount of the damages or moneys due, whichever is less. However, this subsection does not limit the amount of damages recoverable from an owner or operator to the amount of the surety bond. The bond shall be made in a form prescribed by the commissioner of insurance and written by a company authorized by the commissioner of insurance to do business in this state. If a surety bond ~~is canceled which~~ that has been provided as financial assurance under this subsection is canceled, the owner or operator of the waste tire collection or processing site shall demonstrate a means of continued compliance with the financial assurance requirements of this section to the department within thirty days of the cancellation~~, a means of continued compliance with the financial assurance requirements of this section~~. If a means of continued compliance is not demonstrated within the thirty-day period, the department shall suspend the permit for the site, and the owner or operator shall perform proper closure of the site within thirty days of the suspension. If the owner or operator does not properly close the site within the time period allowed, the department

shall file a claim with the surety company, prior to the effective date of cancellation of the bond, to collect the amount of the bond for use in performing proper closure. A person who fails to provide for proper closure, notwithstanding collection by the department of the amount of the bond, is guilty of a serious misdemeanor.

Sec. 109. Section 458A.19, Code 2022, is amended to read as follows:

458A.19 Rate.

In order to pay the costs of assessment and collection and provide a reasonable minimum standard of taxation, the taxes on any ~~such~~ mineral rights or interests not owned by the owner of the land~~,~~ shall be not less than five cents per acre.

Sec. 110. Section 458A.20, Code 2022, is amended to read as follows:

458A.20 Tax sale — redemption by owner.

When any ~~such~~ mineral rights or interests not owned by the owner of the land are sold at tax sale, and when the owner of ~~such~~ those mineral rights or interests does not redeem under the provisions of chapter 447 within ninety days after ~~such~~ the tax sale, the owner of the land shall thereafter have the same right of redemption as the owner of ~~such~~ the mineral rights or interests has, and redemption by the owner of the land shall terminate ~~all~~ any right of redemption of the owner of ~~such~~ the mineral rights or interests.

Sec. 111. Section 461A.3, Code 2022, is amended to read as follows:

461A.3 Duties as to parks.

1. It shall be the duty of the commission to establish, maintain, improve, and beautify public parks and preserves upon the shores of lakes, streams, or other waters, or at other places within the state which have become historical or which are of scientific interest, or which by reason of their natural scenic beauty or location are adapted therefor. The commission shall have the power to maintain, improve, or

beautify state-owned bodies of water, and to provide proper public access ~~thereto~~ to those waters. The commission shall have the power to provide and operate facilities for the proper public use of the areas above described.

2. The commission shall open all roads which pass through the Ledges State Park from September 15 ~~to~~ through November 1 of each year.

Sec. 112. Section 461A.65, Code 2022, is amended to read as follows:

461A.65 Objections.

Any person, corporation, company, levee or drainage district, or city whose rights or interests may be affected by ~~said~~ a proposed water recreational area may file written objections to ~~said~~ the proposed water recreational area or to the granting of ~~said~~ a permit for the proposed water recreational area.

Sec. 113. Section 461A.66, Code 2022, is amended to read as follows:

461A.66 Filing.

All ~~such~~ objections under section 461A.65 shall be on file in the office of ~~said~~ the commission not less than five days before the date of hearing on ~~said~~ the application ~~but said~~. The commission may permit the filing of ~~said~~ objections later than five days before ~~said~~ the hearing, in which event the applicant must be granted a reasonable time to meet ~~said~~ the objections.

Sec. 114. Section 468.17, Code 2022, is amended to read as follows:

468.17 Personal service.

In lieu of publication, personal service of ~~said~~ the notice under section 468.14 may be made upon any owner of land in the proposed district, or upon any lienholder or other person interested in the proposed improvement, in the manner and for the time required for service of original notices in the district court. Proof of such service shall be on file with

the auditor on the date of said hearing.

Sec. 115. Section 468.22, subsection 1, paragraph a, Code 2022, is amended to read as follows:

a. ~~If~~ The board may locate and establish the district in accordance with the recommendation of the engineer and the report and plans on file if the board ~~shall find that such~~ finds all of the following:

(1) That the petition complies with the requirements of law in form and substance~~, and that such~~.

(2) That the improvement would be conducive to the public health, convenience, welfare, benefit, or utility~~, and that~~.

(3) That the cost ~~thereof~~ of the improvement is not excessive~~, and~~.

(4) That no claim ~~shall have~~ has been filed for damages~~, the board may locate and establish the said district in accordance with the recommendation of the engineer and the report and plans on file~~.

Sec. 116. Section 468.28, Code 2022, is amended to read as follows:

468.28 Dismissal on remonstrance.

If, at or before the time set for final hearing as to the establishment of a proposed levee, drainage, or improvement district, except a subdrainage district, ~~there shall have~~ a remonstrance signed by a majority of the landowners in the district has been filed with the county auditor, or auditors, in case the district extends into more than one county, ~~a remonstrance signed by a majority of the landowners in the district,~~ and ~~these~~ the remonstrants ~~must~~ in the aggregate own seventy percent or more of the lands to be assessed for benefits or taxed for said improvements~~,~~ and are remonstrating against the establishment of ~~said~~ the levee, drainage, or improvement district, setting forth the reasons therefor, the board or boards as the case may be, shall assess to the petitioners and their sureties or apportion the costs among them as the board or boards may deem just or as ~~said~~ the parties

may agree upon. When all such costs have been paid, the board or boards of supervisors shall dismiss said proceedings and cause to be filed with the county auditor all surveys, plats, reports, and records in relation to the proposed district.

Sec. 117. Section 468.210, Code 2022, is amended to read as follows:

468.210 Appraisement.

~~The~~ Upon adoption of the plan, the board shall ~~thereupon~~ appoint three appraisers of the qualifications prescribed in section 468.24, who shall qualify in the manner ~~therein~~ provided in that section, and shall fix a time for hearing on their report of which all interested parties shall take notice. The appraisers shall view the premises and fix and determine the damages to which each claimant is entitled, including claimants whose awards for damages were canceled by the order of adoption~~, and~~. The appraisers shall place a separate valuation upon the acreage of each owner taken for right-of-way or other purposes necessitated by adoption of the plan and shall file a report ~~thereof~~ in writing in the office of the auditor at least five days before the date fixed by the board for hearing ~~thereon~~ on the report. ~~Should~~ If the report will not be filed on time or ~~should~~ if good cause for delay ~~exist~~ exists, the board may postpone the time for final action on the subject and, if necessary, may appoint other appraisers. Thereafter the provisions of section 468.26 shall apply.

Sec. 118. Section 468.274, Code 2022, is amended to read as follows:

468.274 Notice.

Immediately upon the filing of the report of the commissioners and the engineer, if the report recommends the establishment of such district, notice shall be given by the auditor of each county to ~~the~~ all of the following:

1. The owners of all the lots and tracts of land in the auditor's own county respectively embraced within ~~such~~ the district as recommended by the commissioners as shown by the

transfer books in the office of the auditor of each of ~~said~~ the respective counties~~, and also to the~~.

2. The persons in actual occupancy of all the lots or tracts of land in ~~such~~ the district~~, and also to each~~.

3. Each lienholder or encumbrancer of any of ~~such~~ the lots or tracts in the district as shown by the records of the respective counties.

Sec. 119. Section 468.294, Code 2022, is amended to read as follows:

468.294 Transfer to district court.

If such boards shall fail to take action ~~thereon~~ on the petition within the time ~~named~~ prescribed in section 468.293, or fail to agree, the petitioners may cause ~~such~~ the proceedings to be transferred to the district court of any of the counties into which such proposed district extends by serving notice upon the auditors of the several counties within ten days after the expiration of ~~said~~ the twenty days' notice, or after the failure of ~~such~~ the boards to agree.

Sec. 120. Section 468.381, Code 2022, is amended to read as follows:

468.381 Penalty.

Every person who ~~shall violate~~ violates any provisions of this part ~~shall be~~ is guilty of a simple misdemeanor punishable by a fine of not more than one hundred dollars, and in default of payment thereof, by imprisonment in the county jail for not more than thirty days.

Sec. 121. Section 468.517, Code 2022, is amended to read as follows:

468.517 Canvass — certificates of election.

The canvass of the returns by the board or boards of supervisors shall be on the next Monday following the election. If the district is in more than one county, the board of supervisors of the county with the greatest acreage in the district shall canvass the vote. The board of supervisors of the other counties in which the district is located may

attend and participate in the canvass of the returns. ~~It or they~~ The board or boards of supervisors shall make a return of the results of the canvass to the auditor, who shall issue certificates to the trustees elected~~, and when~~. When the district extends into more than one county, then the auditor with whom the election returns were filed shall issue the certificates and certify an abstract of the canvass to each other county in which the district is located.

Sec. 122. Section 468.576, Code 2022, is amended to read as follows:

468.576 Report — hearing thereon.

1. The conservator shall, within thirty days from the date of the conservator's appointment, prepare and file with the clerk of the district court, a full report, giving in detail, ~~the~~ all of the following:

a. The bonded indebtedness of ~~said~~ the drainage district~~, the~~.

b. The accrued interest ~~thereon~~ on the bonded indebtedness, and any and all other indebtedness owing by ~~said~~ the drainage district~~; a~~.

c. A full and complete schedule of all lands sold at tax sale, including the amount of drainage assessments thereon~~; a~~.

d. A list of all real estate within the drainage district, showing the unpaid assessments thereon~~; also said conservator shall set forth a~~.

e. A schedule, under which the bonded indebtedness of said drainage district may be reamortized~~; also a~~.

f. A schedule under which all other indebtedness of said drainage district may be paid or reamortized.

2. Upon the filing of the report by the conservator, the court shall set a date for hearing thereon, which date shall not be less than ten or more than fifteen days, from the filing ~~thereof~~ of the report.

Sec. 123. Section 468.577, Code 2022, is amended to read as follows:

468.577 Adjudication on report.

1. At the hearing of the conservator's report, the court shall fix and determine the amount of money in the hands of the county treasurer belonging to the drainage district; the amount of the indebtedness of the drainage district; and to whom the indebtedness is due, and shall fix and determine the time, manner, and priority of payment of the indebtedness. The court shall fix and determine the amount of unpaid assessment or assessments against each tract of land within the drainage district, and may extend the time of payment, and reamortize and reallocate the assessments upon each tract of land within the drainage district.

2. If the court finds that the assessments as levied against each tract of land within the drainage district are not sufficient to pay the indebtedness due and owing by the drainage district, the court may order the board of supervisors of the county within which the drainage district is located, to levy an assessment against the lands within the drainage district, in an amount to pay the deficit. However, assessment for the payment of drainage bonds or improvement certificates shall not be levied against any tract of land if the owner of the land is not delinquent in payment of any assessment.

3. The amount of the reassessment on a particular piece of land shall be in direct proportion to the amount of unpaid assessments on the land. The assessment or expenses incidental thereto, for the payment of drainage bonds or improvement certificates under this part, shall not be levied against any tract of land if the owner of the land had previously paid all of the owner's assessment. The assessment shall be assessed and levied by the board of supervisors upon the lands within the drainage district, in the same proportion as the original assessment.

4. A copy of the order entered by the court shall be filed by the clerk of the district court with the county auditor, and the schedule of payments of the indebtedness of the

drainage district as fixed and determined by the court shall be entered upon the drainage records of the drainage district and also spread upon the tax records of the county~~, and~~. The indebtedness shall become due and payable at the same time as ordinary taxes, and shall be collected in the same manner with the same interest as for delinquency, and in the same manner ~~of~~ as for enforcing collection by tax sale. The court may apportion the costs between the creditors of the drainage district and the drainage district.

Sec. 124. Section 478.11, Code 2022, is amended to read as follows:

478.11 Record of franchises.

The utilities board shall keep a record of all such franchises granted and issued by it, when and to whom issued, with a general statement of the location, route, and termini of the transmission line or lines covered ~~thereby~~ by the franchise. When any transfer of ~~such~~ a franchise has been made as provided in this chapter, the board shall also make note upon its record of the date of ~~such~~ the transfer and the name and address of the transferee.

Sec. 125. Section 478.12, Code 2022, is amended to read as follows:

478.12 Acceptance of franchise.

Any person, company, or corporation obtaining a franchise as provided in this chapter ~~provided~~, or owning or operating under one, shall be conclusively held to an acceptance of the provisions ~~thereof~~ of this chapter and of all laws relating to the regulation, supervision, or control ~~thereof~~ of franchises which are now in force or which may be hereafter enacted, and to have consented to such reasonable regulation as the utilities board may, from time to time, prescribe. The provisions of this chapter shall apply equally to assignees as well as to original owners.

Sec. 126. Section 478.17, Code 2022, is amended to read as follows:

478.17 Access to lines — damages.

Individuals or corporations operating ~~such~~ transmission lines shall have reasonable access to the ~~same~~ transmission lines for the purpose of constructing, reconstructing, enlarging, repairing, or locating the poles, wires, or construction and other devices used in or upon ~~such~~ any line, but shall pay to the owner of ~~such~~ the lands and of crops ~~thereon~~ all the lands all damages to ~~said~~ the lands or crops caused by entering, using, and occupying ~~said~~ the lands for ~~said~~ those purposes. ~~Nothing herein contained~~ This section shall not prevent the execution of an agreement between the person or company owning or operating ~~such line~~ the lines and the owner of ~~said~~ the land or crops ~~with reference to~~ regarding the use ~~thereof~~ of the land.

Sec. 127. Section 479.9, Code 2022, is amended to read as follows:

479.9 Objections.

Any person, corporation, company, or city whose rights or interests may be affected by ~~said~~ a proposed pipeline or lines or gas storage facilities may file written objections to ~~said~~ the proposed pipeline or lines or gas storage facilities or to the granting of ~~said~~ a permit.

Sec. 128. Section 479.10, Code 2022, is amended to read as follows:

479.10 Filing.

All such objections shall be on file in the office of ~~said~~ the board not less than five days before the date of hearing on ~~said~~ the application, but ~~said~~ the board may permit the filing of ~~said~~ the objections later than five days before ~~said~~ the hearing, in which event the applicant must be granted a reasonable time to meet ~~said~~ the objections.

Sec. 129. Section 479.11, Code 2022, is amended to read as follows:

479.11 Examination — testimony.

The ~~said~~ board may examine the proposed route of ~~said~~

the pipeline or lines and location of ~~said~~ the proposed gas storage area~~,~~ or may ~~cause such~~ select an engineer to make the examination ~~to be made by an engineer selected by it~~. At ~~said~~ the hearing, the ~~said~~ board shall consider ~~said~~ the petition and any objections filed ~~thereto~~ to the petition and may, in its discretion, hear ~~such~~ any testimony as may aid ~~it~~ the board in determining the propriety of granting ~~such~~ the permit.

Sec. 130. Section 479.17, Code 2022, is amended to read as follows:

479.17 Rules.

The ~~said~~ board shall have full authority and power to promulgate such rules as ~~it~~ the board deems proper and expedient to insure the orderly conduct of the hearings ~~herein~~ provided for in this chapter and also to prescribe rules for the enforcement of this chapter.

Sec. 131. Section 479.19, Code 2022, is amended to read as follows:

479.19 Limitation on grant.

~~No exclusive right shall ever be granted to any~~ A pipeline company shall not ever be granted an exclusive right to construct, maintain, and operate its pipeline or lines along, over or across any public highway, grounds or waters ~~and no such~~. A permit shall not ever be granted for a ~~longer~~ period that is longer than twenty-five years.

Sec. 132. Section 479.21, Code 2022, is amended to read as follows:

479.21 Transfer of permit.

If a transfer of ~~such~~ a permit is made before the construction for which ~~it~~ the permit was issued is completed in whole or in part ~~such~~, the transfer shall not be effective until the person, company, or corporation to whom ~~it~~ the permit was issued ~~shall file~~ files in the office of ~~said~~ the board a notice in writing stating the date of ~~such~~ the transfer and the name and address of ~~said~~ the transferee.

Sec. 133. Section 479.22, Code 2022, is amended to read as

follows:

479.22 Records.

The board shall keep a record of all permits granted and issued by ~~it~~ the board, showing when and to whom the permits were issued and the location and route of ~~said~~ the pipeline or lines or gas storage area covered ~~thereby~~. When any transfer of ~~such~~ a permit has been made as provided in this chapter, the ~~said~~ board shall also note upon its record the date of ~~such~~ the transfer and the name and address of ~~such~~ the transferee.

Sec. 134. Section 479.28, Code 2022, is amended to read as follows:

479.28 Orders — enforcement.

If ~~said~~ a pipeline company fails to obey an order within a time prescribed by the ~~said~~ board, the ~~said~~ board may commence an equitable action in the district court of the county where ~~said~~ the defective, unsafe, or dangerous portion of ~~said~~ the pipeline, device, apparatus, or equipment is located to compel compliance with ~~its said~~ the board's order. If, after ~~due~~ trial of ~~said~~ the action, the court finds that ~~said~~ the order is reasonable, equitable, and just, ~~it~~ the court shall ~~decree~~ issue a ~~mandatory injunction~~ decree compelling obedience to and compliance with ~~said~~ the order and may grant such other relief as may be just and proper. Appeal from ~~said~~ the decree may be taken in the same manner as in other actions.

Sec. 135. Section 481A.1, subsection 21, paragraph d, Code 2022, is amended to read as follows:

d. The ~~Gallinae~~ Galliformes: such as wild turkeys, grouse, pheasants, partridges, and quail.

Sec. 136. Section 481A.48, subsection 6, paragraph b, Code 2022, is amended to read as follows:

b. A cartridge rifle that is allowed pursuant to this subsection shall be of the same caliber and shall use the same straight wall or other ammunition as is allowed for use in a pistol or revolver for hunting deer as provided in subsection 5. In addition, the commission shall provide, by

rule, for the use of straight wall or other ammunition under this subsection that meets ballistics specifications similar to the requirements for straight wall or other ammunition allowed for use in a pistol or revolver for hunting deer as provided in subsection 5.

Sec. 137. Section 481A.52, Code 2022, is amended to read as follows:

481A.52 Exhibiting catch to officer.

A person who has in possession any game bird, ~~or~~ game animal, fish, or fur or part thereof shall upon request of the director or any officer appointed by the department exhibit ~~it~~ the game bird, game animal, fish, or fur or part thereof to the director or officer~~, and a refusal~~. A person who refuses to ~~do so is a~~ comply with a request made under this section commits a scheduled violation ~~of the Code~~ under section 805.8B.

Sec. 138. Section 481A.93, Code 2022, is amended to read as follows:

481A.93 Hunting by artificial light.

1. A person who is in possession or control, either singly or as one of a group of persons, of any firearm, bow, or other implement or device whereby a bird or animal could be killed or taken shall not throw or cast the rays of a spotlight, headlight, or other artificial light on a highway, or in a field, woodland, or forest, for the purpose of spotting, locating, or taking or attempting to take or hunt a bird or animal~~, except raccoons or other fur-bearing animals when treed with the aid of dogs, while having in possession or control, either singly or as one of a group of persons, any firearm, bow, or other implement or device whereby a bird or animal could be killed or taken~~.

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

a. Deer being taken by or under the control of a local governmental body within its corporate limits pursuant to an approved special deer population control plan.

b. A person who is totally blind using a laser sight on a

bow or gun while hunting, if all of the following apply:

(1) The person's total blindness is supported by medical evidence produced by an eye care professional who is an ophthalmologist, optometrist, or medical doctor. The eye care professional must certify that the person has no vision or light perception in either eye. The certification must be carried on the person of the totally blind person and made available for inspection by the department.

(2) The totally blind person is accompanied and aided by a person who is at least eighteen years of age and whose vision is not seriously impaired. The accompanying person must purchase a hunting license that includes the wildlife habitat fee as provided in rules adopted pursuant to section 483A.1 if applicable. If the accompanying person is not required to have a hunting license the person is not required to pay the wildlife habitat fee. During the hunt, the accompanying adult must be within arm's reach of the totally blind person, and must be able to identify the target and the location of the laser sight beam on the target. A person other than the totally blind person shall not shoot the laser sight-equipped gun or bow.

c. A person using an infrared light source to hunt coyotes as long as the infrared light source is mounted to the method of take or to a scope mounted on the method of take. However, no person shall use an infrared light source to hunt coyotes during any established muzzleloader, bow, or shotgun deer hunting season.

d. The spotting, locating, or taking or attempting to take or hunt raccoons or other fur-bearing animals that have been treed with the aid of dogs.

Sec. 139. Section 481A.122, subsections 1 and 2, Code 2022, are amended to read as follows:

1. A person shall not hunt deer with firearms unless the person is at the time wearing one or more of the following articles of visible, external apparel, the color and material

of which shall be solid blaze orange: A vest, coat, jacket, sweatshirt, sweater, shirt, or coveralls~~, the color and material of which shall be solid blaze orange~~.

2. A person shall not hunt upland game birds, as defined by the department, unless the person is at the time wearing one or more of the following articles of visible, external apparel, the color and material of which shall be at least fifty percent solid blaze orange: A hat, cap, vest, coat, jacket, sweatshirt, sweater, shirt, or coveralls~~, the color and material of which shall be at least fifty percent solid blaze orange~~.

Sec. 140. Section 489.14107, subsection 1, paragraph x, Code 2022, is amended to read as follows:

x. Article 8~~, except to vary any of the following:~~

~~(1) The manner in which a series limited liability company may elect under section 489.14803, subsection 1, paragraph "b", to be subject to this article.~~

~~(2) The person that has the right to sign and deliver to the secretary of state for filing a record under section 489.14803, subsection 2, paragraph "b"~~.

Sec. 141. Section 490.141, subsection 13, paragraph a, unnumbered paragraph 1, Code 2022, is amended to read as follows:

Whenever notice would otherwise be required to be given under any provision of this ~~subchapter~~ chapter to a shareholder, such notice need not be given if any of the following apply:

Sec. 142. Section 490.143, subsection 1, paragraphs a, b, and e, Code 2022, are amended to read as follows:

a. Under section 490.202, subsection 2, paragraph "f", the director is not a director under any of the following circumstances:

(1) To whom the limitation or elimination of the duty of an officer to offer potential business opportunities to the corporation would apply.

(2) Has a material relationship with any other person to whom the limitation or elimination described in subparagraph (1) would apply.

b. Under section 490.744, the director does not have any of the following:

(1) A material interest in the outcome of the proceeding.

(2) A material relationship with a person who has such an interest.

e. Under section 490.870, the director is not a director who does any of the following:

(1) Pursues or takes advantage of the business opportunity, directly or indirectly through or on behalf of another person.

(2) Has a material relationship with a director or officer who pursues or takes advantage of the business opportunity, directly, or indirectly through or on behalf of another person.

Sec. 143. Section 490.209, Code 2022, is amended to read as follows:

490.209 Foreign-trade zone corporation.

A domestic corporation may be incorporated or organized under the laws of this state, and a foreign corporation may be registered ~~or authorized~~ to ~~transact~~ do business in this state, for the purpose of establishing, operating, and maintaining a foreign-trade zone as defined in 19 U.S.C. §81(a). The domestic or foreign corporation must maintain its principal place of business in this state. The domestic or foreign corporation described in this section has all powers necessary or convenient for applying for a grant of authority to establish, operate, and maintain a foreign-trade zone under 19 U.S.C. §81(a) et seq., and regulations promulgated under that law, and for establishing, operating, and maintaining a foreign-trade zone pursuant to that grant of authority.

Sec. 144. Section 490.401, subsection 4, unnumbered paragraph 1, Code 2022, is amended to read as follows:

A corporation may use the name, including the fictitious name, of another domestic or foreign corporation that is used

in this state if the other corporation is incorporated or ~~authorized to transact~~ registered to do business in this state and the proposed user corporation submits documentation to the satisfaction of the secretary of state establishing any of the following conditions:

Sec. 145. Section 490.749, subsection 8, Code 2022, is amended to read as follows:

8. Nothing in this section limits, restricts, or abolishes the subject matter jurisdiction or powers of the court as existed before ~~the enactment of this section~~ January 1, 2022, and an application or proceeding pursuant to this section is not the exclusive remedy or proceeding available with respect to the matters specified in subsection 1.

Sec. 146. Section 490.1621, subsection 4, Code 2022, is amended to read as follows:

4. The first biennial report shall be delivered to the secretary of state between January 1 and April 1 of the first even-numbered year following the calendar year in which a domestic corporation was incorporated or a foreign corporation was ~~authorized to transact~~ registered to do business. Subsequent biennial reports must be delivered to the secretary of state between January 1 and April 1 of the following even-numbered calendar years. For purposes of this section, each biennial report shall contain information related to the two-year period immediately preceding the calendar year in which the report is filed.

Sec. 147. Section 496C.14, subsection 6, paragraph d, Code 2022, is amended to read as follows:

d. All persons who are shareholders of the professional corporation on the date of death or other event, and their executors, administrators, and legal representatives, shall, to the extent the corporation fails to meet its obligations ~~hereunder~~ under this section, be jointly liable for the payment of the purchase price and interest in proportion to their percentage of ownership of the corporation's shares,

disregarding shares of the deceased or withdrawing shareholder.

Sec. 148. Section 504.1701, subsections 2, 3, 4, and 5, Code 2022, are amended to read as follows:

2. ~~Prior to July~~ A corporation formed on or after January 1, 2005, ~~only the following corporations are~~ is subject to the provisions of this chapter~~:~~

~~*a.* A corporation formed on or after January 1, 2005.~~

~~*b.* A corporation incorporated under chapter 504A, Code 2005, that voluntarily elects to be subject to the provisions of this chapter in accordance with the procedures set forth in subsection 3.~~

~~3. A corporation incorporated under chapter 504A, Code 2005, may voluntarily elect to be subject to the provisions of this chapter by doing all of the following:~~

~~*a.* The corporation shall amend or restate its articles of incorporation to indicate that the corporation voluntarily elects to be subject to the provisions of this chapter.~~

~~*b.* The corporation shall deliver a copy of the amended or restated articles of incorporation to the secretary of state for filing and recording in the office of the secretary of state.~~

~~4. After the amended or restated articles of incorporation have been filed with the secretary of state all of the following shall occur:~~

~~*a.* The corporation shall be subject to all provisions of this chapter.~~

~~*b.* The secretary of state shall issue a certificate of filing of the corporation's amended or restated articles of incorporation indicating that the corporation has made a voluntary election to be subject to the provisions of this chapter and shall deliver the certificate to the corporation or to the corporation's representative.~~

~~*c.* The secretary of state shall not file the amended or restated articles of incorporation of a corporation pursuant to this subsection unless at the time of filing the corporation~~

~~is validly organized under the chapter under which it is incorporated, and has filed all biennial reports that are required and paid all fees that are due in connection with such reports.~~

~~5. The voluntary election of a corporation to be subject to the provisions of this chapter that is made pursuant to this section does not affect any right accrued or established, or any liability or penalty incurred by the corporation pursuant to the chapter under which the corporation was organized prior to such voluntary election~~.

Sec. 149. Section 515A.6, subsection 7, unnumbered paragraph 1, Code 2022, is amended to read as follows:

Notwithstanding any law to the contrary, the commissioner shall provide for a hearing in a proceeding involving a workers' compensation insurance rate filing by a licensed rating organization in accordance with the provisions of this subsection and rules promulgated by the commissioner pursuant to chapter 17A. Except as otherwise provided ~~herein~~ in this subsection, the provisions of this subsection shall not be subject to the requirements of chapter 17A. The procedures for such hearing shall be as follows:

Sec. 150. Section 515A.10, subsections 1 and 2, Code 2022, are amended to read as follows:

1. Every group, association or other organization of insurers, whether located within or outside of this state, which assists insurers ~~which~~ that make their own filings or rating organizations in rate making, by the collection and furnishing of loss or expense statistics, or by the submission of recommendations, but which does not make filings under this chapter, shall be known as an advisory organization.

2. An advisory organization shall not provide a service relating to this chapter, and an insurer shall not utilize the services of an advisory organization for such purposes, unless the advisory organization has obtained a license under subsection 3.

Sec. 151. Section 515A.11, subsection 1, Code 2022, is amended to read as follows:

1. Every group, association or other organization of insurers which engages in joint underwriting or joint reinsurance, shall be subject to regulation with respect thereto as ~~herein~~ provided in this section, subject, however, with respect to joint underwriting, to all other provisions of this chapter and, with respect to joint reinsurance, to sections 515A.12 and 515A.16 through 515A.19.

Sec. 152. Section 515D.7, subsection 2, Code 2022, is amended to read as follows:

2. When the reason does not accompany the notice of intent not to renew, the insurer shall, upon receipt of a timely request by the named insured, state in writing the reason for nonrenewal, together with notification of the right to a hearing before the commissioner within fifteen calendar days as provided ~~herein~~ in section 515D.10. A statement of reason shall be mailed or delivered to the named insured within ten days after receipt of a request.

Sec. 153. Section 516A.3, subsection 1, Code 2022, is amended to read as follows:

1. For the purpose of this chapter, the term "*uninsured motor vehicle*" shall, subject to the terms and conditions of the coverage ~~herein~~ required in this chapter, be deemed to include an insured motor vehicle with respect to which insolvency proceedings have been instituted against the liability insurer thereof by the insurance regulatory official of this or any other state or territory of the United States or of the District of Columbia.

Sec. 154. Section 520.1, Code 2022, is amended to read as follows:

520.1 Authorization.

Individuals, partnerships, and corporations, and cities, counties, townships, school districts and any other units of local government of this state, ~~hereby~~ designated as

subscribers under this chapter, are ~~hereby~~ authorized to exchange reciprocal or interinsurance contracts with each other, and with individuals, partnerships, and corporations of other states, territories, districts, and countries, providing insurance among themselves ~~from~~ for any loss which may be insured against under the law, except life insurance.

Sec. 155. Section 537.1107, subsection 1, Code 2022, is amended to read as follows:

1. Except in settlement of a bona fide dispute, a consumer may not waive or agree to forego rights or benefits under this ~~Act~~ chapter.

Sec. 156. Section 537.2309, Code 2022, is amended to read as follows:

537.2309 No other business for purpose of evasion.

A lender ~~may~~ shall not carry on other business for the purpose of evasion or violation of this chapter at a location where the lender makes supervised loans.

Sec. 157. Section 537.5301, subsection 2, Code 2022, is amended to read as follows:

2. A person who, in violation of the provisions of this ~~Act~~ chapter applying to authority to make supervised loans under section 537.2301, willfully and knowingly engages without a license in the business of making supervised loans, or of taking assignments of and undertaking direct collection of payments from and enforcement of rights against consumers arising from supervised loans, is guilty of a serious misdemeanor.

Sec. 158. Section 542B.22, Code 2022, is amended to read as follows:

542B.22 Procedure.

Proceedings for any action under section 542B.21 shall be begun by filing with the board written charges against the accused. Upon the filing of charges the board may request the department of inspections and appeals to conduct an investigation into the charges. The department of inspections

and appeals shall report its findings to the board, and the board shall designate a time and place for a hearing, and shall notify the accused of this action and furnish the accused a copy of all charges at least thirty days prior to the date of the hearing. The accused has the right to appear personally or by counsel, to cross-examine witnesses, ~~or~~ and to produce witnesses in defense.

Sec. 159. Section 553.9, subsection 1, Code 2022, is amended to read as follows:

1. If the attorney general has reasonable cause to believe that a person has engaged in or is engaging in conduct prohibited by this chapter, the attorney general shall make such investigation as is deemed necessary and may, prior to the commencement of a suit against this person under this chapter, do any of the following:

a. Issue written demand on this person, its officers, directors, partners, fiduciaries, or employees to compel their attendance before the attorney general and examine them under oath~~;~~.

b. Issue written demand to produce, examine, and copy a document or tangible item in the possession of this person or its officers, directors, partners, or fiduciaries~~;~~.

c. Upon an order of a district court, pursuant to a showing that such is reasonably necessary to an investigation being conducted under this section, do any of the following:

(1) Compel the attendance of any other person before the attorney general and examine this person under oath~~;~~.

(2) Require the production, examination, and copying of a document or other tangible item in the possession of such person~~; and~~,.

d. Upon an order of a district court, impound a document or other tangible item produced pursuant to this section and retain possession of it until the completion of all proceedings arising out of the investigation.

Sec. 160. Section 553.11, Code 2022, is amended to read as

follows:

553.11 Protective orders.

Before the attorney general files an application under section 553.10 and upon application of any person who was served a written demand or court order under section 553.9, upon notice and hearing, and for good cause shown, the district court may make any order which justice requires to protect the person from annoyance, embarrassment, oppression, or undue burden of expense, ~~including~~ which may include any of the following:

1. That the examination of this person shall not be taken or that documents or other tangible items shall not be produced for inspection and copying~~;~~.

2. That the examination or production of documents or other tangible items shall be had only on specified terms and conditions, including a change in the time or place~~;~~.

3. That certain matters shall not be inquired into or that the scope of the examination or production shall be limited to certain matters~~;~~.

4. That the examination or production and inspection shall be conducted with only those persons present as designated by the court~~;~~.

5. That the transcript of the examination shall be sealed and be opened only by order of the court~~;~~.

6. That a trade secret or other confidential research, development, or commercial information shall not be disclosed or shall be disclosed only in a designated way.

Sec. 161. Section 553.12, subsection 3, Code 2022, is amended to read as follows:

3. Recover, at the court's discretion, exemplary damages which do not exceed twice the actual damages awarded under subsection 2, from a person other than a city or county or legal entity created by a city or county, if all of the following apply:

a. The trier of fact determines that the prohibited conduct

is willful or flagrant~~; and~~,.

b. The person bringing suit is not the state.

Sec. 162. Section 600.4, subsection 3, Code 2022, is amended to read as follows:

3. A husband or wife separately if the person to be adopted is not the other spouse and if ~~the adopting spouse~~ any of the following conditions apply:

a. ~~Is~~ The adopting spouse is the stepparent of the person to be adopted~~;~~.

b. ~~Has~~ The adopting spouse has been separated from the other spouse by reason of the other spouse's abandonment as prescribed in section 597.10~~; or~~.

c. ~~Is~~ The adopting spouse is unable to petition with the other spouse because of the prolonged and unexplained absence, unavailability, or incapacity of the other spouse, or because of an unreasonable withholding of joinder by the other spouse, as determined by the juvenile court or court under section 600.5, subsection 7.

Sec. 163. Section 633.3, subsections 1, 8, 11, 14, 16, 17, 18, 20, 21, 24, 27, 28, 31, 34, 39, 40, and 41, Code 2022, are amended to read as follows:

1. *Administrator* — means any person appointed by the court to administer an intestate estate.

8. *Clerk* — means *"clerk of the district court"* in the county in which the matter is pending and includes the term *"clerk of the probate court"*.

11. *Court* — means the Iowa district court sitting in probate and includes any Iowa district judge.

14. *Devise* — when used as a verb, means to dispose of property, both real and personal, by a will.

16. *Distributee* — means a person entitled to any property of the decedent under the decedent's will or under the statutes of intestate succession.

17. *Estate* — means the real and personal property of either a decedent or a ward, and may also refer to the real and

personal property of a trust described in section 633.10.

18. *Executor* — means any person appointed by the court to administer the estate of a testate decedent.

20. *Full age* — means the state of legal majority attained through arriving at the age of eighteen years or through having married, even though such marriage is terminated by divorce.

21. *Functional limitations* — means the behavior or condition of a person which impairs the person's ability to care for the person's personal safety or to attend to or provide for necessities for the person.

24. *Heir* — means any person, except the surviving spouse, who is entitled to property of a decedent under the statutes of intestate succession.

27. *Legacy* — means a testamentary disposition of personal property.

28. *Legatee* — means a person entitled to personal property under a will.

31. *Minor* — means a person who is not of full age.

34. *Probate assets* — means a decedent's property subject to administration by a personal representative.

39. *Surviving spouse* — means the surviving wife or husband, as the case may be.

40. *Temporary administrator* — means any person appointed by the court to care for an estate pending the probating of a proposed will, or to handle any special matter designated by the court.

41. *Trustee* — means the person or persons serving as trustee of a trust described in section 633.10.

Sec. 164. Section 633.440, Code 2022, is amended to read as follows:

633.440 Contents of notice of disallowance.

~~Such a~~ A notice of disallowance under section 633.439 shall advise the claimant that the claim has been disallowed and will be forever barred unless the claimant shall within twenty days after the date of mailing the notice, file a request for

hearing on the claim with the clerk.

Sec. 165. Section 633.570, subsection 2, Code 2022, is amended to read as follows:

2. In a proceeding for the appointment of a conservator, the respondent shall be given written notice which advises the respondent of the powers that a conservator may exercise without court approval pursuant to section 633.646 and the powers that the ~~guardian~~ conservator may exercise only with court approval pursuant to section 633.647.

Sec. 166. Section 633F.11, subsection 6, Code 2022, is amended to read as follows:

6. An action shall not be brought under ~~this~~ subsection 5 more than one year after the date of the occurrence of the alleged violation.

Sec. 167. Section 633F.17, subsection 2, Code 2022, is amended to read as follows:

2. The direction to the custodial trustee by a beneficiary who is not incapacitated, for distribution on termination of the custodial trust may be in any written form clearly identifying the distributee and may be substantially similar to the following:

I, _____ (name of beneficiary) hereby direct _____ (name of custodial trustee) as custodial trustee, to transfer and pay the unexpended balance of the custodial trust property of which I am beneficiary to _____ (name of distributee) as distributee on the termination of the trust at my death. In the event of the prior death of _____ (name of distributee) above named as distributee, I designate _____ (name of distributee) as distributee of the custodial trust property.

Signed _____ (signature of beneficiary).

Date _____

Receipt Acknowledged: _____ (signature of custodial trustee)

Date _____

Sec. 168. Section 633F.18, subsection 1, paragraph b, Code 2022, is amended to read as follows:

b. The execution and the recording or giving notice of its execution to the beneficiary of an instrument in substantially the following form:

DECLARATION OF TRUST UNDER IOWA UNIFORM CUSTODIAL TRUST ACT

I, _____ (name of owner of property), declare that henceforth I hold as custodial trustee for _____ (name of beneficiary other than transferor) as beneficiary and _____ (name of distributee) as distributee on termination of the trust in absence of direction by the beneficiary under the Iowa Uniform Custodial Trust Act, the following: _____ (Insert a description of the custodial trust property legally sufficient to identify and transfer each item of property). If I cease to serve as custodial trustee for any reason, then I designate _____ (name of substitute or successor custodial trustee) as successor custodial trustee.

Dated: _____

Signature: _____

Sec. 169. Section 673A.6, subsection 2, Code 2022, is amended to read as follows:

2. A notice required by this section must have been posted on the premises of an agricultural tourism farm. The notice must have been posted in a conspicuous location where the agricultural tourist was first allowed to enter the premises of an agricultural tourism farm. The notice must have appeared in black letters a minimum of one inch high and in the following form:

IOWA AGRICULTURAL TOURISM PROMOTION ACT

IOWA CODE CHAPTER 673A

You are visiting a working farm as a participant who is either observing or contributing to the success of farming activities. Under Iowa law you are assuming liability for any hazard that you may encounter. A hazard includes the inherent risk of participating in a farming activity or disregarding

written or verbal instructions. Farming includes dangerous conditions present on land and in structures, unpredictable behavior of farm animals, dangers associated with the operation of equipment and machinery, and potential wrongful acts of another visitor. Be careful.

Sec. 170. Section 679B.14, subsection 1, Code 2022, is amended to read as follows:

1. Every decision and report shall be filed in the office of the governor, and a copy served upon each party to the controversy, and a copy furnished to the labor commissioner for publication in the report of the commissioner, who shall cause such decision and report to be published at a rate of not to exceed thirty-three and one-third cents per ten lines of ~~brevier~~ eight point type ~~or its equivalent~~ in two newspapers of general circulation in the county in which the business is located upon which the dispute arose.

Sec. 171. Section 692A.106, subsection 5, Code 2022, is amended to read as follows:

5. A sex offender ~~shall~~, upon a second or subsequent conviction that requires a second registration, ~~or~~ upon conviction of an aggravated offense, or ~~who~~ if the sex offender has previously been convicted of one or more offenses that would have required registration under this chapter, shall register for life.

Sec. 172. Section 702.17, subsection 6, Code 2022, is amended to read as follows:

6. The touching of a person's own genitals or anus with a finger, hand, or artificial sexual organ or other similar device at the direction of another person.

Sec. 173. Section 715A.11, subsection 5, Code 2022, is amended to read as follows:

5. A person who violates this section is guilty of a simple misdemeanor for a first offense and a serious misdemeanor for each subsequent offense. The court may require a substance abuse evaluation and treatment through a program licensed by

the Iowa department of public health in lieu of or in addition to other penalties. ~~All~~ Any substance abuse evaluation required under this subsection shall be completed at the expense of the defendant.

Sec. 174. Section 724.31A, subsection 2, Code 2022, is amended to read as follows:

2. The department of public safety shall, as soon as is practicable after receiving a written request from ~~the~~ a person who is no longer prohibited from acquiring a pistol or revolver under section 724.15, subsection 2, paragraph "*d*", update, correct, modify, or remove the person's record in any database that the department of public safety makes available to the national instant criminal background check system and shall notify the United States department of justice that the basis for such record being made available no longer applies.

Sec. 175. Section 811.6, subsection 2, Code 2022, is amended to read as follows:

2. Where a forfeiture and judgment have been entered as provided in this section, and the amount of the judgment has been paid to the clerk, the clerk shall hold the ~~same~~ amount paid as funds of the clerk's office for a period of one hundred fifty days from the date of judgment.

Sec. 176. Section 815.7, subsection 5, Code 2022, is amended to read as follows:

5. For appointments made on or after July 1, 2019, through June 30, 2021, the reasonable compensation shall be calculated on the basis of seventy-three dollars per hour for class "A" felonies, sixty-eight dollars per hour for class "B" felonies, and sixty-three dollars per hour for all other cases.

Sec. 177. Section 904.602, subsection 10, Code 2022, is amended to read as follows:

10. Regulations, procedures, and policies that govern the internal administration of the department and the judicial district departments of correctional services under chapter 905, which if released may jeopardize the secure operation of a

correctional institution operation or program are confidential unless otherwise ordered by a court. These records include procedures on inmate movement and control~~,~~; staffing patterns and regulations~~,~~; emergency plans~~,~~; internal investigations~~,~~; equipment use and security~~,~~; building plans, operation, and security~~,~~; security procedures for ~~inmate~~ inmates, staff, and ~~visits,~~ visitors; daily operation records~~,~~; and contraband and medicine control. These records are exempt from the public inspection requirements in section 17A.3 and section 22.2.

Sec. 178. Section 915.38, subsection 3, Code 2022, is amended to read as follows:

3. The court may upon motion of a party admit into evidence the recorded statements of a child, as defined in section 702.5, describing sexual contact performed with or on the child, not otherwise admissible in evidence by statute or court rule if the court determines that the recorded statements substantially comport with the requirements for admission under rule of evidence ~~5.803(24) or 5.804(b)(5)~~ 5.807.

Sec. 179. Section 915.94, Code 2022, is amended to read as follows:

915.94 Victim compensation fund.

1. A victim compensation fund is established as a separate fund in the state treasury. Moneys deposited in the fund shall be administered by the department and dedicated to and used for the purposes of section 915.41 and this subchapter. In addition, the department may use moneys from the fund for any of the ~~purpose of~~ following purposes:

a. For the department's prosecutor-based victim service coordination, including the duties defined in sections 910.3 and 910.6 and this chapter~~, to~~.

b. To support the sexual assault forensic examiner program established in section 915.46~~, for~~.

c. For the award of funds to programs that provide services and support to victims of domestic abuse as provided in chapter 236, to victims of sexual abuse as provided in chapter 236A,

and to victims under section 710A.2~~, for~~.

d. For reimbursement to the Iowa law enforcement academy for domestic abuse and human trafficking training~~, and for~~.

e. For the support of an automated victim notification system established in section 915.10A.

2. For each fiscal year, the department may also use up to three hundred thousand dollars from the fund to provide training for victim service providers, to provide training for related professionals concerning victim service programming, and to provide training concerning homicide, domestic assault, sexual assault, stalking, harassment, and human trafficking as required by section 710A.6.

3. Notwithstanding section 8.33, any balance in the fund on June 30 of any fiscal year shall not revert to the general fund of the state.

Sec. 180. 2021 Iowa Acts, chapter 12, is amended by adding the following new section:

NEW SECTION. SEC. 7A. Section 39A.4, subsection 1, paragraph c, subparagraph (9), Code 2021, is amended to read as follows:

(9) As an incumbent officeholder of, or a candidate for, an office being voted for at the election in progress, serving as a member of a challenging committee or observer under section 49.104, subsection ~~2, 5, or 6,~~ 1, paragraph "*b*", "*e*", or "*f*", or section 53.23, subsection 4.

Sec. 181. 2021 Iowa Acts, chapter 86, section 59, is amended by striking the section and inserting in lieu thereof the following:

SEC. 59. Section 423.3, subsection 88, Code 2021, is amended to read as follows:

88. The sales price from the sale of building materials, supplies, ~~goods, wares, or merchandise~~ or tangible personal property sold to a nonprofit Iowa affiliate of a nonprofit international organization whose primary activity is the promotion of the construction, remodeling, or rehabilitation

of one-family or two-family dwellings for use by low-income families and where the building materials, supplies, ~~goods, wares, or merchandise~~ or tangible personal property are used in the construction, remodeling, or rehabilitation of such dwellings.

Sec. 182. 2021 Iowa Acts, chapter 167, section 5, is amended by striking the section and inserting in lieu thereof the following:

SEC. 5. 2015 Iowa Acts, chapter 139, section 1, subsection 10, paragraph b, as amended by 2017 Iowa Acts, chapter 173, section 11, 2018 Iowa Acts, chapter 1162, section 9, 2019 Iowa Acts, chapter 137, section 6, and 2020 Iowa Acts, chapter 1120, section 5, is amended to read as follows:

b. For construction of a student innovation center at Iowa state university of science and technology, to include reimbursement of infrastructure costs incurred by the university for construction of the facility in prior fiscal years:

FY 2016-2017:

..... $ 1,000,000

FY 2017-2018:

..... $ 6,000,000

FY 2018-2019:

..... $ 6,000,000

FY 2019-2020:

..... $ 7,000,000

FY 2020-2021:

..... $ 6,625,000

FY 2021-2022:

..... $ ~~13,375,000~~ 11,375,000

FY 2022-2023:

..... $ 2,000,000

Sec. 183. 2021 Iowa Acts, chapter 177, section 42, is amended to read as follows:

SEC. 42. Section 15.293B, Code 2021, is amended by adding the following new subsection:

NEW SUBSECTION. 5A. *a.* Tax credits revoked under subsection 3 including tax credits revoked up to five years prior to the effective date of this ~~division~~ section of this Act, and tax credits not awarded under subsection 4 or 5, may be awarded in the next annual application period established in subsection 1, paragraph "*c*".

b. Tax credits awarded pursuant to paragraph "*a*" shall not be counted against the limit under section 15.119, subsection 3.

Sec. 184. 2020 Iowa Acts, chapter 1064, sections 17 and 18, are amended by striking the sections and inserting in lieu thereof the following:

SEC. 17. Section 422.12G, subsection 2, Code 2020, is amended to read as follows:

2. The director of revenue shall draft the income tax form to allow the designation of contributions to the veterans trust fund and to the volunteer fire fighter preparedness fund as one checkoff on the tax return. The department of revenue, on or before January 31, shall transfer one-half of the total amount designated on the tax return forms due in the preceding calendar year to the veterans trust fund and the remaining one-half to the volunteer fire fighter preparedness fund. However, before a checkoff pursuant to this section shall be permitted, all liabilities on the books of the department ~~of administrative services~~ revenue and accounts identified as owing under section ~~8A.504~~ 421.65 shall be satisfied.

SEC. 18. Section 422.12I, subsection 2, Code 2020, is amended to read as follows:

2. The director of revenue shall draft the income tax form to allow the designation of contributions to the foundation fund on the tax return. The department, on or before January 31, shall transfer the total amount designated on the tax form due in the preceding year to the foundation fund.

However, before a checkoff pursuant to this section shall be permitted, all liabilities on the books of the department ~~of administrative services~~ revenue and accounts identified as owing under section ~~8A.504~~ 421.65 shall be satisfied.

Sec. 185. Section 478.16, subsection 1, paragraph b, as enacted by 2020 Iowa Acts, chapter 1121, section 128, is amended to read as follows:

b. "Electric transmission owner" means an individual or entity who, as of the effective date of this division of this Act, owns and maintains an electric transmission line that is required for rate-regulated electric utilities, municipal electric utilities, and rural electric cooperatives in this state to provide electric service to the public for compensation.

Sec. 186. REPEAL. Sections 24.18, 148F.9, 152C.5A, 152C.7A, 306.44, and 309.12, Code 2022, are repealed.

DIVISION II

APPLICABILITY PROVISIONS

Sec. 187. RETROACTIVE APPLICABILITY. The following apply retroactively to July 1, 2021:

1. The section of this Act amending section 15.331C.

2. The section of this Act amending section 321.89.

3. The section of this Act amending 2021 Iowa Acts, chapter 86, section 59.

4. The section of this Act amending 2021 Iowa Acts, chapter 167, section 5.

5. The section of this Act amending 2021 Iowa Acts, chapter 177, section 42.

Sec. 188. RETROACTIVE APPLICABILITY. The following applies retroactively to July 1, 2020:

The section of this Act amending section 478.16, subsection 1, paragraph "b", as enacted by 2020 Iowa Acts, chapter 1121, section 128.