



Fiscal Services Division

ADMINISTRATIVE RULES — FISCAL IMPACT SUMMARIES

December 7, 2017

Iowa Code section 17A.4(4) requires the Legislative Services Agency (LSA) to analyze the fiscal impact of all administrative rules with an impact of \$100,000 or more and provide a summary of the impact to the Administrative Rules Review Committee (ARRC). Fiscal Impact Statements filed by State agencies can be found on our website at <http://www.legis.iowa.gov/law/administrativeRules/arrc/fiscalImpact>.

Table of Contents	
Agency	Page
Board of Nursing	1
Department of Human Services	1
Natural Resource Commission	4
Department of Natural Resources	4
Environmental Protection Commission	4
Department of Commerce/Utilities Division	5
Economic Development Authority	6
Department of Inspections and Appeals/Racing and Gaming Commission	6
Professional Licensure Division	7
Board of Medicine	8
Department of Public Safety	8
Department of Transportation	8
Department of Commerce/Insurance Division	9
Department of Public Health	10
Secretary of State	11
Voter Registration Commission	12

Board of Nursing

ARC 3465C

Rule Summary Increases the number of continuing education hours required for license reactivation.

State or Federal Law Implemented: Iowa Code chapter 152; Iowa Code sections 147.2, 147.10, 147.11, 272C.2, and 272C.3.

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs.

LSA Staff Contact: Kent Ohms (515.725.2200) kenneth.ohms@legis.iowa.gov

Department of Human Services

ARC 3438C

Rule Summary Clarifies that programs for children who are at least three years old and receiving special education services are exempt from child care facility licensing.

State or Federal Law Implemented: Iowa Code section 237A.1(3) and 2017 Iowa Acts, chapter 103 (HF 534, Child Care Facility Licensing Exempt Programs Act).

Administrative Rules — Fiscal Impact Summaries

December 7, 2017

2

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs.

ARC 3441C

Rule Summary Removes the requirement for an annual cost report for privately operated residential care facilities (RCFs) and changes the cost reimbursement methodology to be based on the maximum per diem rate.

State or Federal Law Implemented: 2017 Iowa Acts, HF 653 (FY 2018 Health and Human Services Appropriations Act), section 108.

Fiscal Impact **Agency Response:** Minimal fiscal impact. Only 17 of the 121 RCFs have daily rates below the current maximum for persons residing in RCFs and receiving State supplementary assistance. Increasing their current daily rate to the current annual maximum would increase expenditures from the General Fund by \$98,011 annually.

LSA Response: The LSA concurs.

ARC 3442C

Rule Summary Aligns program and payment changes under the competitive child welfare services procurement for Supervised Apartment Living (SAL) based on the Child Welfare Crisis Intervention, Stabilization, and Reunification Services request for proposal, with new contracts beginning October 1, 2017. Addresses payment, service determinations, and eligibility.

State or Federal Law Implemented: Iowa Code section 234.6.

Fiscal Impact **Agency Response:** No fiscal impact. The cost of the program is expected to remain within the amount currently budgeted for this service. Rather than billing for individual units of service, providers will receive a fixed per diem payment per bed and may earn incentive payments.

LSA Response: The LSA concurs.

ARC 3459C

Rule Summary Expands the Special Population Nursing Facility criteria to include persons up to the age of 30 and also adds members residing in an intermediate care facility to the category of persons with medical complexity. Increases the number of qualified providers available to meet the needs of young adults with complex medical conditions. Currently, Iowa does not have a system of care for young adults with complex medical conditions. The lack of a definition for a system of care for young adults with complex medical conditions has resulted in inapplicable nursing home placements and could force members to seek services outside of the State of Iowa. Current rules are limited to residents age 21 and under.

State or Federal Law Implemented: Iowa Code section 249A.4.

Fiscal Impact **Agency Response:** This change is estimated to cost the General Fund \$488,000 in FY 2018 and \$944,000 in FY 2019. No funding has been provided for this change. Funding will come from the Medical Assistance appropriation. To the extent there is an unfunded need in the Medical Assistance appropriation, this rulemaking will increase that need.

LSA Response: The LSA concurs.

ARC 3436C

Rule Summary Updates requirements for sleep practices and professional development in child care centers, child development homes, and child care homes. Establishes professional

Administrative Rules — Fiscal Impact Summaries

December 7, 2017

3

development requirements for child care homes that are not registered, but have a child care assistance provider agreement, and makes exemptions for relatives that meet federal definitions.

State or Federal Law Implemented: Iowa Code section 237A.12.

Fiscal Impact Agency Response: No fiscal impact.

LSA Response: The LSA concurs.

Rule Summary Reflects the new accreditation standards for crisis response services to provide clarification of Medicaid coverage. Iowa Medicaid currently covers crisis response services; these rules will clarify services covered and provide standards of operation for Medicaid crisis response service providers. Establishes the process by which the Department of Human Services (DHS) Iowa Medicaid Enterprise (IME) will enroll and reimburse qualified subacute mental health facility providers. **ARC 3439C**

State or Federal Law Implemented: Iowa Code section 249A.4.

Fiscal Impact Agency Response: Iowa Medicaid currently reimburses providers for crisis response services. The DHS will add new procedure codes for hourly crisis stabilization and crisis observation/holding. The crisis stabilization per diem rate will also increase to align with provider qualifications. In addition, new codes will be added to enable paraprofessionals and peer specialists to provide several crisis response services. New Medicaid expenditures for crisis response services are anticipated as the State clarifies Medicaid participation and reimbursement. However, these services are expected to reduce the utilization of more costly inpatient hospitalizations and emergency room (ER) visits, thereby resulting in an overall reduction of Medicaid costs. The costs of these new crisis services range from \$50 per hour up to \$416 per day, while the cost for inpatient hospitalizations and ER visits can be over \$1,000 per day.

Neither the cost of the crisis services nor the offsetting hospital savings are known with certainty. Therefore, the fiscal impact cannot be determined. However, the expectation of savings is supported by economic impact analyses summarized in the 2014 report published by the federal Substance Abuse and Mental Health Services Administration (SAMHSA) titled "Crisis Services: Effectiveness, Cost-Effectiveness, and Funding Strategies."

Subacute mental health care facility services will be a new cost to Medicaid. Similar to crisis services, these services will provide a short-term, intensive mental health service option with the goal of reducing the utilization of more costly inpatient hospitalizations and ER visits. The cost for this service is expected to be \$400 per day, whereas the cost for inpatient hospitalizations and ER visits can be over \$1,000 per day. Neither the cost of the subacute services nor the offsetting hospital savings are known with certainty. Therefore, the fiscal impact cannot be determined. Any potential impact will be limited by the availability of beds. There are currently no licensed subacute facilities in the State and only one application has been sent to the Department for review. If approved, that facility will provide up to nine subacute beds.

LSA Response: The LSA concurs.

Rule Summary Establishes requirements for child care centers, child development homes, and child care homes to have a written policy and minimum requirements regarding weapons and firearms. **ARC 3437C**

State or Federal Law Implemented: Iowa Code section 237A.12.

Administrative Rules — Fiscal Impact Summaries

December 7, 2017

4

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs.

LSA Staff Contact: Jess R. Benson (515.281.4611) jess.benson@legis.iowa.gov

Natural Resource Commission

ARC 3443C

Rule Summary Amends fishing rules as follows:

- Adds 39 days to the Missouri and Big Sioux rivers paddlefish fishing season.
- Allows the purchase of two Missouri and Big Sioux rivers paddlefish fishing licenses instead of one.
- Authorizes the snagging of specific fish species in areas with a valid paddlefish fishing license and unfilled tag.
- Permits the culling of catfish at Department of Natural Resources (DNR)-permitted catch-and-release, boat-based catfish fishing tournaments.
- Establishes a daily catch limit of five catfish per tournament boat team at DNR permitted catch-and-release, boat-based catfish fishing tournaments.
- Provides a list of required conditions for bass fishing tournaments.
- Defines and clarifies the differences between “bass fishing tournament,” “catfish fishing tournament,” and “fishing tournament.”

State or Federal Law Implemented: Iowa Code sections [455A.5\(6\)\(a\)](#), [481A.38](#), [481A.39](#), [481A.67](#), [481A.76](#), [483A.6A](#), and [483A.39](#).

Fiscal Impact **Agency Response:** Minimal fiscal impact. It is estimated there will be an increase in revenue of approximately \$7,000 to the Fish and Game Protection Fund from the sale of paddlefish licenses.

LSA Response: The LSA concurs.

LSA Staff Contact: Deb Kozel (515.281.6767) deb.kozel@legis.iowa.gov

Department of Natural Resources

ARC 3458C

Rule Summary Reorganizes the Department of Natural Resources (DNR) in Administrative Code from seven operating divisions that manage 20 bureaus to the current two operating divisions that manage nine bureaus.

State or Federal Law Implemented: Iowa Code section [17A.3\(1\)\(a\)](#).

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs.

LSA Staff Contact: Deb Kozel (515.281.6767) deb.kozel@legis.iowa.gov

Environmental Protection Commission

ARC 3440C

Rule Summary Amends air quality rules to formalize the permitting process by:

- Clarifying what types of mail services may be used to submit construction permit and Title V permit applications, and specifying that applications are not required to be submitted by certified mail.
- Reducing the regulatory burden for construction permit applications for projects that do not emit or will not emit greenhouse gases by eliminating the requirement to submit the current three-page form.

Administrative Rules — Fiscal Impact Summaries

December 7, 2017

5

- Eliminating the requirement to submit two copies of the Title V permit application to the Department of Natural Resources. Only one copy is required.

State or Federal Law Implemented: Iowa Code section 455B.133.

Fiscal Impact **Agency Response:** No fiscal impact. The Department does not expect to be impacted by this rulemaking; however, individual applicants may experience time and cost savings as a result of proposed amendments.

LSA Response: The LSA concurs.

LSA Staff Contact: Deb Kozel (515.281.6767) deb.kozel@legis.iowa.gov

Department of Commerce/Utilities Division

Rule Summary **ARC 3453C**
Makes administrative changes regarding services supplied by gas utilities, including allowing customers to supply meter readings by electronic means.

State or Federal Law Implemented: Iowa Code sections 474.5 and 476.2.

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs.

Rule Summary **ARC 3456C**
Updates, streamlines, and clarifies rules pertaining to record-keeping and cost allocation for nonutility services performed by rate-regulated gas and electric utilities. Adds a scale criterion and requires a utility to explain the calculation of allocation factors used. Requires the identification of time-reporting methods used by each reporting unit.

State or Federal Law Implemented: Iowa Code sections 476.2, 476.73, and 546.7.

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs.

Rule Summary **ARC 3457C**
Amends the definition of persons eligible for use of certain sales-related utility functions to fix the eligibility criterion at a threshold of 60.0% of gross business revenues derived from the provision of similar nonutility services and products.

State or Federal Law Implemented: Iowa Code sections 476.2, 476.73, and 546.7.

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs.

Rule Summary **ARC 3469C**
Establishes an optional verification process for all rate-regulated utilities that file an annual fuel report. Outlines procedures and information needed to verify a utility's retail load that was served using renewable generation processes.

State or Federal Law Implemented: Iowa Code chapter 476.

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs.

LSA Staff Contact: Angel A. Banks-Adams (515.281.6301) angel.banks-adams@legis.iowa.gov

Economic Development Authority

ARC 3463C

Rule Summary Conforms the allocation of Iowa Jobs Training Program funds to Iowa Code chapter 260C.18C. The rulemaking makes the following changes:

- Updates Program definitions.
- Increases the maximum award amount per project from \$25,000 to \$50,000 and per business from \$50,000 to \$100,000.
- Establishes a community college administrative fee cap of 15.0%.
- Modifies the directions provided as to what is an eligible Program cost.
- Modifies the rules pertaining to community college use of Program funding.
- Modifies the rules pertaining to community college Program fees.
- Updates application scoring criteria.
- Updates references to 261 IAC 195 on public records and forms used by the community colleges.
- Incorporates references to the Iowa Code chapter 260F data system.
- Deletes references to entrepreneurial training projects, job retention projects, and projects funded through the Grow Iowa Values Fund.

The following changes have been made since the rule was first noticed:

- Training-related travel and meals have been added to the definition of Program services.
- Language has been removed that specified the Iowa Economic Development Authority would be allowed to refer applicants to other training programs.
- Technical changes have also been made.

State or Federal Law Implemented: Iowa Code sections 15.106A and 15.108(6).

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs.

LSA Staff Contact: Ron Robinson (515.281.6256) ron.robinson@legis.iowa.gov

Department of Inspections and Appeals/Racing and Gaming Commission

ARC 3434C

Rule Summary Amends existing rules to clarify a variety of procedures, including those regarding confidential records, advanced deposit wagering licenses, jockey weight limits, and prescription medications for race horses.

State or Federal Law Implemented: Iowa Code chapters 99D and 99F.

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs.

ARC 3446C

Rule Summary Amends existing rules to clarify policies and procedures designed to identify problem gamblers, allowing such individuals to voluntarily exclude themselves from all gaming facilities for either five consecutive years or for a lifetime. Additional amendments clarify conditions under which certain non-steroidal anti-inflammatory drugs (NSAIDs) may be used on race horses, as well as under what circumstances specimen samples may be collected at the direction of the official veterinarian.

State or Federal Law Implemented: Iowa Code sections 99D.7(23), 99D.25A, and 99F.4(22).

Fiscal Impact **Agency Response:** No fiscal impact.

Administrative Rules — Fiscal Impact Summaries

December 7, 2017

7

LSA Response: The LSA concurs.

LSA Staff Contact: Christin Mechler (515.281.6561) christin.mechler@legis.iowa.gov

Professional Licensure Division

Rule Summary **ARC 3433C**
Removes the definition of private practice, revises the requirements for supervision, permits continuing education credits for practicum supervisors, adds language regarding electronic communication, and makes technical corrections for the Board of Social Work.

State or Federal Law Implemented: Iowa Code section 154C.4.

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs.

Rule Summary **ARC 3435C**
Creates requirements for telehealth for the Board of Physical and Occupational Therapists.

State or Federal Law Implemented: Iowa Code chapters 148A and 148B.

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs.

Rule Summary **ARC 3444C**
Updates the Board of Barbering's requirements to meet current infection control standards, permits discretion to keep disinfectant solution at work stations or at a dispensary, and removes the requirement to post administrative rules on sanitation with the provision to provide a client a copy upon request.

State or Federal Law Implemented: Iowa Code chapter 147.

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs.

Rule Summary **ARC 3445C**
Updates the Board of Physical and Occupational Therapy's contact information, eliminates the retention option for an incomplete application, and revises requirements for foreign-trained applicants and endorsement applicants. Also removes the requirement of a notarized copy of a diploma for occupational therapy licensure, and eliminates the option to practice as an occupational therapy applicant prior to licensure.

State or Federal Law Implemented: Iowa Code section 147.76.

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs.

Rule Summary **ARC 3455C**
Establishes procedures for sharing information with the Board of Medicine regarding complaints involving inadequate supervision of a physician assistant by a physician.

State or Federal Law Implemented: Iowa Code section 148C.5.

Administrative Rules — Fiscal Impact Summaries

December 7, 2017

8

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs.

LSA Staff Contact: Kent Ohms (515.725.2200) kenneth.ohms@legis.iowa.gov

Board of Medicine

Rule Summary Establishes fees associated with licensure through the new Interstate Medical Licensure Compact, moves the reinstatement fee for an acupuncture license, and makes technical corrections. **ARC 3464C**

State or Federal Law Implemented: Iowa Code section 147.76.

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs. Fees conform to current rates.

LSA Staff Contact: Kent Ohms (515.725.2200) kenneth.ohms@legis.iowa.gov

Department of Public Safety

Rule Summary Amends existing rules to conform to the 2017 edition of the National Electrical Code (NEC). Reflects changes in communication and energy demands in industrial, business, and consumer contexts, as well as industry modifications related to energy efficiency, energy production, residential use, and special needs for health care facilities. **ARC 3466C**

State or Federal Law Implemented: Iowa Code section 103.6.

Fiscal Impact **Agency Response:** The fiscal impact is expected to be minimal, and should have a positive impact on jobs. The adoption of the most recent NEC addition will lessen the burden for electricians to enter Iowa's job market, simplify the examination process, and enable Iowa electricians to compete for business in other states.

LSA Response: The LSA concurs.

LSA Staff Contact: Alice Fulk Wisner (515.281.6764) alice.wisner@legis.iowa.gov

Department of Transportation

Rule Summary Amends language concerning vertical infrastructure and contact information, and various definitions. This rulemaking has been modified since its initial notice, as a reference to Iowa Code chapter 26 was added. **ARC 3448C**

State or Federal Law Implemented: Iowa Code sections 307.12, 307A.2, and 314.1A.

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs.

Rule Summary Defines the specific process requirements for an electronic application for a vehicle title and registration transaction, including the roles and responsibilities of an electronic registration and titling (ERT) service provider approved by the Department. **ARC 3449C**

Administrative Rules — Fiscal Impact Summaries

December 7, 2017

9

	State or Federal Law Implemented: Iowa Code sections <u>307.12</u> , <u>307A.2</u> , and <u>321.20</u> .
Fiscal Impact	Agency Response: No fiscal impact. LSA Response: The LSA concurs.
Rule Summary	Strikes an outdated reference to the Iowa Code, replacing it with the corrected reference. <u>ARC 3452C</u>
	State or Federal Law Implemented: Iowa Code sections <u>307.12</u> , <u>307A.2</u> , <u>321.179</u> , and <u>321.180B(5)</u> .
Fiscal Impact	Agency Response: No fiscal impact. LSA Response: The LSA concurs.
Rule Summary	Updates the Department's rules involving the initial application for a driver's license or nonoperator's identification card. <u>ARC 3451C</u>
	State or Federal Law Implemented: Iowa Code sections <u>307.12</u> , <u>307A.2</u> , <u>321.182</u> , <u>321.189</u> , and <u>321.190</u> .
Fiscal Impact	Agency Response: No fiscal impact. LSA Response: The LSA concurs.
Rule Summary	Rescinds and adopts a new chapter concerning disability placards. <u>ARC 3450C</u>
	State or Federal Law Implemented: Iowa Code sections <u>307.12</u> , <u>307A.2</u> , <u>321L.2</u> , and <u>321L.8</u> .
Fiscal Impact	Agency Response: No fiscal impact. LSA Response: The LSA concurs in part. <u>House File 588</u> (Handicapped Parking Permit Expiration Act) does not incur a fiscal impact until FY 2021. Expiring placards that would have otherwise been valid indefinitely will begin to be renewed. Starting in FY 2021, there may be an annual fiscal impact of \$49,500 in expenditures, plateauing in FY 2036 at \$136,000.

LSA Staff Contact: Michael Guanci (515.725.1286) michael.guanci@legis.iowa.gov

Department of Commerce/Insurance Division

Rule Summary	Rescinds the Division's implementation of the Iowa Stopgap Measure, following the withdrawal of the Division's waiver application to the Centers for Medicare and Medicaid Services (CMS). <u>ARC 3461C</u>
	State or Federal Law Implemented: Iowa Code chapters <u>505</u> , <u>513C</u> , and <u>514E</u> .
Fiscal Impact	Agency Response: Fiscal impact cannot be determined. The Insurance Division estimates that the cost of withdrawing the waiver application to CMS will result in the expenditure of funding for startup costs that would have been incurred to implement open enrollment (beginning November 1, 2017) for the Stopgap Measure. The Division does not have an estimate for these costs; however, the Division anticipates that costs will be paid from the Commerce Revolving Fund.

Administrative Rules — Fiscal Impact Summaries

December 7, 2017

10

LSA Response: The LSA concurs.

ARC 3462C & ARC 3349C

Rule Summary Amends existing rules to implement the Iowa Stopgap Measure developed by the Insurance Division upon request by the Governor.

State or Federal Law Implemented: Iowa Code chapters 505, 513C, and 514E.

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs.

LSA Staff Contact: Angel A. Banks-Adams (515.281.6301) angel.banks-adams@legis.iowa.gov

Department of Public Health

ARC 3460C

Rule Summary Rescinds the chapter on local substitute medical decision-making boards pursuant to House File 393 (FY 2018 Public Health Omnibus Act).

State or Federal Law Implemented: 2017 Iowa Acts, HF 393.

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs.

ARC 3420C

Rule Summary Establishes operational requirements for medical cannabidiol manufacturers and dispensaries, including operating procedures for the newly created Medical Cannabidiol Board. Implements the duties of the Department as related to manufacturing and dispensing, and establishes annual licensing procedures, manufacturer and dispensary operational requirements and prohibited activities, facility security requirements, and advertising and marketing restrictions. Establishes requirements for packaging and labeling, medical cannabidiol transportation and disposal, record keeping, medical cannabidiol production, quality assurance and control, supply and inventory tracking, inspections, penalty assessment, license suspension or revocation proceedings, and closure of operations.

State or Federal Law Implemented: 2017 Iowa Acts, HF 524 (Medical Cannabidiol Act).

Fiscal Impact **Agency Response:** The Department anticipates implementation of HF 524, will cause the expenditure of State funds in excess of \$100,000 per year. Anticipated costs include personnel to oversee the startup and administration of the program, technology solutions that are required by the statute, and administrative costs for equipment and office supplies.

LSA Response: The LSA concurs. The DPH transferred \$300,000 from the Essential Public Services General Fund appropriation to the Chronic Conditions General Fund appropriation to implement these changes. This brings the total budget for the Medical Cannabidiol Office to \$322,100 for estimated FY 2018. The LSA fiscal estimate for the DPH share of program implementation was \$1.2 million.

LSA Staff Contact: Kent Ohms (515.725.2200) kenneth.ohms@legis.iowa.gov

Administrative Rules — Fiscal Impact Summaries

December 7, 2017

11

Secretary of State

ARC 3467C

Rule Summary Amends existing rules to implement section 23 of SF 516 (FY 2018 Standing Appropriations Act) by updating fees to fund the Technology Modernization Fund within the Secretary of State's (SOS) Office. The rulemaking increases the Biennial Report Fees and the Uniform Commercial Code (UCC) Filing Fees. The increased fee revenue is to be deposited in the Technology Modernization Fund. The rulemaking also clarifies batch and multi-filer language, which is anticipated to reduce the number of account holders by 50.0%, and increases annual account maintenance fees that are maintained by the SOS Office.

State or Federal Law Implemented: 2017 Iowa Acts, SF 516, section 23.

Fiscal Impact **Agency Response:** The estimated proceeds due to the increase in fees for the Biennial Report and the UCC filings is approximately \$1.6 million in the first year and \$1.9 million annually thereafter, which will be deposited in the Technology Modernization Fund. The fee increase for account holders is estimated to generate approximately \$50,000 in additional revenue each year to the Office for batch and multi-filer account maintenance.

LSA Response: The LSA concurs. Beginning in FY 2018, the amount collected by the SOS Office from increased business services fees will be credited to the Technology Modernization Fund. The amount deposited is the difference between fees collected on or after July 1, 2017, compared to the amount assessed for the same fees on June 30, 2017. No more than \$2.0 million will be credited to the Fund in a fiscal year. Anything above \$2.0 million will be deposited in the State General Fund. The Fund is repealed on July 1, 2022 (FY 2023). The additional revenue collected from the fee increase for batch and multi-filer account holders will be reimbursed back to the SOS Office.

ARC 3468C

Rule Summary Amends existing rules to include electronic poll books. Creates technological and operational standards for electronic poll books and establishes a panel to review applications submitted by county commissioners for the distribution of moneys from the Electronic Poll Book and Polling Place Technology Revolving Loan Fund created in HF 516 (Secretary of State Election Integrity Act).

State or Federal Law Implemented: HF 516, section 37.

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs. The rulemaking creates standards for electronic poll books and establishes a panel. The Secretary of State's Office has transferred \$300,000 into the Fund for the revolving loan fund program.

ARC 3447C

Rule Summary Amends the following Iowa Administrative Code chapters to implement changes enacted in HF 516, (Secretary of State Election Integrity Act):

- Chapter 21 - Election Forms and Instructions.
- Chapter 22 - Voting Systems.
- Chapter 26 - Counting Votes.
- Chapter 28 - Voter Registration File (IVoters) Management.

State or Federal Law Implemented: Iowa Code chapters 47, 48, 48A, 49, 49A, 50, 51, 52, and 53.

Fiscal Impact **Agency Response:** Funds were allocated in the Act to provide for any extra costs. Remaining costs are paid for from the Secretary of State's Office budget.

LSA Response: For FY 2018, the General Assembly appropriated an increase of \$700,000 to the administration and elections line item under the Secretary of State's Office in HF 640 (FY 2018 Administration and Regulation Appropriations Act). Language in SF 516 (FY 2018 Standing Appropriations Act) declared that the \$700,000 increase to the Secretary of State's General Fund appropriation was sufficient for the implementation of new Iowa Code section 48A.10A (voter identification cards) in HF 516.

At the time of the rulemaking analysis, the Secretary of State's Office reported the following information for implementing the requirements of HF 516, including:

- Issuing the request for proposals with the Department of Administrative Services (DAS) for the printing and mailing of the voter identification cards;
- Developing voter educational materials and precinct official training materials;
- Working with the IVoters System vendor, Arikkan, to reprogram changes in the IVoters System; and
- Working with the Treasurer's Office and the Department of Management (DOM) to establish the Electronic Poll Book and Polling Place Technology Revolving Loan Fund created in HF 516.

The estimated cost in the Fiscal Note for HF 516 to the Secretary of State's Office for the voter identification cards, educational materials, and IVoters reprogramming ranged between \$200,000 and \$555,000, with the primary cost being the voter identification cards.

LSA Staff Contact: Jennifer D. Acton (515.281.7846) jennifer.acton@legis.iowa.gov

Voter Registration Commission

ARC 3454C

Rule Summary Amends the following chapters to update the voter registration process with changes enacted in HF 516 (Secretary of State Election Integrity Act):

- Chapter 2 — Voter Registration Forms, Acceptability, Registration Dates, and Effective Dates.
- Chapter 3 — Lists of Registered Voters.
- Chapter 7 — Voter Registration Mailing Address Maintenance.
- Chapter 11 — Registration Procedure at the Office of Driver Services.

State or Federal Law Implemented: Iowa Code chapter 47.

Fiscal Impact **Agency Response:** No fiscal impact. Any cost increases will be funded by the current budget.

LSA Response: The LSA concurs.

LSA Staff Contact: Christin Mechler (515.281.6561) christin.mechler@legis.iowa.gov
