

years. If the amount of withholding from the business or employer is insufficient, the department shall prorate the quarterly amount credited to the workforce development fund account. The maximum amount from all employers which shall be transferred to the workforce development fund account in any year is ~~ten~~ nine million dollars.

Sec. 10. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment.

Approved May 18, 2000

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## CHAPTER 1197

### PRODUCTION OF LIFE SCIENCE PRODUCTS

H.F. 2491

AN ACT providing for the production of life science products, and providing for penalties and an effective date.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 10B.4, subsection 2, Code 1999, is amended by adding the following new paragraph:

**NEW PARAGRAPH.** g. If the reporting entity is a life science enterprise, as provided in chapter 10C, as that chapter exists on or before June 30, 2004, the total amount of commercial sale of life science products and products other than life science products which are produced from the agricultural land held by the life science enterprise.

Sec. 2. **NEW SECTION.** 10C.1 DEFINITIONS.

1. "Actively engaged in farming" means the same as defined in section 10.1.
2. "Agricultural commodity" means the same as defined in section 190C.1.
3. "Agricultural land" means land suitable for use in farming as defined in section 9H.1.
4. "Animal" means a creature belonging to the bovine, caprine, equine, ovine, or porcine species.
5. "Corporation" means a domestic or foreign corporation subject to chapter 490, a non-profit corporation, or a cooperative.
6. "Economic development board" or "board" means the economic development board created pursuant to section 15.103.
7. "Family farm entity" means the same as defined in section 10.1.
8. "Life science by-product" means a commodity, other than a life science product, if the commodity derives from the production of a life science product and the commodity is not intended or used for human consumption.
9. "Life science enterprise" or "enterprise" means a corporation or limited liability company organized for the purpose of using biotechnological systems or techniques for the production of life science products.
10. "Life science product" or "product" means a product derived from an animal by using biotechnological systems or techniques and which includes only the following:

- a. Embryos or oocytes for use in animal implantation.
  - b. Blood, milk, or urine for use in the manufacture of pharmaceuticals or nutraceuticals.
  - c. Cells, tissue, or organs for use in animal or human transplantation.
11. "Limited liability company" means a limited liability company as defined in section 490A.102.

Sec. 3. NEW SECTION. 10C.2 PURPOSE.

The purpose of this chapter is to promote economic growth in this state during this period of revolutionary technological advancement in animal and human health sciences, by providing for the development of industries unrelated to traditional farming, but devoted to the production of life science products derived from animals.

Sec. 4. NEW SECTION. 10C.3 ENTERPRISES ENGAGED IN THE CREATION AND DEVELOPMENT OF LIFE SCIENCE PRODUCTS — PROHIBITION AND EXCEPTIONS.

Notwithstanding any other provision of law, a life science enterprise may acquire or hold an ownership or leasehold interest in agricultural land, if the economic development board approves a life science enterprise plan as provided in section 15.104. A life science enterprise must acquire or hold the agricultural land pursuant to the plan which may be amended as provided by the board. However, the life science enterprise shall not hold a total of more than three hundred twenty acres of agricultural land. The life science enterprise shall hold the land only for purposes of producing life science products according to the life science enterprise plan. In addition, the life science enterprise shall not acquire or hold agricultural land, if the life science enterprise receives any form of financing from an Iowa agricultural industry finance corporation as provided in chapter 15E. A life science enterprise that complies with this section may hold the interest in the agricultural land, as provided in the plan, for as long as commercial sales of products produced from the agricultural land are subject to the following:

1. The sale of life science products.
2. The sale of cull livestock kept on the agricultural land, surplus commodities produced as feed for livestock kept on the agricultural land, or life science by-products.

Sec. 5. NEW SECTION. 10C.4 ENFORCEMENT — PENALTIES.

1. The office of attorney general or a county attorney shall enforce the provisions of this chapter.
2. A life science enterprise violating this chapter shall be assessed a civil penalty of not more than twenty-five thousand dollars. Each day that a violation exists shall constitute a separate offense. In addition, the life science enterprise shall divest itself of any land held in violation of this chapter within one year after judgment. The court may determine the method of divesting an interest held by a life science enterprise found to be in violation of this chapter. A financial gain realized by the enterprise which disposes of an interest held in violation of this chapter shall be forfeited to the general fund of the state. All court costs and fees shall be paid by the enterprise holding the interest in violation of this chapter.
3. The courts of this state may prevent and restrain violations of this chapter through the issuance of an injunction. The attorney general or a county attorney shall institute suits on behalf of the state to prevent and restrain violations of this chapter.

Sec. 6. NEW SECTION. 10C.5 REPEAL.

Sections 10C.1 through 10C.4 and this section are repealed July 1, 2004.

Sec. 7. NEW SECTION. 10C.6 EXISTING LIFE SCIENCE ENTERPRISES.

This section applies on and after July 1, 2004.

1. a. A life science enterprise may acquire or hold agricultural land, notwithstanding section 10C.5 as that section exists in the 2003 Code or 2003 Code Supplement, if all of the following applies:

- (1) The life science enterprise acquires the agricultural land on or before June 30, 2004.
- (2) The enterprise acquires or holds the agricultural land pursuant to chapter 10C as that chapter exists in the 2003 Code or 2003 Code Supplement.
- (3) The economic development board has approved a life science enterprise plan filed on or before June 30, 2004, with the board. The enterprise must acquire or hold the agricultural land pursuant to the plan which may be amended at any time and approved by the board pursuant to section 15.104.
  - b. The life science enterprise must file a report with the secretary of state as provided in section 10B.4.
  2. A person who is a successor in interest to a life science enterprise may acquire or hold agricultural land, notwithstanding section 10C.5 as that section exists in the 2003 Code or 2003 Code Supplement, if all of the following applies:
    - a. The person meets the qualifications of a life science enterprise and acquires or holds the agricultural land as provided in chapter 10C as that chapter exists in the 2003 Code or 2003 Code Supplement.
    - b. The person acquires or holds the agricultural land according to the life science enterprise plan filed by the person's predecessor in interest and approved by the economic development board. The plan may be amended at any time and approved by the board pursuant to section 15.104.
    - c. The person has filed a notice with the economic development board as required by the board. The notice shall state that the person is a successor in interest. The notice must be filed with the board within thirty days following the person's acquisition of the interest.
    - d. The person must file a report as a life science enterprise with the secretary of state as provided in section 10B.4.

Sec. 8. Section 15.104, Code 1999, is amended by adding the following new subsection:  
**NEW SUBSECTION.** 4A. Review and approve or disapprove a life science enterprise plan or amendments to that plan as provided in chapter 10C as that chapter exists on or before June 30, 2004, and according to rules adopted by the board. A life science plan shall make a reasonable effort to provide for participation by persons who are individuals or family farm entities actively engaged in farming as defined in section 10.1. The persons may participate in the life science enterprise by holding an equity position in the life science enterprise or providing goods or service to the enterprise under contract. The plan must be filed with the board not later than June 30, 2004. The life science enterprise may file an amendment to a plan at any time. A life science enterprise is not eligible to file a plan, unless the life science enterprise files a notice with the board. The notice shall be a simple statement indicating that the life science enterprise may file a plan as provided in this section. The notice must be filed with the board not later than June 30, 2001. The notice, plan, or amendments shall be submitted by a life science enterprise as provided by the board. The board shall consult with the department of agriculture and land stewardship during its review of a life science plan or amendments to that plan. The plan shall include information regarding the life science enterprise as required by rules adopted by the board, including but not limited to all of the following:

- a. A description of life science products to be developed by the enterprise.
- b. The time frame required by the enterprise to develop the life science products.
- c. The amount of capital investment required by the enterprise to develop the life science products.
- d. The number of acres of land required to produce the life science products.
- e. The type and extent of participation in the life science enterprise by persons who are individuals or family farm entities. If the plan does not provide for participation or minimal participation, the plan shall include a detailed explanation of the reasonable effort made by the life science enterprise to provide for participation.

Sec. 9. DIRECTIONS TO CODE EDITOR. The Code editor may transfer section 10C.6 to another chapter in the 2005 Code, and correct internal references as necessary in order to enhance the readability of the Code.

Sec. 10. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment.

Approved May 18, 2000

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## CHAPTER 1198

### SCHOOL FINANCE — SUPPLEMENTARY WEIGHTING

H.F. 2496

**AN ACT** providing supplementary weighting for determining enrollment in school districts involved in district-to-district or district-to-community-college sharing programs, and at-risk programs, and providing an effective date.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 257.11, Code 1999, is amended to read as follows:

257.11 SUPPLEMENTARY WEIGHTING PLAN.

~~In order to provide additional funds for school districts which send their resident pupils to another school district or to a community college for classes, which jointly employ and share the services of teachers under section 280.15, which use the services of a teacher employed by another school district, or which jointly employ and share the services of a school superintendent under section 280.15 or 273.7A, a supplementary weighting plan for determining enrollment is adopted as follows:~~

1. REGULAR CURRICULUM. Pupils in a regular curriculum attending all their classes in the district in which they reside, taught by teachers employed by that district, and having administrators employed by that district, are assigned a weighting of one.

2. ~~SHARED CLASSES OR TEACHERS DISTRICT-TO-DISTRICT SHARING.~~

~~a. In order to provide additional funds for school districts which send their resident pupils to another school district, which jointly employ and share the services of teachers under section 280.15, or which use the services of a teacher employed by another school district, a supplementary weighting plan for determining enrollment is adopted.~~

~~b. If the school budget review committee certifies to the department of management that the shared classes or teachers would otherwise not be implemented without the assignment of additional weighting, pupils attending classes in another school district or a community college, attending classes taught by a teacher who is employed jointly under section 280.15, or attending classes taught by a teacher who is employed by another school district, are assigned a weighting of one plus an additional portion equal to one times the percent forty-eight hundredths of the percentage of the pupil's school day during which the pupil attends classes in another district or community college, attends classes taught by a teacher who is jointly employed under section 280.15, or attends classes taught by a teacher who is employed by another school district. A pupil attending a class in which students from one or more other school districts are enrolled and the class is taught via the Iowa communications network is not deemed to be attending a class in another school district for the purposes of this subsection and the school district is not eligible for additional weighting for that class under this subsection.~~