

CHAPTER 158**PUBLIC UNDERGRADUATE TUITION AND FEES —
VETERANS, MILITARY PERSONNEL,
AND FAMILIES — RESIDENCY**

S.F. 451

AN ACT relating to the definition of resident for purposes of undergraduate tuition and fees for qualified veterans, and certain military persons, and their spouses and dependent children at Iowa's public universities and community colleges.

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

Section 1. Section 260C.14, subsection 14, Code 2009, is amended to read as follows:

14. a. In its discretion, adopt rules relating to the classification of students enrolled in the community college who are residents of Iowa's sister states as residents or nonresidents for tuition and fee purposes.

b. (1) Adopt rules to classify as residents for purposes of tuition and mandatory fees, qualified veterans and qualified military persons and their spouses and dependent children who are domiciled in this state while enrolled in a community college. A spouse or dependent child of a military person or veteran shall not be deemed a resident under this paragraph "b" unless the qualified military person or qualified veteran meets the requirements of subparagraph (2), subparagraph division (b) or (c), as appropriate.

(2) For purposes of this paragraph "b", unless the context otherwise requires:

(a) "Dependent child" means a student who was claimed by a qualified military person or qualified veteran as a dependent on the qualified military person's or qualified veteran's internal revenue service tax filing for the previous tax year.

(b) "Qualified military person" means a person on active duty in the military service of the United States who is stationed at Rock Island arsenal. If the qualified military person is transferred, deployed, or restationed while the person's spouse or child is enrolled in the community college, the spouse or child shall continue to be classified as a resident until the close of the fiscal year in which the spouse or child is enrolled.

(c) "Qualified veteran" means a person who meets the following requirements:

(i) Is eligible for benefits, or has exhausted the benefits, under the federal Post-9/11 Veterans Educational Assistance Act of 2008.

(ii) Is domiciled in this state.

Sec. 2. Section 262.9, subsection 16, Code 2009, is amended to read as follows:

16. a. In its discretion, adopt rules relating to the classification of students enrolled in institutions of higher education under the board who are residents of Iowa's sister states as residents or nonresidents for fee purposes.

b. (1) Adopt rules to classify as residents for purposes of undergraduate tuition and mandatory fees, qualified veterans and qualified military persons and their spouses and dependent children who are domiciled in this state while enrolled in an institution of higher education under the board. A spouse or dependent child of a military person or veteran shall not be deemed a resident under this paragraph "b" unless the qualified military person or qualified veteran meets the requirements of subparagraph (2), subparagraph division (b) or (c), as appropriate.

(2) For purposes of this paragraph "b", unless the context otherwise requires:

(a) "Dependent child" means a student who was claimed by a qualified military person or qualified veteran as a dependent on the qualified military person's or qualified veteran's internal revenue service tax filing for the previous tax year.

(b) "Qualified military person" means a person on active duty in the military service of the United States who is stationed at Rock Island arsenal. If the qualified military person is trans-

ferred, deployed, or restationed while the person's spouse or child is enrolled in an institution of higher education under the control of the board, the spouse or child shall continue to be classified as a resident until the close of the fiscal year in which the spouse or child is enrolled.

(c) "Qualified veteran" means a person who meets the following requirements:

(i) Is eligible for benefits, or has exhausted the benefits, under the federal Post-9/11 Veterans Educational Assistance Act of 2008.

(ii) Is domiciled in this state.

Approved May 26, 2009

CHAPTER 159

IDENTITY THEFT PROTECTION, RECORDED COUNTY DOCUMENTS, AND COUNTY RECORDER FEES

S.F. 465

AN ACT relating to identity theft protection by requiring reporting and by making changes to the duties of county recorders, the fees collected by the county recorders, and the county land record information system.

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

Section 1. Section 331.601A, Code 2009, is amended by adding the following new subsections:

NEWSUBSECTION. 0A. "Batch basis" means the delivery of an accumulation of electronic documents or records recorded or maintained by the county recorder.

NEWSUBSECTION. 1A. "Electronic document" means a document or instrument that is received, processed, disseminated, or maintained in an electronic format. The submission of an electronic document through the county land record information system electronic submission service shall be equivalent to delivery of a document through the United States postal service or by personal delivery at designated offices in each county. Persons who submit electronic documents for recording are responsible for ensuring that the electronic documents comply with all requirements for recording.

Sec. 2. Section 331.603, Code 2009, is amended by adding the following new subsection:

NEWSUBSECTION. 5. a. The governing board of the county land record information system shall not enter into an agreement to provide access to electronic documents or records on a batch basis. The county recorder may collect reasonable fees for access to electronic documents and records pursuant to an agreement. The fees shall not exceed the actual cost of providing access to the electronic documents and records. "Actual cost" means only those expenses directly attributable to providing access to electronic documents and records. "Actual cost" shall not include costs such as employment benefits, depreciation, maintenance, electricity, or insurance associated with the administration of the office of the county recorder or the county land record information system.

b. Electronic documents and records made available under this subsection shall not include personally identifiable information and shall be subjected to a redaction process prior to the transfer of the electronic documents or records to another person pursuant to an agreement under paragraph "a".