HOUSE FILE 2463
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 680)

(COMPANION TO LSB 5765SV BY
COMMITTEE ON JUDICIARY)

(As Amended and Passed by the House March 2, 2022)

* = Language Stricken by the House

A BILL FOR

An Act relating to nonsubstantive Code corrections, and including retroactive applicability provisions.

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

DIVISION I

MISCELLANEOUS CHANGES

Section 1. Section 7A.3, subsection 1, paragraph h, Code 2022, is amended to read as follows:

h. Director of the department of natural resources.

Sec. 2. Section 9G.1, Code 2022, is amended to read as follows:

9G.1 Records.

The books and records of the land office shall be so kept as to show and preserve an accurate chain of title from the general government to the purchaser of each smallest subdivision of land; to preserve a permanent record, in books suitably indexed, of all correspondence with any of the departments of the general government in relation to state lands; and to preserve, by proper records, copies of the original lists furnished by the selecting agents of the state, and of all other papers in relation to such lands which are of permanent interest.

Sec. 3. Section 9G.6, subsection 1, Code 2022, is amended to read as follows:

1. Patents shall not be issued for any lands belonging to the state, except upon the certificate of the person or officer specially charged with the custody of the patents, setting forth the appraised value per acre, the name of the person to whom sold, the date of sale, the price per acre, the amount paid, the name of the person making final payment, and the name of the person who is entitled to the patent. If a person is entitled to a patent due to an assignment from the original purchaser, the certificate shall set forth fully the assignment and shall be filed and preserved in the land office.

Sec. 4. Section 10.1, subsection 9, paragraph b, Code 2022, is amended to read as follows:

b. As used in paragraph *"a"*, a type of membership interest in a limited liability company includes ~~any of the following:~~ a protected series as provided in chapter 489, article 14.

Sec. 5. Section 15.271, subsection 1, paragraph d, Code 2022, is amended to read as follows:

d. Facilities and programs are needed where travelers can obtain information about travel and hospitality services, ~~tourism~~ tourist attractions, parks and recreation opportunities, cultural and natural resources, and the state in general.

Sec. 6. Section 15F.403, subsection 2, paragraph c, Code 2022, is amended to read as follows:

c. The authority may use not more than five percent of the ~~money~~ moneys in the fund at the beginning of each fiscal year for purposes of administrative costs, technical assistance, and other program support.

Sec. 7. Section 15J.5, subsection 1, paragraph b, subparagraph (2), Code 2022, is amended to read as follows:

(2) For districts established on or after July 1, 2020, the amount of new state sales tax revenue for purposes of paragraph *"a"* shall be the product of four percent times the remainder of the amount of sales subject to the state sales tax in the district during the quarter from new retail establishments minus the sum of the sales from the corresponding quarter of the twelve-month period determined under section 15J.4, subsection 4, paragraph *"b"*, subparagraph (1), for new retail establishments identified under section 15J.4, subsection 4, paragraph *"b"*, subparagraph (1), that were in operation at the end of the quarter.

Sec. 8. Section 16.79A, subsection 1, paragraph b, Code 2022, is amended to read as follows:

b. The tax credit is allowed regardless of whether the ~~principle~~ principal agricultural asset is soil, pasture, or a building or other structure used in farming.

Sec. 9. Section 17A.7, subsection 1, Code 2022, is amended to read as follows:

1. An interested person may petition an agency requesting the adoption, amendment, or repeal of a rule. Each agency

shall prescribe by rule the form for petitions and the procedure for their submission, consideration, and disposition. Within sixty days after submission of a petition, the agency ~~either~~ shall deny the petition in writing on the merits, stating its reasons for the denial, or initiate rulemaking proceedings in accordance with section 17A.4, or adopt a rule if it is not required to be filed according to the procedures of section 17A.4, subsection 1. The agency shall submit the petition and the disposition of the petition to the administrative rules review committee.

Sec. 10. Section 29B.4, subsection 1, Code 2022, is amended to read as follows:

1. ~~Apprehension~~ *"Apprehension"* is the taking of a person into custody. Any person authorized by this code, or by regulations issued under it, to apprehend persons subject to this code, any marshal of a court-martial appointed pursuant to the provisions of this code, and any peace officer authorized to do so by law, may do so upon reasonable belief that an offense has been committed and that the person apprehended committed it.

Sec. 11. Section 39.28, Code 2022, is amended to read as follows:

39.28 Actions — intervention.

1. A political party, as defined in section 43.2, or a nonparty political organization organized pursuant to chapter 44, may intervene in a proceeding under chapter 17A or an action filed in the district court, court of appeals, or supreme court to challenge a provision of this chapter and chapters ~~39~~ 39A through 62 or a rule adopted to implement such a provision.

2. A political party, as defined in section 43.2, or a nonparty political organization organized pursuant to chapter 44, may petition the district court to modify or vacate an injunction against the enforcement of a provision of this chapter and chapters ~~39~~ 39A through 62. A denial of a petition

to modify or vacate an injunction is appealable as a matter of right as a final judgment.

Sec. 12. Section 41.1, subsections 19, 40, and 97, Code 2022, are amended to read as follows:

19. The nineteenth representative district in Pottawattamie county shall consist of that portion of the city of Council Bluffs bounded by a line commencing at the point the corporate limits of the city of Council Bluffs and the boundary of the state of Iowa intersects Interstate 480, and proceeding easterly along Interstate 480 to U.S. highway 6, and proceeding easterly along U.S. highway 6 to West Broadway, and proceeding easterly along West Broadway to South Twenty-fourth street, and proceeding southerly along South Twenty-fourth street to Ninth avenue, and proceeding easterly along Ninth avenue to South Seventeenth street, and proceeding southerly along South Seventeenth street to Sixteenth avenue, and proceeding easterly along Sixteenth avenue to Indian creek, and proceeding southerly along Indian creek to Twenty-third avenue, and proceeding easterly along Twenty-third avenue to South Thirteenth street, and proceeding northerly along South Thirteenth street to Twenty-first avenue, and proceeding easterly along Twenty-first avenue to South Eleventh street, and proceeding northerly along South Eleventh street to Twentieth avenue, and proceeding easterly along Twentieth avenue to South Seventh street, and proceeding northerly along South Seventh street to Sixteenth avenue, and proceeding easterly along Sixteenth avenue to Harry Langdon boulevard, and proceeding southerly along Harry Langdon boulevard to Tostevin street, and proceeding northerly along Tostevin street to West Graham avenue, and proceeding easterly along West Graham avenue to Fairmount avenue, and proceeding northerly along Fairmount avenue to Fifteenth avenue, and proceeding westerly along Fifteenth avenue to High street, and proceeding northerly along High street to Ninth avenue, and proceeding westerly along Ninth avenue to South Third street, and proceeding

northerly along South Third street to Fifth avenue, and proceeding easterly along Fifth avenue to Glen avenue, and proceeding northerly along Glen avenue to Pomona street, and proceeding easterly along Pomona street to Park avenue, and proceeding northerly along Park avenue to West Pierce street, and proceeding easterly along West Pierce street to South First street, and proceeding northerly along South First street to East Broadway, and proceeding easterly along East Broadway to Union street, and proceeding southerly along Union street to East Pierce street, and proceeding northerly along East Pierce street to Frank street, and proceeding westerly along Frank street to East Broadway, and proceeding northerly along East Broadway to Ridge street, and proceeding northerly along Ridge street to North Broadway, and proceeding northerly along North Broadway to West Oak street, and proceeding westerly along West Oak street to East Washington avenue, and proceeding northerly along East Washington avenue to Norton avenue, and proceeding easterly along Norton avenue to Creek Frontage street, and proceeding southerly along Creek Frontage street to Hunter avenue, and proceeding easterly along Hunter avenue to North Broadway, and proceeding northerly along North Broadway to the corporate limits of the city of Council Bluffs, and proceeding first east, then in a clockwise manner along the corporate limits of the city of Council Bluffs to nonvisible boundary (TLID:652017148), and proceeding westerly along nonvisible boundary (TLID:652017148) to Iowa Interstate Railroad, and proceeding southerly along Iowa Interstate Railroad to the corporate limits of the city of Council Bluffs, and proceeding easterly along the corporate limits of the city of Council Bluffs to Greenview road, and proceeding easterly along Greenview road to the corporate limits of the city of Council Bluffs, and proceeding westerly, then in a clockwise manner along the corporate limits of the city of Council Bluffs to the point of ~~beginning~~ origin.

40. The fortieth representative district in Polk county

shall consist of that portion of Polk county bounded by a line commencing at the point the corporate limits of the city of Des Moines intersect Northeast Eighth street, and proceeding northerly along Northeast Eighth street to Northeast Forty-fourth avenue, and proceeding westerly along Northeast Forty-fourth avenue to Northeast Seventh street, and proceeding northerly along Northeast Seventh street to Northeast Forty-seventh place, and proceeding westerly along Northeast Forty-seventh place to Northeast Third street, and proceeding northerly along Northeast Third street to Northeast Forty-eighth place, and proceeding westerly along Northeast Forty-eighth place and its extension to Northwest Second street, and proceeding northerly along Northwest Second street to the boundary of Crocker township, and proceeding east along the boundary of Crocker township to the corporate limits of the city of Ankeny, and proceeding north, then in a clockwise manner along the corporate limits of the city of Ankeny to Southwest Ankeny road, and proceeding northerly along Southwest Ankeny road to Southwest Twin Gates drive, and proceeding northerly along Southwest Twin Gates drive to Southwest Ankeny road, and proceeding easterly along Southwest Ankeny road to Southwest Snyder boulevard, and proceeding northerly along Southwest Snyder boulevard to Southwest Oralabor road, and proceeding easterly along Southwest Oralabor road to Southeast Oralabor road, and proceeding easterly along Southeast Oralabor road to Northeast Seventy-eighth avenue, and proceeding easterly along Northeast Seventy-eighth avenue to Northeast Nineteenth lane, and proceeding southerly along Northeast Nineteenth lane to the corporate limits of the city of Ankeny, and proceeding south, then in a counterclockwise manner along the corporate limits of the city of Ankeny to the boundary of Saylor township, and proceeding east along the boundary of Saylor township to the corporate limits of the city of Ankeny, and proceeding east, then in a counterclockwise manner along the corporate limits of the city of Ankeny to the boundary of

Douglas township, and proceeding east along the boundary of Douglas township to the intersection of Northeast Sixty-fourth street and the corporate limits of the city of Bondurant, and proceeding south, and in a counterclockwise manner along the corporate limits of the city of Bondurant to the north boundary of Clay township, and proceeding east, then in a clockwise manner along the boundary of Clay township to the corporate limits of the city of Pleasant Hill, and proceeding north, then in a counterclockwise manner along the corporate limits of the city of Pleasant Hill to the corporate limits of the city of Altoona, and proceeding west, then in a clockwise manner along the corporate limits of the city of Altoona to the boundary of Delaware township, and proceeding south along the boundary of Delaware township to the corporate limits of the city of Des Moines, and proceeding westerly, then in a counterclockwise manner along the corporate limits of the city of Des Moines to the west boundary of Lee township, and proceeding north, then in a counterclockwise manner along the boundary of Lee township to the corporate limits of the city of Des Moines, and proceeding west, then in a counterclockwise manner along the corporate limits of the city of Des Moines to the point of origin.

97. The ninety-seventh district in Scott county contains that portion of the city of Davenport bounded by a line commencing at the point of intersection of the boundary of the state of Iowa and the Arsenal bridge, and proceeding northerly along the Arsenal bridge to Leclaire street, and proceeding northerly along Leclaire street to Iowa street, and proceeding northerly along Iowa street to East Sixth street, and proceeding westerly along East Sixth street to West Sixth street, and proceeding westerly along West Sixth street to North Gaines street, and proceeding northerly along North Gaines street to West Eleventh street, and proceeding westerly along West Eleventh street to Warren street, and proceeding southerly along Warren street to West Tenth street,

and proceeding westerly along West Tenth street to Vine street, and proceeding northerly along Vine street to West Twelfth street, and proceeding westerly along West Twelfth street to Washington street, and proceeding northerly along Washington street to West Fifteenth street, and proceeding easterly along West Fifteenth street to North Marquette street, and proceeding northerly along North Marquette street to West Fifteenth street, and proceeding easterly along West Fifteenth street to Warren street, and proceeding northerly along Warren street to West Rusholme street, and proceeding easterly along West Rusholme street to North Harrison street, and proceeding northerly along North Harrison street to West Central Park avenue, and proceeding westerly along West Central Park avenue to North Marquette street, and proceeding northerly along North Marquette street to West Garfield street, and proceeding westerly along West Garfield street to North Division street, and proceeding northerly along North Division street to West Thirty-eighth street, and proceeding easterly along West Thirty-eighth street to North Marquette street, and proceeding northerly along North Marquette street to West Kimberly road, and proceeding easterly along West Kimberly road to Northwest boulevard, and proceeding westerly along Northwest boulevard to West Fifty-third street, and proceeding easterly along West Fifty-third street to North Marquette street, and proceeding northerly along North Marquette street to West Fifty-seventh street, and proceeding easterly along West Fifty-seventh street to Vine street, and proceeding northerly along Vine street to West Fifty-eighth street, and proceeding easterly along West Fifty-eighth street to Appomattox road, and proceeding southerly along Appomattox road to West Fifty-third street, and proceeding easterly along West Fifty-third street to East Fifty-third street, and proceeding easterly along East Fifty-third street to Eastern avenue, and proceeding southerly along Eastern avenue to East Kimberly road, and proceeding easterly along East Kimberly road to Spring street, and

proceeding southerly along Spring street and its extension to Duck creek, and proceeding easterly along Duck creek to the corporate limits of the city of Davenport, and proceeding southerly along the corporate limits of the city of Davenport to the boundary of the state of Iowa, and proceeding westerly along the boundary of the state of Iowa to the point of origin.

Sec. 13. Section 43.114, Code 2022, is amended to read as follows:

43.114 Time of holding special charter city primary.

In special charter cities holding a city primary election under the provisions of ~~section 43.112 such~~ section 43.112, the primary shall be held on the first Tuesday in October of the year in which regular city elections are held.

Sec. 14. Section 44.18, subsection 5, Code 2022, is amended to read as follows:

5. Beginning in January 2011, and each odd-numbered year thereafter, the registrar and the voter registration commission may review the number of voters registered as affiliated with a nonparty political organization. If the number of registrants, including both active and inactive voters, is fewer than ~~150~~ one hundred fifty, the commission shall declare the organization to be dormant for purposes of voter registration and may revise the voter registration form and instructions and electronic voter registration system to remove the organization from the list of nonparty political organizations with which a voter may register as affiliated. However, a change shall not be made to the record of political affiliation of individual registrants unless the registrant requests the change.

Sec. 15. Section 47.3, subsection 1, Code 2022, is amended to read as follows:

1. The costs of conducting a special election called by the governor, the general election, and the primary election held prior to the general election shall be paid by the county.

Sec. 16. Section 73A.21, subsection 1, paragraph b, Code 2022, is amended to read as follows:

b. "Division" means the division of labor services of the department of workforce development.

Sec. 17. Section 80D.2, Code 2022, is amended to read as follows:

80D.2 Personal standards.

The director of the ~~law enforcement~~ academy with the approval of the ~~law enforcement academy~~ council may establish minimum standards of physical, educational, mental, and moral fitness for members of the reserve force.

Sec. 18. Section 85.67, Code 2022, is amended to read as follows:

85.67 Administration of fund — special counsel — payment of award.

1. The attorney general shall appoint a staff member to represent the treasurer of state and the fund in all proceedings and matters arising under this subchapter. The attorney general shall be reimbursed up to four hundred fifty thousand dollars annually from the fund for services provided related to the fund. The commissioner of insurance shall consider the reimbursement to the attorney general as an outstanding liability when making a determination of funding availability under section 85.65A, subsection 2.

2. In making an award under this subchapter, the workers' compensation commissioner shall specifically find the amount the injured employee shall be paid weekly, the number of weeks of compensation which shall be paid by the employer, the date upon which payments out of the fund shall begin, and, if possible, the length of time the payments shall continue.

Sec. 19. Section 89.3, subsection 5, paragraph a, subparagraph (4), subparagraph division (a), Code 2022, is amended to read as follows:

(a) The owner or user is a participant in good standing in the Iowa occupational safety and health voluntary protection program and has achieved star status within the program, which is administered by the division of labor services in the

department of workforce development.

Sec. 20. Section 89.3, subsection 10, Code 2022, is amended to read as follows:

10. An exhibition boiler does not require an annual inspection certificate but special inspections may be requested by the owner or an event's management to be performed by the commissioner. Upon the completion of an exhibition boiler inspection a written condition report shall be prepared by the commissioner regarding the condition of the exhibition boiler's boiler or pressure vessel. This report will be issued to the owner and the management of all events at which the exhibition boiler is to be operated. The event's management is responsible for the decision on whether the exhibition boiler should be operated and shall inform the division of labor services of the event's management's decision. The event's management is responsible for any injuries which result from the operation of any exhibition boiler approved for use at the event by the event's management. A repair symbol, known as the "R" stamp, is not required for repairs made to exhibition boilers pursuant to the rules regarding inspections and repair of exhibition boilers as adopted by the commissioner, pursuant to chapter 17A.

Sec. 21. Section 91A.2, subsection 3, paragraph b, unnumbered paragraph 1, Code 2022, is amended to read as follows:

For ~~the~~ purposes of this chapter, the following persons engaged in agriculture are not employees:

Sec. 22. Section 91C.1, subsection 3, paragraph a, Code 2022, is amended to read as follows:

a. The labor services division of the department of workforce development and the Iowa department of public health will work with stakeholders to develop a plan to combine the contractor registration and contractor licensing application process for contractors licensed under chapter 105, to be implemented in time for licensing renewals due July 1, 2017.

Effective July 1, 2017, a contractor licensed under chapter 105 shall register as a contractor under this chapter in conjunction with the contractor licensing process. At no cost to the labor services division, the department of public health shall collect both the registration and licensing applications as part of one combined application. The labor commissioner shall design the contractor registration application form to exclude from the division of ~~labor's~~ labor services' contractor registration application process those contractors who are also covered by chapter 105. The labor commissioner is authorized to adopt rules as needed to accomplish a merger of the application systems including transitional registration periods and fees.

Sec. 23. Section 91C.9, subsection 1, Code 2022, is amended to read as follows:

1. A contractor registration revolving fund is created in the state treasury. The revolving fund shall be administered by the commissioner and shall consist of moneys collected by the commissioner as fees. The commissioner shall remit all fees collected pursuant to this chapter to the revolving fund. The moneys in the revolving fund are appropriated to and shall be used by the commissioner to pay the actual costs and expenses necessary to perform the duties of the commissioner and the division of labor services as described in this chapter. All salaries and expenses properly chargeable to the revolving fund shall be paid from the revolving fund.

Sec. 24. Section 96.1A, subsection 16, paragraph g, subparagraph (3), subparagraph division (d), subparagraph subdivision (iii), Code 2022, is amended to read as follows:

(iii) The provisions of subparagraph subdivisions (i) and (ii) of this subparagraph division (d) of this subparagraph shall not be deemed to be applicable with respect to service performed in connection with commercial canning or commercial freezing or in connection with any agricultural or horticultural commodity after its delivery to a terminal market

for distribution for consumption.

Sec. 25. Section 96.7, subsection 2, paragraph d, subparagraph (2), Code 2022, is amended to read as follows:

(2) (a) The highest benefit cost ratio is the highest of the resulting ratios computed by dividing the total benefits paid, excluding reimbursable benefits paid, during each consecutive twelve-month period, during the ten-year period ending on the computation date, by the total wages, excluding reimbursable employment wages, paid in the four calendar quarters ending nearest and prior to the last day of such twelve-month period; however, the highest benefit cost ratio shall not be less than .02.

(b) If the current reserve fund ratio, divided by the highest benefit cost ratio:

Equals or exceeds	But is less than	The contribution rate table in effect shall be
—	0.3	1
0.3	0.5	2
0.5	0.7	3
0.7	0.85	4
0.85	1.0	5
1.0	1.15	6
1.15	1.30	7
1.30	—	8

(c) *"Benefit ratio"* means a number computed to six decimal places on July 1 of each year obtained by dividing the average of all benefits charged to an employer during the five periods of four consecutive calendar quarters immediately preceding the computation date by the employer's average annual taxable payroll.

(d) Each employer qualified for an experience rating shall be assigned a contribution rate for each rate year that corresponds to the employer's benefit ratio rank in the contribution rate table effective for the rate year from the

following contribution rate tables. Each employer's benefit ratio rank shall be computed by listing all the employers by increasing benefit ratios, from the lowest benefit ratio to the highest benefit ratio and grouping the employers so listed into twenty-one separate ranks containing as nearly as possible four and seventy-six hundredths percent of the total taxable wages, excluding reimbursable employment wages, paid in covered employment during the four completed calendar quarters immediately preceding the computation date. If an employer's taxable wages qualify the employer for two separate benefit ratio ranks the employer shall be afforded the benefit ratio rank assigned the lower contribution rate. Employers with identical benefit ratios shall be assigned to the same benefit ratio rank.

Benefit Ratio Rank	Approximate Cumulative Taxable Payroll Limit	Contribution Rate Tables 1	2	3	4	5	6	7	8
1	4.8%	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2	9.5%	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
3	14.3%	0.1	0.1	0.1	0.1	0.1	0.0	0.0	0.0
4	19.0%	0.4	0.3	0.3	0.2	0.1	0.1	0.1	0.1
5	23.8%	0.6	0.5	0.4	0.3	0.3	0.2	0.1	0.1
6	28.6%	0.9	0.8	0.6	0.5	0.4	0.3	0.2	0.1
7	33.3%	1.2	1.0	0.8	0.6	0.5	0.4	0.3	0.2
8	38.1%	1.5	1.3	1.0	0.8	0.6	0.5	0.3	0.2
9	42.8%	1.9	1.5	1.2	0.9	0.7	0.6	0.4	0.3
10	47.6%	2.1	1.8	1.4	1.1	0.8	0.6	0.5	0.3
11	52.4%	2.5	2.0	1.6	1.3	1.0	0.7	0.5	0.3
12	57.1%	3.0	2.4	1.9	1.5	1.1	0.9	0.6	0.4
13	61.9%	3.6	2.9	2.4	1.8	1.4	1.1	0.8	0.5
14	66.6%	4.4	3.6	2.9	2.2	1.7	1.3	1.0	0.6
15	71.4%	5.3	4.3	3.5	2.7	2.0	1.6	1.1	0.7
16	76.2%	6.3	5.2	4.1	3.2	2.4	1.9	1.4	0.9
17	80.9%	7.0	6.4	5.2	4.0	3.0	2.3	1.7	1.1
18	85.7%	7.5	7.5	7.0	5.4	4.1	3.1	2.3	1.5
19	90.4%	8.0	8.0	8.0	7.3	5.6	4.2	3.1	2.0
20	95.2%	8.5	8.5	8.5	8.0	7.6	5.8	4.3	2.8
21	100.0%	9.0	9.0	9.0	9.0	8.5	8.0	7.5	7.0

Sec. 26. Section 96.14, subsection 3, paragraph j, Code 2022, is amended to read as follows:

j. The courts of this state shall recognize and enforce liabilities for unemployment contributions, penalties,

interest, and benefit overpayments imposed by other states which extend a like comity to this state. The department may sue in the courts of any other jurisdiction which extends such comity to collect unemployment contributions, penalties, interest, and benefit overpayments due this state. The officials of other states which, by statute or otherwise, extend a like comity to this state may sue in the district court to collect for such contributions, penalties, interest, and benefit overpayments. In any such case the director, as agent for and on behalf of any other state, may institute and conduct such suit for such other state. Venue of such proceedings shall be the same as for actions to collect delinquent contributions, penalties, interest, and benefit overpayments due under this chapter. A certificate by the secretary of any such state attesting the authority of such official to collect the contributions, penalties, interest, and benefit overpayments~~,~~ is conclusive evidence of such authority. The requesting state shall pay the court costs.

Sec. 27. Section 96.14, subsection 8, Code 2022, is amended to read as follows:

8. *Manner of service.* Plaintiff in any such action shall cause the original notice of suit to be served ~~as follows~~ by doing all of the following:

a. ~~By filing~~ Filing a copy of ~~said~~ the original notice of suit with ~~said~~ the secretary of state, together with a fee of four dollars~~, and~~.

b. ~~By mailing~~ Mailing to the defendant, and to each of the defendants if more than one, within ten days after ~~said~~ filing the notice with the secretary of state, 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 secretary of state.

Sec. 28. Section 96.14, subsection 9, Code 2022, is amended to read as follows:

9. *Notification to nonresident — form.* The notification,

provided for in subsection 7, shall be in substantially the following form~~, to wit~~:

To ..... (Here insert the name of each defendant and the defendant's residence or last known place of abode as definitely as known.)

You will take notice that an original notice of suit against you, a copy of which is hereto attached, was duly served upon you at Des Moines, Iowa, by filing a copy of said notice on the ... day of .... (month), .. (year), with the secretary of state of the state of Iowa.

Dated at ....., Iowa, this ... day of .... (month), .. (year).

.....

Plaintiff.

By .....

Attorney for Plaintiff.

Sec. 29. Section 96.14, subsection 13, Code 2022, is amended to read as follows:

13. *Venue of actions.* Actions against nonresidents as contemplated by this law may be brought in Polk county~~,~~ or in the county in which such services were performed.

Sec. 30. Section 97A.6, subsection 11, paragraphs b and c, Code 2022, are amended to read as follows:

b. Notwithstanding paragraph "*a*", any workers' compensation benefits received by a member for past medical expenses or future medical expenses shall not be offset against ~~and not~~ or considered payable in lieu of any retirement allowance payable pursuant to this section on account of the same disability.

c. Notwithstanding paragraph "*a*", any workers' compensation benefits received by a member for reimbursement of vacation time used, sick time used, or for any unpaid time off from work shall not be offset against ~~and not~~ or considered payable in lieu of any retirement allowance payable pursuant to this section on account of the same disability.

Sec. 31. Section 97B.50A, subsection 5, paragraphs b and c,

Code 2022, are amended to read as follows:

b. Notwithstanding paragraph "*a*", any workers' compensation benefits received by a member for past medical expenses or future medical expenses shall not be offset against ~~and not~~ or considered payable in lieu of any retirement allowance payable pursuant to this section on account of the same disability.

c. Notwithstanding paragraph "*a*", any workers' compensation benefits received by a member for reimbursement of vacation time used, sick time used, or for any unpaid time off from work shall not be offset against ~~and not~~ or considered payable in lieu of any retirement allowance payable pursuant to this section on account of the same disability.

Sec. 32. Section 99G.36, subsection 3, unnumbered paragraph 1, Code 2022, is amended to read as follows:

A person who knowingly or intentionally passes a lottery ticket or share in order to avoid the application of an offset under section 99G.41 ~~commits~~ is guilty of the following:

Sec. 33. Section 100.31, subsection 3, Code 2022, is amended to read as follows:

3. The state fire marshal or the fire marshal's deputies shall cause each public or private school, college, or university to be inspected at least once every two years to determine whether each school meets the fire safety standards of this Code and is free from other fire hazards. Provided, however, that cities which employ fire department inspectors shall cause such inspections to be made.

Sec. 34. Section 125.92, subsection 2, Code 2022, is amended to read as follows:

2. Render informed consent, except for treatment provided pursuant to sections 125.81 and 125.91. If the person is incompetent, treatment may be consented to by the person's next of kin or guardian notwithstanding the person's refusal. If the person refuses treatment which in the opinion of the chief medical officer is necessary, or if the person is incompetent and the next of kin or guardian refuses to consent to the

treatment or no next of kin or guardian is available, the facility may petition a court of appropriate jurisdiction for approval to treat the person.

Sec. 35. Section 135.107, subsection 2, paragraph d, Code 2022, is amended to read as follows:

d. Cooperate with the center for agricultural ~~health and~~ safety and health established under section 262.78, the center for health effects of environmental contamination established under section 263.17, and the department of agriculture and land stewardship. The agencies shall coordinate programs to the extent practicable.

Sec. 36. Section 135C.3, subsection 2, Code 2022, is amended to read as follows:

2. A licensed intermediate care facility for persons with mental illness shall provide an organized twenty-four-hour program of services commensurate with the needs of its residents and under the immediate direction of a licensed registered nurse, who has had at least two years of recent experience in a chronic or acute psychiatric setting. Medical and nursing ~~service~~ services must be provided under the direction of either a house physician or an individually selected physician. Surgery or obstetrical care shall not be provided within the facility. An admission to the intermediate care facility for persons with mental illness must be based on a physician's written order certifying that the individual being admitted requires no greater degree of nursing care than the facility to which the admission is made is licensed to provide and is capable of providing.

Sec. 37. Section 147C.1, subsection 2, paragraph a, Code 2022, is amended to read as follows:

a. "Active duty military" means full-time duty status in the active uniformed service of the United States, including members of the national guard and reserve on active duty orders pursuant to 10 U.S.C. ~~§1209~~ ch. 1209 and 10 U.S.C. ~~§1211~~ ch. 1211.

Sec. 38. Section 217.15, Code 2022, is amended to read as follows:

217.15 Administrator of division of administration.

The administrator of the division of administration shall be qualified in the general field of governmental administration with special training and experience in the areas of competitive bidding, contract letting, accounting, and budget preparation.

Sec. 39. Section 218.31, Code 2022, is amended to read as follows:

218.31 Witnesses.

In aid of any investigation the administrator shall have the power to summon and compel the attendance of witnesses; to examine the witnesses under oath, which the administrator shall have power to administer; to have access to all books, papers, and property material to such investigation~~,~~; and to order the production of any other books or papers material to the investigation. Witnesses other than those in the employ of the state shall be entitled to the same fees as in civil cases in the district court.

Sec. 40. Section 218.44, Code 2022, is amended to read as follows:

218.44 Wages paid to dependent — deposits.

If wages are paid to a resident pursuant to section 218.42, the administrator in control of an institution listed in section 218.1 may pay all or any part of the wages directly to any dependent of the resident. The administrator may also deposit the wages to the account of ~~such~~ the resident, or may so deposit part of the wages and allow the resident a portion for the resident's own personal use, or may pay to the county of commitment all or any part of the resident's care, treatment, or subsistence while at said institution from any credit balance accruing to the account of the resident.

Sec. 41. Section 225C.25, Code 2022, is amended to read as follows:

225C.25 Short title.

~~Sections 225C.25 through~~ This section and sections 225C.26, 225C.28A, and 225C.28B shall be known as "the bill of rights and service quality standards of persons with an intellectual disability, developmental disabilities, brain injury, or chronic mental illness".

Sec. 42. Section 225C.29, Code 2022, is amended to read as follows:

225C.29 Compliance.

Except for a violation of section 225C.28B, subsection 2, the sole remedy for violation of a rule adopted by the commission to implement sections ~~225C.25 through~~ 225C.25, 225C.26, 225C.28A, and 225C.28B shall be by a proceeding for compliance initiated by request to the division pursuant to chapter 17A. Any decision of the division shall be in accordance with due process of law and is subject to appeal to the Iowa district court pursuant to sections 17A.19 and 17A.20 by any aggrieved party. Either the division or a party in interest may apply to the Iowa district court for an order to enforce the decision of the division. Any rules adopted by the commission to implement sections ~~225C.25 through~~ 225C.25, 225C.26, 225C.28A, and 225C.28B do not create any right, entitlement, property or liberty right or interest, or private cause of action for damages against the state or a political subdivision of the state or for which the state or a political subdivision of the state would be responsible. Any violation of section 225C.28B, subsection 2, shall solely be subject to the enforcement by the commissioner of insurance and penalties granted by chapter 507B for a violation of section 507B.4, subsection 3, paragraph "*g*".

Sec. 43. Section 225C.42, subsection 2, paragraph c, Code 2022, is amended to read as follows:

c. An analysis of the extent to which payments enabled children to remain in their homes. The analysis shall include but is not limited to all of the following items concerning

children affected by the payments: ~~the~~

(1) The number and percentage of children who remained with their families~~; the~~.

(2) The number and percentage of children who returned to their home from an out-of-home placement and the type of placement from which the children returned~~; and the~~.

(3) The number of children who received an out-of-home placement during the period and the type of placement.

Sec. 44. Section 230.6, subsection 1, Code 2022, is amended to read as follows:

1. If the administrator concurs with a certified determination of residency concerning the patient, the administrator shall cause the patient either to be transferred to a state hospital for persons with mental illness at the expense of the state, or to be transferred, with approval of the court as required by chapter 229, to the place of foreign residence.

Sec. 45. Section 232.37, subsection 1, Code 2022, is amended to read as follows:

1. After a petition has been filed the court shall set a time for an adjudicatory hearing and, unless the parties named in subsection 2 voluntarily appear, shall issue a summons requiring the child to appear before the court at a time and place stated and requiring the person who has custody or control of the child to appear before the court and to bring the child with the person at that time. The summons shall attach a copy of the petition and shall give notification of the right to counsel provided for in section 232.11.

Sec. 46. Section 249.3, subsection 2, paragraph a, Code 2022, is amended to read as follows:

a. Is receiving either of the following:

(1) Care in a licensed adult foster home, boarding home or custodial home, as defined by section 135C.1, or in another type of protective living arrangement as defined by the department~~; or~~.

(2) Nursing care in the person's own home, certified by a physician as being required, so long as the cost of the nursing care does not exceed standards established by the department.

Sec. 47. Section 256.9, subsection 64, Code 2022, is amended to read as follows:

64. Develop and distribute to school districts standards of practice for equity coordinators employed by school districts. To provide consistency in training statewide, the director shall also develop and distribute to school districts a training program on free speech under the first amendment to the Constitution of the United States which shall be used by school districts to provide training pursuant to section 279.75.

Sec. 48. Section 261.113, subsection 13, paragraph c, unnumbered paragraph 1, Code 2022, is amended to read as follows:

"*Service commitment area*" means a city in Iowa that provides a twenty thousand dollar contribution for deposit in the rural Iowa primary care trust fund for each physician in the community who is participating in the loan repayment program and ~~which~~ the city meets any of the following conditions:

Sec. 49. Section 262.78, subsection 1, Code 2022, is amended to read as follows:

1. The board of regents shall establish a center for agricultural ~~health and~~ safety and health at the university of Iowa. The center shall be a joint venture by the university of Iowa and Iowa state university of science and technology. The center shall establish farm health and safety programs designed to reduce the incidence of disabilities suffered by persons engaged in agriculture which results from disease or injury. The university of Iowa is primarily responsible for the management of agricultural health and injury programs at the center. Iowa state university of science and technology is primarily responsible for the management of the agricultural safety programs of the center.

Sec. 50. Section 263.17, subsection 7, Code 2022, is amended to read as follows:

7. The center shall cooperate with the center for rural health and primary care, established under section 135.107, the center for agricultural ~~health and~~ safety and health established under section 262.78, and the department of agriculture and land stewardship. The agencies shall coordinate programs to the extent practicable.

Sec. 51. Section 309.48, subsection 1, Code 2022, is amended to read as follows:

1. The annual accruing secondary road ~~funds (naming~~ funds, naming the ~~year)~~ year, of which the certificate is anticipatory.

Sec. 52. Section 321.14, Code 2022, is amended to read as follows:

321.14 Seizure of documents and plates.

The department is ~~hereby~~ authorized to take possession of any registration card, certificate of title, permit, or registration plate, certificate of inspection or any inspection document or form, upon expiration, revocation, cancellation, or suspension thereof, or which is fictitious, or which has been unlawfully or erroneously issued.

Sec. 53. Section 329.6, subsection 1, Code 2022, is amended to read as follows:

1. If any municipality owning or controlling an airport adjacent to which there is an airport hazard area ~~shall fail~~ fails or ~~refuse~~ refuses, within sixty days after a demand is made ~~upon it~~ by the department, to adopt reasonably adequate airport zoning regulations under section 329.3, or to proceed as provided in section 329.4, the department may petition the district court of the county in which ~~such~~ the airport hazard area, or any part thereof, is located, in the name of the state, praying that zoning regulations be established for the airport hazard area in question~~, and the~~. The provisions of section 329.4, subsections 3 through 9, shall apply to such

actions provided, however, that ~~such~~ the municipality shall be joined as a party defendant in ~~any such~~ the action.

Sec. 54. Section 357.1B, subsection 3, Code 2022, is amended to read as follows:

3. For the purpose of establishing, operating, or dissolving a combined water and sanitary district under this chapter and chapter 358, the term *"benefited water district"* includes a combined water and sanitary district where applicable.

Sec. 55. Section 390.1, subsection 10, Code 2022, is amended to read as follows:

10. *"Participant"* means a city, electric cooperative, or privately owned utility company, which is a party to a joint agreement.

Sec. 56. Section 403.16, subsection 6, Code 2022, is amended to read as follows:

6. The limitations of this section shall be construed to permit action by a public official, commissioner, or employee where any benefits of such an action accrue to the public generally, the action affects all or a substantial portion of the properties included or planned to be included in such a project, or the action promotes the public purposes of such project. The limitations of this section shall be construed to limit only that action by a public official, commissioner, or employee which directly or specifically affects property in which such official, commissioner, or employee has an interest or in which an employer of such official, commissioner, or employee has an interest. Any disclosure required to be made by this section to the local governing body shall concurrently be made to an urban renewal agency which has been vested with urban renewal project powers by the municipality pursuant to the provisions of section 403.14. A commissioner or other officer of any urban renewal agency, board, or commission exercising powers pursuant to this chapter shall not hold any other public office under the municipality, other than the

commissionership or office with respect to such urban renewal agency, board, or commission. Any violation of the provisions of this section shall constitute misconduct in office, but an ordinance or resolution of a municipality or agency shall not be invalid by reason of a vote or votes cast in violation of the standards of this section unless the vote or votes were decisive in the passage of the ordinance or resolution.

Sec. 57. Section 422.1, unnumbered paragraph 1, Code 2022, is amended to read as follows:

The provisions of this chapter are ~~herein~~ classified and designated as follows:

Sec. 58. Section 422.16, subsection 9, Code 2022, is amended to read as follows:

9. The amount of any overpayment of the individual income tax liability of the employee taxpayer, nonresident, or other person which may result from the withholding and payment of withheld tax by the employer or withholding agent to the department under subsections 1 and 12, as compared to the individual income tax liability of the employee taxpayer, nonresident, or other person properly and correctly determined under the provisions of ~~section~~ sections 422.4~~, to and including section~~ through 422.15, this section, and sections 422.16A through 422.25, may be credited against any income tax or installment thereof then due the state of Iowa and any balance of one dollar or more shall be refunded to the employee taxpayer, nonresident, or other person with interest in accordance with section 421.60, subsection 2, paragraph "e". Amounts less than one dollar shall be refunded to the taxpayer, nonresident, or other person only upon written application, in accordance with section 422.73, and only if the application is filed within twelve months after the due date of the return. Refunds in the amount of one dollar or more provided for by this subsection shall be paid by the treasurer of state by warrants drawn by the director of the department of administrative services, or an authorized

employee of the department, and the taxpayer's return of income shall constitute a claim for refund for this purpose, except in respect to amounts of less than one dollar. There is appropriated, out of any funds in the state treasury not otherwise appropriated, a sum sufficient to carry out the provisions of this subsection.

Sec. 59. Section 422.16, subsection 12, paragraph a, Code 2022, is amended to read as follows:

a. In the case of nonresidents having income subject to taxation by Iowa, but not subject to withholding of such tax under subsection 1 or subject to the provisions of section 422.16B, withholding agents shall withhold from such income at the same rate as provided in subsection 1 ~~hereof~~, and such withholding agents and such nonresidents shall be subject to the provisions of this section, according to the context, except that such withholding agents may be absolved of such requirement to withhold taxes from such nonresident's income upon receipt of a certificate from the department issued in accordance with the provisions of section 422.17, as hereby amended. In the case of nonresidents having income from a trade or business carried on by them in whole or in part within the state of Iowa, such nonresident shall be considered to be subject to the provisions of this subsection unless such trade or business is of such nature that the business entity itself, as a withholding agent, is required to and does withhold Iowa income tax from the distributions made to such nonresident from such trade or business.

Sec. 60. Section 422.25, subsection 4, paragraph a, Code 2022, is amended to read as follows:

a. All payments received must be credited first~~,~~ to the penalty and interest accrued~~,~~ and then to the tax due. If payments in multiple tax periods are unpaid, payments received shall be credited first to the penalty and interest accrued and then tax due for the earliest period, and then credited to each following tax period in chronological order from the earliest

tax period to the latest tax period. Payments required to be made within a tax period must be credited first to the earliest deposit period within the tax period. For purposes of this subsection, the department shall not reapply prior payments made on or before the due date of the original return by the taxpayer to penalty or interest determined to be due after the date of those prior payments, except that the taxpayer and the department may agree to apply payments in accordance with rules adopted by the director when there are both agreed and unagreed to items as a result of an examination.

Sec. 61. Section 441.7, Code 2022, is amended to read as follows:

441.7 Special examination.

1. If the conference board fails to appoint an assessor from the list of individuals on the register, the conference board shall request permission from the director of revenue to hold a special examination in the particular city or county in which the vacancy has occurred. Permission may be granted by the director of revenue after consideration of factors such as the availability of candidates in that particular city or county.

2. The director of revenue shall conduct no more than one special examination for each vacancy in an assessing jurisdiction. The examination shall be conducted by the director of revenue as provided in section 441.5, except as otherwise provided in this section. The examining board shall give notice of holding the examination for assessor by posting a written notice in a conspicuous place in the county courthouse in the case of county assessors or in the city hall in the case of city assessors, stating that at a specified date, an examination for the position of assessor will be held at a specified place. Similar notice shall be given at the same time by one publication of the notice in three newspapers of general circulation in the case of a county assessor, or in case there are not three such newspapers in a county, then in newspapers which are available, or in one newspaper of general

circulation in the city in the case of city assessor.

3. The conference board of the city or county in which a special examination is held shall reimburse the department of revenue for all expenses incurred in the administration of the examination, to be paid for by the respective city or county assessment expense fund. Following the administration of this special examination, the director of revenue shall certify to the examining board a new list of candidates eligible to be appointed as assessor and the examining board and conference board shall proceed in accordance with the provisions of section 441.6.

Sec. 62. Section 441.48, subsection 1, Code 2022, is amended to read as follows:

1. Before the department of revenue ~~shall adjust~~ adjusts the valuation of any class of property by any such percentage, the department shall first serve ten days' notice by mail, on the county auditor of the county whose valuation is proposed to be adjusted.

Sec. 63. Section 453A.22, Code 2022, is amended to read as follows:

453A.22 Revocation — suspension — civil penalty.

1. If a person holding a permit issued by the department under this subchapter, including a retailer permit for railway car, has willfully violated section 453A.2, the department shall revoke the permit upon notice and hearing. If the person violates any other provision of this subchapter, or a rule adopted under this subchapter, or is substantially delinquent in the payment of a tax administered by the department or the interest or penalty on the tax, or if the person is a corporation and if any officer having a substantial legal or equitable interest in the ownership of the corporation owes any delinquent tax of the permit-holding corporation, or interest or penalty on the tax, administered by the department, the department may revoke the permit issued to the person, after giving the permit holder an opportunity to be heard upon ten

days' written notice stating the reason for the contemplated revocation and the time and place at which the person may appear and be heard. The hearing before the department may be held at a site in the state as the department may direct. The notice shall be given by mailing a copy to the permit holder's place of business as it appears on the application for a permit. If, upon hearing, the department finds that the violation has occurred, the department may revoke the permit.

2. If a retailer or employee of a retailer has violated section 453A.2 or section 453A.36, subsection 6, the department or local authority, or the alcoholic beverages division of the department of commerce following transfer of the matter to the alcoholic beverages division of the department of commerce pursuant to section 453A.2, subsection 6, in addition to the other penalties fixed for such violations in this section, shall assess a penalty upon the same hearing and notice as prescribed in subsection 1 as follows:

a. For a first violation, the retailer shall be assessed a civil penalty in the amount of three hundred dollars. Failure to pay the civil penalty as ordered under this subsection shall result in automatic suspension of the permit for a period of fourteen days.

b. For a second violation within a period of two years, the retailer shall be assessed a civil penalty in the amount of one thousand five hundred dollars or the retailer's permit shall be suspended for a period of thirty days. The retailer may select its preference in the penalty to be applied under this paragraph.

c. For a third violation within a period of three years, the retailer shall be assessed a civil penalty in the amount of one thousand five hundred dollars and the retailer's permit shall be suspended for a period of thirty days.

d. For a fourth violation within a period of three years, the retailer shall be assessed a civil penalty in the amount of one thousand five hundred dollars and the retailer's permit

shall be suspended for a period of sixty days.

e. For a fifth violation within a period of four years, the retailer's permit shall be revoked.

3. If an employee of a retailer violates section 453A.2, subsection 1, the retailer shall not be assessed a penalty under subsection 2, and the violation shall be deemed not to be a violation of section 453A.2, subsection 1, for the purpose of determining the number of violations for which a penalty may be assessed pursuant to subsection 2, if the employee holds a valid certificate of completion of the tobacco compliance employee training program pursuant to section 453A.5 at the time of the violation. A retailer may assert only once in a four-year period the bar under this subsection against assessment of a penalty pursuant to subsection 2, for a violation of section 453A.2, that takes place at the same place of business location.

~~4. Reserved.~~

~~5.~~ 4. If a permit is revoked a new permit shall not be issued to the permit holder for any place of business, or to any other person for the place of business at which the violation occurred, until one year has expired from the date of revocation, unless good cause to the contrary is shown to the issuing authority.

~~6.~~ 5. Notwithstanding subsection ~~5~~ 4, if a retail permit is suspended or revoked under this section, the suspension or revocation shall only apply to the place of business at which the violation occurred and shall not apply to any other place of business to which the retail permit applies but at which the violation did not occur.

~~7.~~ 6. The department or local authority shall report the suspension or revocation of a retail permit under this section to the alcoholic beverages division of the department of commerce within thirty days of the suspension or revocation of the retail permit.

~~8.~~ 7. For the purposes of this section, "*retailer*" means

retailer as defined in sections 453A.1 and 453A.42 and "*retail permit*" includes permits issued to retailers under subchapter I or subchapter II of this chapter.

Sec. 64. Section 453A.23, subsection 4, Code 2022, is amended to read as follows:

4. The provisions of section 453A.22, subsections 1 and ~~5 of section 453A.22~~ 4, shall apply to the revocation of such permit and the issuance of a new one.

Sec. 65. Section 455B.145, subsection 2, paragraph b, Code 2022, is amended to read as follows:

b. The director shall promptly investigate the application and approve or disapprove the application. The director may conduct a public hearing before action is taken to approve or disapprove. If the director disapproves issuing a certificate, the political subdivision may appeal the action to the department of inspections and appeals. At the hearing on appeal, the department of inspections and appeals shall decide whether the local program is substantially consistent with the provisions of this subchapter II, or rules adopted ~~thereunder~~ under this subchapter II, and whether the local program is being enforced. The burden of proof shall be upon the political subdivision.

Sec. 66. Section 455B.174, subsections 1 and 3, Code 2022, are amended to read as follows:

1. Conduct investigations of alleged water pollution or of alleged violations of this part 1 of subchapter III, chapter 459, subchapter III, chapter 459A, or chapter 459B, or any rule adopted or any permit issued pursuant ~~thereto~~ to this part 1 of subchapter III, chapter 459, subchapter III, chapter 459A, or chapter 459B, upon written request of any state agency, political subdivision, local board of health, twenty-five residents of the state, as directed by the department, or as may be necessary to accomplish the purposes of this part 1 of subchapter III, chapter 459, subchapter III, chapter 459A, or chapter 459B.

3. Take any action or actions allowed by law which, in the director's judgment, are necessary to enforce or secure compliance with the provisions of this part 1 of subchapter III or chapter 459, subchapter III, or of any rule or standard established or permit issued pursuant ~~thereto~~ to this part 1 of subchapter III or chapter 459, subchapter III.

Sec. 67. Section 455B.261, unnumbered paragraph 1, Code 2022, is amended to read as follows:

As used in this part 4 of subchapter III, unless the context otherwise requires:

Sec. 68. Section 455B.381, subsection 4, Code 2022, is amended to read as follows:

4. "*Hazardous condition*" means any situation involving the actual, imminent, or probable spillage, leakage, or release of a hazardous substance onto the land, into a water of the state, or into the atmosphere, which creates an immediate or potential danger to the public health or safety or to the environment. For purposes of this subchapter IV, a site which is a hazardous waste or hazardous substance disposal site as defined in section 455B.411, subsection 4, is a hazardous condition.

Sec. 69. Section 456A.24, subsection 2, unnumbered paragraph 1, Code 2022, is amended to read as follows:

Acquire by purchase, condemnation, lease, agreement, gift, and devise lands or waters suitable for the purposes enumerated in this subsection, and rights-of-way to those lands and waters, and to maintain the lands and waters for the following purposes~~, to wit~~:

Sec. 70. Section 462A.4, Code 2022, is amended to read as follows:

462A.4 Operation of unnumbered vessels prohibited.

~~Every~~ Except as provided in sections 462A.6 and 462A.6A, every vessel ~~except as provided in sections 462A.6 and 462A.6A~~ on the waters of this state under the jurisdiction of the commission shall be numbered. A person shall not operate, maintain, or give permission for the operation or maintenance

of any vessel on such waters unless the vessel is numbered in accordance with this chapter or in accordance with applicable federal laws or in accordance with a federally approved numbering system of another state and unless the certificate of number awarded to the vessel is in full force and effect.

Sec. 71. Section 462A.82, subsection 1, Code 2022, is amended to read as follows:

1. If ownership of a vessel is transferred by operation of law, such as by inheritance, order in bankruptcy, insolvency, replevin, execution sale, or in compliance with section 578A.7, the transferee, within thirty days after acquiring the right to possession of the vessel by operation of law, shall mail or deliver to the county recorder satisfactory proof of ownership as the county recorder requires, together with an application for a new certificate of title, and the required fee. ~~A title tax is not required on these transactions.~~ However, if the transferee is the surviving spouse of the deceased owner, the county recorder shall waive the required fee. A title tax is not required on these transactions.

Sec. 72. Section 468.49, subsection 1, Code 2022, is amended to read as follows:

1. A classification of land for drainage, erosion, or flood control purposes, when finally adopted, shall remain the basis of all future assessments for the purpose of the district unless revised by the board in the manner provided for reclassification. However, where land included in said classification has been destroyed, in whole or in part, by the erosion of a river, or where additional right-of-way has been subsequently taken for drainage purposes, the land which has been so eroded and carried away by the action of a river or which has been taken for additional right-of-way, may be removed by the board from the district as classified, without any reclassification, and no assessment shall thereafter be made on the land so removed. Any deficiency in assessment existing as the result of said action of the board shall be

spread by it over the balance of lands remaining in said district in the same ratio as was fixed in the classification of the lands, payable at the next taxpaying period.

Sec. 73. Section 476.23, subsection 4, Code 2022, is amended to read as follows:

4. If not inconsistent with the provisions of this subchapter, all of the following apply:

a. All rights of municipal corporations under chapter 364 to grant a person a franchise to erect, maintain, and operate plants and systems for electric light and power within the corporate boundaries, and rights acquired by franchise or agreement shall be preserved in these municipal corporations~~;~~.

b. All rights of city utilities under the city code shall be preserved in these city utilities~~;~~.

c. All rights of city utilities and joint electric utilities under chapter 390 shall be preserved in these city utilities and joint electric utilities~~; and~~.

d. All rights of cities under chapter 6B are preserved. However, prior to the institution of condemnation proceedings, the city shall obtain a certificate of authority from the board in accordance with this subchapter and the board's determination of price under this subchapter shall be conclusive evidence of damages in these condemnation proceedings.

* Sec. 74. Section 478.15, subsection 1, Code 2022, is amended to read as follows:

1. Any person, company, or corporation having secured a franchise as provided in this chapter, shall thereupon be vested with the right of eminent domain to such extent as the utilities board may approve, prescribe and find to be necessary for public use, not exceeding one hundred feet in width for right-of-way and not exceeding one hundred sixty acres in any one location, in addition to right-of-way, for the location of electric substations to carry out the purposes of said franchise; provided however, that where two hundred ~~K V~~

kilovolt lines or higher voltage lines are to be constructed, the person, company, or corporation may apply to the board for a wider right-of-way not to exceed two hundred feet, and the board may for good cause extend the width of such right-of-way for such lines to the person, company, or corporation applying for the same. The burden of proving the necessity for public use shall be on the person, company, or corporation seeking the franchise. A homestead site, cemetery, orchard, or schoolhouse location shall not be condemned for the purpose of erecting an electric substation. If agreement cannot be made with the private owner of lands as to damages caused by the construction of said transmission line, or electric substations, the same proceedings shall be taken as provided for taking private property for works of internal improvement.

Sec. 75. Section 478.23, Code 2022, is amended to read as follows:

478.23 Prior franchises — legislative control.

Any such franchise ~~heretofore~~ granted under previously existing law shall not be abrogated by the provisions of this chapter, but all such franchises and all franchises granted under the provisions of this chapter shall be subject to further legislative control.

Sec. 76. Section 479.3, Code 2022, is amended to read as follows:

479.3 Conditions attending operation.

No pipeline company shall construct, maintain, or operate any pipeline or lines under, along, over, or across any public or private highways, grounds, waters, or streams of any kind in this state except in accordance with the provisions of this chapter.

Sec. 77. Section 479.5, subsections 1 and 2, Code 2022, are amended to read as follows:

1. A pipeline company doing business in this state shall file with the board its verified petition asking for a permit to construct, maintain, and operate its pipeline or lines

along, over, or across the public or private highways, grounds, waters, and streams of any kind of this state. Any pipeline company now owning or operating a pipeline in this state shall be issued a permit by the board upon supplying the information as provided for in section 479.6.

2. A pipeline company doing business in this state and proposing to engage in underground storage of gas within this state shall file with the board its verified petition asking for a permit to construct, maintain, and operate facilities for the underground storage of gas to include the construction, placement, maintenance, and operation of machinery, appliances, fixtures, wells, pipelines, and stations necessary for the construction, maintenance, and operation of the gas underground storage facilities.

Sec. 78. Section 479.5, subsection 4, paragraph b, Code 2022, is amended to read as follows:

b. The notice shall set forth the name of the applicant; the applicant's principal place of business; the general description and purpose of the proposed project; the general nature of the right-of-way desired; the possibility that the right-of-way may be acquired by condemnation if approved by the ~~utilities~~ board; a map showing the route of the proposed project; a description of the process used by the ~~utilities~~ board in making a decision on whether to approve a permit including the right to take property by eminent domain; that the landowner has a right to be present at such meeting and to file objections with the board; and a designation of the time and place of the meeting. The notice shall be served by certified mail with return receipt requested not less than thirty days previous to the time set for the meeting, and shall be published once in a newspaper of general circulation in the county. The publication shall be considered notice to landowners whose residence is not known and to each person in possession of or residing on the property provided a good faith effort to notify can be demonstrated by the pipeline company.

Sec. 79. Section 479.32, Code 2022, is amended to read as follows:

479.32 Rehearing — judicial review.

Rehearing procedure for any person, company, or corporation aggrieved by the action of the board in granting or failing to grant a permit under the provisions of this chapter shall be as provided in section 476.12. Judicial review may be sought in accordance with the terms of the Iowa administrative procedure Act, chapter 17A.

Sec. 80. Section 479.34, unnumbered paragraph 1, Code 2022, is amended to read as follows:

A person seeking to acquire an easement or other property interest for the construction, maintenance, or operation of a pipeline shall:

Sec. 81. Section 481A.30, Code 2022, is amended to read as follows:

481A.30 Entire shipment contraband.

In the shipping of fish, game, animals, birds, or furs, whenever a container includes one or more fish, game, animals, birds, or furs that are contraband, the entire contents of the container shall be deemed contraband~~,~~ and shall be seized by the director or the director's officers.

Sec. 82. Section 481A.58, Code 2022, is amended to read as follows:

481A.58 Trapping birds or poisoning animals.

No person except those acting under the authority of the director shall capture or take, or attempt to capture or take, any game bird with any trap, snare, or net~~, any game bird~~, nor shall any person use any poison, ~~or~~ any medicated or poisoned food, or any other substance for the killing, capturing, or taking of any game bird or animal.

Sec. 83. Section 481A.120, Code 2022, is amended to read as follows:

481A.120 Hunting from aircraft or snowmobiles prohibited.

A person, either singly or as one of a group of persons,

shall not intentionally kill or wound, attempt to kill or wound, or pursue any animal, fowl, or fish from or with an aircraft in flight or from or with any self-propelled vehicles designed for travel on snow or ice which utilize sled type runners, ~~or~~ skis, ~~or~~ an endless belt tread, or ~~wheel~~ wheels, or any combination thereof, and which are commonly known as snowmobiles.

Sec. 84. Section 483A.9, Code 2022, is amended to read as follows:

483A.9 Blanks.

The director shall provide blanks for, and determine the method, means, and requirements of issuing licenses including the issuance of, licenses by electronic means.

Sec. 85. Section 504.1703, subsection 1, unnumbered paragraph 1, Code 2022, is amended to read as follows:

Except as provided in subsection 2, the repeal of a statute by 2004 Iowa Acts, ch. 1049, does not affect any of the following:

Sec. 86. Section 509.2, subsection 7, Code 2022, is amended to read as follows:

7. A provision that the insurer will issue to the policyholder for delivery to each person insured an individual certificate setting forth a statement as to the insurance protection to which the person is entitled, to whom the insurance benefits are payable, and the rights and conditions set forth in subsections 8 through 10 ~~following~~ if applicable.

Sec. 87. Section 514J.101, Code 2022, is amended to read as follows:

514J.101 Purpose — applicability.

The purpose of this chapter is to provide uniform standards for the establishment and maintenance of external review procedures to assure that covered persons have the opportunity for an independent review of an adverse determination or final adverse determination made by a health carrier as required by the federal Patient Protection and Affordable Care Act,

Pub. L. No. 111-148, as amended by the federal Health Care and Education Reconciliation Act of 2010, Pub. L. No. 111-152, which amends the Public Health Service Act and adopts, in part, ~~new~~ 42 U.S.C. §300gg-19, and to address issues which are unique to the external review process in this state.

Sec. 88. Section 523A.601, subsection 4, Code 2022, is amended to read as follows:

4. All purchase agreements, including a purchase agreement delivered or executed by electronic means, must have a sales agent identified. A purchase agreement, including a purchase agreement delivered or executed by electronic means, shall be reviewed by the sales agent identified and named in the purchase agreement pursuant to subsection 1, paragraph *"a"*, and be signed by the purchaser and seller. If the purchase agreement is for mortuary science services as *"mortuary science"* is defined in section 156.1, the purchase agreement must also be signed by a person licensed to deliver funeral services.

Sec. 89. Section 537.2510, subsection 2, paragraph a, subparagraph (1), unnumbered paragraph 1, Code 2022, is amended to read as follows:

The amount of rebate shall be determined by applying the rate of finance charge which was required to be disclosed in the transaction pursuant to section 537.3201, according to the actuarial method~~,~~:

Sec. 90. Section 537.3606, subsection 6, Code 2022, is amended to read as follows:

6. Every consumer rental purchase agreement shall contain immediately above or adjacent to the place for the signature of the lessee, a clear, conspicuous, printed or typewritten notice in substantially the following language:

NOTICE TO LESSEE —— READ BEFORE SIGNING

~~[a]~~ [1] Do not sign this before you read the entire agreement including any writing on the reverse side, even if otherwise advised.

~~[b]~~ [2] Do not sign this if it contains any blank spaces.

~~[c]~~ [3] You are entitled to an exact copy of any agreement you sign.

~~[d]~~ [4] You have the right to exercise any early buy-out option as provided in this agreement. Exercise of this option may result in a reduction of your total cost to acquire ownership under this agreement.

~~[e]~~ [5] If you elect to make weekly rather than monthly payments and exercise your purchase option, you may pay more for the leased property.

Sec. 91. Section 543D.2, subsection 9, Code 2022, is amended to read as follows:

9. ~~*A "certified real estate appraiser"*~~ *"Certified real estate appraiser"* means a person who develops and communicates real estate appraisals and who holds a current, valid certificate for appraisals of types of real estate which may include residential, commercial, or rural real estate, as may be established under this chapter.

Sec. 92. Section 544A.13, subsection 1, paragraph c, Code 2022, is amended to read as follows:

c. Knowingly making misleading, deceptive, untrue, or fraudulent representations in the practice of the licensee's profession or engaging in unethical conduct or practice harmful or detrimental to the public. Proof of actual injury need not be established.

Sec. 93. Section 544A.17, subsection 3, Code 2022, is amended to read as follows:

3. Superintendents, inspectors, supervisors, and building trades craftspersons while performing their customary duties.

Sec. 94. Section 544A.18, subsection 4, Code 2022, is amended to read as follows:

4. Warehouses and commercial buildings not more than one story in height, and not exceeding ten thousand square feet in gross floor area; commercial buildings not more than two stories in height and not exceeding six thousand square feet in gross floor area; and light industrial buildings.

Sec. 95. Section 554.2106, subsection 1, Code 2022, is amended to read as follows:

1. In this Article unless the context otherwise requires ~~"contract"~~ *"contract"* and ~~"agreement"~~ *"agreement"* are limited to those relating to the present or future sale of goods. *"Contract for sale"* includes both a present sale of goods and a contract to sell goods at a future time. A ~~"sale"~~ *"sale"* consists in the passing of title from the seller to the buyer for a price (section 554.2401). A ~~"present sale"~~ *"present sale"* means a sale which is accomplished by the making of the contract.

Sec. 96. Section 554.12107, Code 2022, is amended to read as follows:

554.12107 Federal reserve regulations and operating circulars.

Regulations of the board of governors of the federal reserve system and operating circulars of the federal reserve banks as of July 1, 1991, supersede any inconsistent provision of this ~~article~~ Article to the extent of the inconsistency.

Sec. 97. Section 556E.6, Code 2022, is amended to read as follows:

556E.6 Tests for articles.

In any test for the ascertainment of the fineness of any such article mentioned in this section and sections 556E.3 through 556E.5, according to the foregoing standards, the part of the article taken for the test shall be such portion as does not contain or have attached thereto any solder or alloy of inferior metal used for brazing or uniting the parts of such article, and provided further and in addition to the foregoing test and standards, that the actual fineness of the entire quantity of metal purporting to be silver contained in any article mentioned in sections 556E.3 through 556E.5, including all solder or alloy of inferior fineness used for brazing or uniting the parts of any such article, all such silver, alloy, or solder being assayed as one piece, shall not be less by more

than ten one-thousandths parts than the fineness indicated according to the foregoing standards, by the mark stamped, branded, engraved, or imprinted upon such article, or upon any tag, card, or label attached thereto, or upon any container in which said article is enclosed.

Sec. 98. Section 590.2, Code 2022, is amended to read as follows:

590.2 Notice of hearing in probate.

In all instances prior to January 1, 1964, where the clerk of the district court of any county failed to publish notice of the time fixed for hearing of the probate of any will filed in such county as required by section 11865 of the Code [1924 ~~to~~ through 1939~~, inclusive~~], and section 633.20, Codes 1946 ~~to~~ through 1962, ~~inclusive,~~ but did publish a notice of the time fixed for such hearing signed by the clerk and addressed to whom it may concern in a daily or weekly newspaper printed in the county where the will was filed, such notice of time fixed for the hearing of the probate of such will is hereby legalized and shall have the same force and effect as though the same had been published in strict conformity with the requirements of said section.

Sec. 99. Section 591.16, subsection 2, Code 2022, is amended to read as follows:

2. This section shall not operate to revive rights or claims previously barred and shall not permit an action to be brought or maintained upon any claim or cause of action which was barred by any statute which was in force prior to ~~the effective date of this section~~ April 3, 1964.

Sec. 100. Section 600A.9, subsection 1, Code 2022, is amended to read as follows:

1. Subsequent to the hearing on termination of parental rights under this chapter, the juvenile court shall make a finding of facts and shall do one of the following:

a. Order the petition ~~dismissed; or,~~ dismissed.

b. Order the petition granted. The juvenile court shall

appoint a guardian and a custodian or a guardian only. An order issued under this paragraph shall include the finding of facts. Such finding shall specify the factual basis for terminating the parent-child relationship and shall specify the ground or grounds upon which the termination is ordered.

Sec. 101. Section 633.448, Code 2022, is amended to read as follows:

633.448 Allowance and judgment.

Upon the trial of a claim, offsets, and counterclaims, the amount owing by or to the estate, if any, shall be determined. A claim against the estate shall be allowed for the net amount. Judgment shall be rendered for any amount found to be due the estate. If a judgment is rendered against a claimant for any net amount, execution may issue in the same manner as on judgments in civil cases. The judgment against any interested party may be deducted from any amounts the estate owes to the interested party.

Sec. 102. Section 709.15, subsection 4, paragraph c, Code 2022, is amended to read as follows:

c. This subsection only applies to an offense under paragraph "*a*", subparagraph (1), which occurs within the period of time the adult providing training or instruction is receiving payment for the training or instruction and to an offense under paragraph "*a*", subparagraph (2), which occurs within the period of time the adult providing training or instruction is receiving payment for the training or instruction or within thirty days after any such period of training or instruction.

Sec. 103. Section 716.14, subsection 2, unnumbered paragraph 1, Code 2022, is amended to read as follows:

A person commits unauthorized sampling~~,~~ if the person knowingly enters private property, without consent of the owner or any other person having real or apparent authority to grant consent, and obtains samples of any of the following:

Sec. 104. Section 904.805, subsections 2 and 3, Code 2022,

are amended to read as follows:

2. Receive, investigate, and take appropriate action upon any complaints from potential purchasers of Iowa state industries products or services regarding lack of cooperation by Iowa state industries with public bodies and officers who are listed in section 904.807, and with other potential purchasers.

3. Establish, transfer, and close industrial operations as deemed advisable to maximize opportunities for gainful work for inmates and to adjust to actual or potential market demand for particular products or services.

Sec. 105. Section 904.812, Code 2022, is amended to read as follows:

904.812 Restriction on goods made available.

Effective July 1, 1978, and notwithstanding any other provisions of this subchapter, goods made available by Iowa state industries shall be restricted to items, materials, supplies, and equipment which are formulated or manufactured by Iowa state industries and shall not include goods, materials, supplies, or equipment which are merely purchased by Iowa state industries for repacking or resale except with approval of the state director when such repacking for resale items are directly related to product lines.

Sec. 106. 2021 Iowa Acts, chapter 101, section 1, is amended to read as follows:

SEC. 1. Section 708.7, Code 2021, is amended by adding the following new subsection:

NEW SUBSECTION. 07. A person injured by a violation of ~~section~~ subsection 1, paragraph *"a"*, subparagraph (4), may bring a civil action against the person whose conduct violated ~~section~~ subsection 1, paragraph *"a"*, subparagraph (4).

Sec. 107. 2021 Iowa Acts, chapter 143, section 40, is amended to read as follows:

SEC. 40. NEW SECTION. **456.5A Long-range budget plan.**

1. As used in this section, *"planning period"* means a period

comprised of five consecutive fiscal years each beginning July 1 and ending June 30.

2. Not later than January 10, 2022, and not later than January 10 of each subsequent five-year period, the state geologist shall publish a new long-range budget plan for the next planning period. The long-range budget plan shall describe how moneys appropriated, expected to the appropriated, or otherwise available or expected to be available to the Iowa geological survey for each fiscal year of that planning period are to be expended in a manner that best allows the Iowa ~~geographic~~ geological survey to exercise its powers and carry out its duties or functions. The long-range budget plan shall include any performance goals and measures required by law or established by the state geologist. The state geologist shall annually evaluate the Iowa geological survey's progress in attaining those performance goals and shall revise the long-term budget plan as the state geologist determines necessary or desirable.

Sec. 108. 2021 Iowa Acts, chapter 143, section 41, is amended by striking the section and inserting in lieu thereof the following:

SEC. 41. Section 456.7, Code 2021, is amended to read as follows:

456.7 Annual report.

~~The~~ On or before January 10 of each year, the state geologist shall~~, annually, at the time provided by law, make~~ submit to the governor and the general assembly a full report of the work ~~in~~ of the Iowa geological survey performed during the preceding year~~, which~~. The report shall include a summary of its current long-range budget plan as provided in section 456.5A. The report may be accompanied by such other reports and ~~papers~~ documents as ~~may be considered~~ the state geologist determines is necessary or desirable for publication.

Sec. 109. 2021 Iowa Acts, chapter 165, section 126, is amended to read as follows:

SEC. 126. NEW SECTION. **490.903 Required approvals.**

If a domestic or foreign corporation or eligible entity shall not be a party to a merger without the approval of the superintendent of banking, the commissioner of insurance, or the Iowa ~~utility~~ utilities board, and the applicable statutes or regulations do not specifically deal with transactions under this subchapter but do require such approval for mergers, a corporation or eligible entity shall not be a party to a transaction under this subchapter without the prior approval of that agency or official.

Sec. 110. 2021 Iowa Acts, chapter 183, section 5, is amended to read as follows:

SEC. 5. Section 9E.7, Code 2021, is amended by adding the following new subsection:

NEW SUBSECTION. 4A. Upon request by a program participant, the assessor or the assessor's staff shall redact the requestor's name contained in electronic documents that are displayed for public access through an internet site. The assessor shall implement and maintain a process to facilitate these requests. A fee shall not be charged for the administration of this ~~paragraph~~ subsection.

DIVISION II

RETROACTIVE APPLICABILITY PROVISIONS

Sec. 111. RETROACTIVE APPLICABILITY. The following apply retroactively to July 1, 2021:

1. The section of this Act amending 2021 Iowa Acts, chapter 101, section 1.

2. The section of this Act amending 2021 Iowa Acts, chapter 143, section 40.

3. The section of this Act amending 2021 Iowa Acts, chapter 143, section 41.

4. The section of this Act amending 2021 Iowa Acts, chapter 183, section 5.

Sec. 112. RETROACTIVE APPLICABILITY. The following applies retroactively to January 1, 2022:

The section of this Act amending 2021 Iowa Acts, chapter 165, section 126.