

**CHAPTER 1164**

## INHERITANCE TAXES ON QUALIFIED TUITION PLANS

*H.F. 2673*

**AN ACT** relating to the inheritance tax on any interest in a qualified tuition plan.

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

Section 1. Section 12D.9, Code 2007, is amended by adding the following new subsection:  
**NEW SUBSECTION.** 3. State inheritance tax treatment of interests in Iowa educational savings plans shall be as provided in section 450.4, subsection 10. This subsection shall apply to all Iowa educational savings plans existing on or after July 1, 1998.

Sec. 2. Section 450.4, Code Supplement 2007, is amended by adding the following new subsection:

**NEW SUBSECTION.** 10. On the value of any interest in a qualified tuition plan, as defined in section 529 of the Internal Revenue Code, to the same extent to which the value is excluded from the decedent's gross estate for federal estate tax purposes. This subsection shall apply to all qualified tuition plans that are in existence on or after July 1, 1998.

Approved May 10, 2008

**CHAPTER 1165**

## WATER WELL DRILLING SITE WASTEWATER DISCHARGE

*H.F. 2685*

**AN ACT** relating to rules for the discharge of wastewater from water well drilling sites and providing for a fee.

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

Section 1. **NEW SECTION.** 455B.198 WASTEWATER DISCHARGE FROM WELL DRILLING SITES — RULES.

1. The commission shall adopt rules to regulate the discharge of wastewater from water well drilling sites. The rules shall incorporate the following considerations:

- a. The size of the well as measured by the flow of water in gallons per minute.
- b. The best management practices to address wastewater discharge.
- c. Requirements for notification to the department prior to the commencement of drilling operations.
- d. Requirements for retention of records for a well.
- e. Reasonable and appropriate limitations on wastewater discharge that take into consideration the need for the well.
- f. Reasonable and appropriate limitations on wastewater discharge that take into consideration the need to conserve soil and protect water quality.

2. The commission shall have the authority in the rules to provide for the issuance of a general permit and to establish a fee sufficient to recover the costs of issuing a general permit, which shall not exceed fifty dollars. The fees shall be remitted to the department and shall be used by the department to administer the permitting requirements of this section.

3. The commission shall convene an advisory committee that includes representatives of the Iowa water well association to assist in the development of the rules.
4. The rules shall be adopted no later than July 31, 2009.

Approved May 10, 2008

---

## CHAPTER 1166

### ALCOHOLIC BEVERAGE LICENSEE OR PERMITTEE SECURITY PERSONNEL TRAINING

H.F. 901

**AN ACT** concerning the training and certification of designated security personnel working at commercial establishments with a liquor control license or wine or beer permit and providing for fees.

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

Section 1. Section 123.32, subsection 4, Code 2007, is amended to read as follows:

4. SECURITY EMPLOYEE TRAINING. A local authority, as a condition of obtaining and holding a license or permit for on-premises consumption, may require a designated security employee as defined in section 123.3 to be trained and certified in security methods. The training shall include but is not limited to mediation de-escalation techniques, anger management techniques, civil rights or unfair practices awareness as provided in section 216.7, recognition of fake or altered identification, information on laws applicable to the serving of alcohol at a licensed premises, use of force and techniques for safely removing patrons, and providing instruction on the proper physical restraint methods used against a person who has become combative.

Sec. 2. PILOT PROJECT — ALCOHOLIC BEVERAGE CONTROL — SECURITY EMPLOYEE TRAINING — FEES — REPORT.

1. On and after January 1, 2009, and notwithstanding any other provision of law to the contrary, a local authority located in a county with a population as of the most recent decennial census in excess of three hundred thousand persons, shall require a licensee or permittee, as provided in chapter 123, of a premises with an occupancy of at least two hundred persons to have at least one designated security employee, as defined in section 123.3, who shall be designated as the supervising security person, who is trained and certified in security methods as provided in this section, on the premises during an event for which an admission or a cover charge of at least five dollars is charged or collected to enter the premises or attend a performance or program on the premises while alcoholic beverages are served or made available to patrons. However, a designated security employee who is a certified peace officer shall be exempt from the requirement to be trained and certified through a program conducted by the division of labor services as provided in this section.

2. a. The labor commissioner of the division of labor services of the department of workforce development shall establish and conduct an eight-hour security and safety certification training program for designated security employees. The commissioner shall assess a fee of not more than fifty dollars to a person participating in the training and issue a certificate to the designated security employee upon successful completion of the training program.

b. The training program shall include but is not limited to the following:

- (1) De-escalation techniques.