



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
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House Amendment 8222

PAG LIN

1 1 Amend House File 2448 as follows:
 1 2 #1. Page 1, after line 18 by inserting:
 1 3 <Sec. _____. Section 692A.101, subsection 27, Code
 1 4 Supplement 2009, is amended to read as follows:
 1 5 27. "Sex offense" means an indictable offense for
 1 6 which a conviction has been entered that ~~has an element~~
~~1 7 involving a sexual act, sexual contact, or sexual~~
~~1 8 conduct, and which is enumerated in section 692A.102,~~
 1 9 and means any comparable offense for which a conviction
 1 10 has been entered under prior law, or any comparable
 1 11 offense for which a conviction has been entered in
 1 12 a federal, military, or foreign court, or another
 1 13 jurisdiction.
 1 14 Sec. _____. Section 692A.101, Code Supplement 2009,
 1 15 is amended by adding the following new subsection:
 1 16 NEW SUBSECTION. 28A. "Sexually motivated" means the
 1 17 same as defined in section 229A.2.>
 1 18 #2. Page 1, by striking lines 19 through 31.
 1 19 #3. Page 1, before line 32 by inserting:
 1 20 <Sec. _____. Section 692A.102, subsection 1,
 1 21 paragraph a, subparagraphs (6) and (7), Code Supplement
 1 22 2009, are amended to read as follows:
 1 23 (6) (a) Harassment in violation of section 708.7,
 1 24 subsection 1, 2, or 3, if a determination is made that
 1 25 the offense was sexually motivated pursuant to section
 1 26 692A.126.
 1 27 ~~(7)~~ (b) Stalking in violation of section 708.11,
 1 28 except a violation of subsection 3, paragraph "b",
 1 29 subparagraph (3), if a determination is made that the
 1 30 offense was sexually motivated pursuant to section
 1 31 692A.126.
 1 32 (c) Any other indictable offense in violation of
~~1 33 chapter 708 if the offense is committed against a minor~~
~~1 34 and if a determination is made that the offense was~~
~~1 35 sexually motivated pursuant to section 692A.126.~~
 1 36 Sec. _____. Section 692A.102, subsection 1, paragraph
 1 37 a, Code Supplement 2009, is amended by adding the
 1 38 following new subparagraphs:
 1 39 NEW SUBPARAGRAPH. (08) Pimping in violation of
 1 40 section 725.2 if the offense was committed against
 1 41 a minor or otherwise involves a minor and if a
 1 42 determination is made that the offense was sexually
 1 43 motivated pursuant to section 692A.126.
 1 44 NEW SUBPARAGRAPH. (008) Pandering in violation
 1 45 of section 725.3, subsection 2, if a determination is
 1 46 made that the offense was sexually motivated pursuant
 1 47 to section 692A.126.
 1 48 NEW SUBPARAGRAPH. (0008) Any indictable offense in
 1 49 violation of chapter 726 if the offense is committed
 1 50 against a minor or otherwise involves a minor and if



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2 1 a determination is made that the offense was sexually
2 2 motivated pursuant to section 692A.126.
2 3 Sec. _____. Section 692A.102, subsection 1, paragraph
2 4 b, Code Supplement 2009, is amended by adding the
2 5 following new subparagraph:
2 6 NEW SUBPARAGRAPH. (015) Pandering in violation of
2 7 section 725.3.>
2 8 #4. Page 1, line 35, by striking <(5A).> and
2 9 inserting <(06)>
2 10 #5. Page 2, after line 13 by inserting:
2 11 <Sec. _____. Section 692A.113, subsection 1,
2 12 unnumbered paragraph 1, Code Supplement 2009, is
2 13 amended to read as follows:
2 14 A sex offender who has been convicted of a sex
2 15 offense against a minor or a person required to
2 16 register as a sex offender in another jurisdiction for
2 17 an offense involving a minor shall not do any of the
2 18 following:>
2 19 #6. Page 2, after line 28 by inserting:
2 20 <Sec. _____. Section 692A.125, Code Supplement 2009,
2 21 is amended by adding the following new subsection:
2 22 NEW SUBSECTION. 2A. For an offense requiring
2 23 registration due to sexual motivation, the registration
2 24 requirements of section 692A.126 shall apply to a
2 25 person convicted of an offense if the department
2 26 makes the determination that the offense was sexually
2 27 motivated as provided in section 692A.126, subsection
2 28 2.
2 29 Sec. _____. Section 692A.126, Code Supplement 2009,
2 30 is amended to read as follows:
2 31 692A.126 Sexually motivated offense ==
2 32 determination.
2 33 1. If a judge or jury makes a determination, beyond
2 34 a reasonable doubt, that any of the following offenses
2 35 for which a conviction has been entered on or after
2 36 July 1, 2009, are sexually motivated, the person shall
2 37 be required to register as provided in this chapter:
2 38 a. Murder in the first degree in violation of
2 39 section 707.2.
2 40 b. Murder in the second degree in violation of
2 41 section 707.3.
2 42 c. Voluntary manslaughter in violation of section
2 43 707.4.
2 44 d. Involuntary manslaughter in violation of section
2 45 707.5.
2 46 e. Attempt to commit murder in violation of section
2 47 707.11.
2 48 f. Harassment in violation of section 708.7,
2 49 subsection 1, 2, or 3.
2 50 g. Stalking in violation of section 708.11,



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3 1 subsection 3, paragraph "b", subparagraph (3).
 3 2 h. Any other indictable offense in violation of
 3 3 chapter 708 if the offense was committed against a
 3 4 minor or otherwise involves a minor.
 3 5 ~~h.~~ i. Kidnapping in the first degree in violation
 3 6 of section 710.2.
 3 7 ~~i.~~ j. Kidnapping in the second degree in violation
 3 8 of section 710.3.
 3 9 ~~j.~~ k. Kidnapping in the third degree in violation
 3 10 of section 710.4.
 3 11 ~~k.~~ l. Child stealing in violation of section
 3 12 710.5.
 3 13 ~~l.~~ m. Purchase or sale or attempted purchase or
 3 14 sale of an individual in violation of section 710.11.
 3 15 ~~m.~~ n. Burglary in the first degree in violation
 3 16 of section 713.3, subsection 1, paragraph "a", "b", or
 3 17 "c".
 3 18 ~~n.~~ o. Attempted burglary in the first degree in
 3 19 violation of section 713.4.
 3 20 ~~o.~~ p. Burglary in the second degree in violation
 3 21 of section 713.5.
 3 22 ~~p.~~ q. Attempted burglary in the second degree in
 3 23 violation of section 713.6.
 3 24 ~~q.~~ r. Burglary in the third degree in violation of
 3 25 section 713.6A.
 3 26 ~~r.~~ s. Attempted burglary in the third degree in
 3 27 violation of section 713.6B.
 3 28 t. Pimping in violation of section 725.2 if the
 3 29 offense was committed against a minor or otherwise
 3 30 involves a minor.
 3 31 u. Pandering in violation of section 725.3,
 3 32 subsection 2.
 3 33 v. Any indictable offense in violation of chapter
 3 34 726 if the offense was committed against a minor or
 3 35 otherwise involves a minor.
 3 36 2. ~~a.~~ If a The following persons shall be required
 3 37 to register as provided in this chapter if the
 3 38 department makes a determination that the offense was
 3 39 sexually motivated:
 3 40 (1) A person convicted of an offense in this state
 3 41 specified under subsection 1 prior to July 1, 2009.
 3 42 (2) A person is convicted of an offense in another
 3 43 jurisdiction, or convicted of an offense that was
 3 44 prosecuted in a federal, military, or foreign court,
 3 45 prior to, on, or after July 1, 2009, that is comparable
 3 46 to an offense specified in subsection 1, the person
 3 47 shall be required to register as provided in this
 3 48 chapter if the department makes a determination that
 3 49 the offense was sexually motivated.
 3 50 ~~3.~~ (3) If a A juvenile is convicted of an offense



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4 1 in another jurisdiction, or convicted of an offense
 4 2 as a juvenile in a similar juvenile court proceeding
 4 3 in a federal, military, or foreign court, prior to,
 4 4 on, or after July 1, 2009, that is comparable to an
 4 5 offense specified in subsection 1, ~~the person shall be~~
 4 6 ~~required to register as provided in this chapter if the~~
 4 7 ~~department makes a determination that the offense was~~
 4 8 ~~sexually motivated.~~

4 9 b. A determination made pursuant to this subsection
 4 10 shall be issued in writing and shall include a summary
 4 11 of the information and evidence considered in making
 4 12 the determination that the offense was sexually
 4 13 motivated.

4 14 c. The determination made by the department shall
 4 15 be subject to judicial review in accordance with
 4 16 chapter 17A.

4 17 Sec. ____. NEW SECTION. 708.14 Sexual motivation.

4 18 A person convicted of any indictable offense under
 4 19 this chapter shall be required to register as a sex
 4 20 offender pursuant to the provisions of chapter 692A,
 4 21 if the offense was committed against a minor and the
 4 22 fact finder makes a determination that the offense was
 4 23 sexually motivated pursuant to section 692A.126.>

4 24 #7. Page 3, after line 33 by inserting:

4 25 <Sec. ____. NEW SECTION. 726.10 Sexual motivation.

4 26 A person convicted of any indictable offense under
 4 27 this subchapter shall be required to register as a sex
 4 28 offender pursuant to the provisions of chapter 692A,
 4 29 if the offense was committed against a minor and the
 4 30 fact finder makes a determination that the offense was
 4 31 sexually motivated pursuant to section 692A.126.>

4 32 #8. Title page, lines 1 and 2, by striking

4 33 <providing penalties, and> and inserting <and providing
 4 34 penalties and>

BAUDLER of Adair
 HF2448.1466 (6) 83
 jm/rj



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House Amendment 8223

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1 1 Amend Senate File 2226, as passed by the Senate, as
1 2 follows:
1 3 #1. Page 2, after line 13 by inserting:
1 4 <1A. Upon the filing of an application or petition,
1 5 the court shall appoint a guardian ad litem to
1 6 represent the best interests of the child.>
1 7 #2. Page 3, line 14, after <child> by inserting <and
1 8 assigning visitation to the specified family member
1 9 will provide the child the opportunity to maintain an
1 10 ongoing family relationship that is important to the
1 11 child>
1 12 #3. Page 3, line 20, after <parent> by inserting
1 13 <whose visitation rights are temporarily assigned>
1 14 #4. By renumbering as necessary.

GAYMAN of Scott
SF2226.1454 (3) 83
pf/rj



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House Amendment 8224

PAG LIN

1 1 Amend House File 2410 as follows:
1 2 #1. Title page, line 2, after <drugs> by inserting
1 3 <used for the treatment of patients with epilepsy>

WINDSCHITL of Harrison
HF2410.1482 (1) 83
pf/nh



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House Amendment 8225

PAG LIN

1 1 Amend House File 2410 as follows:
1 2 #1. Page 1, after line 33 by inserting:
1 3 <f. This subsection shall not apply to drug product
1 4 selection that results in the selection of a drug
1 5 product that is AB rated by the United States food and
1 6 drug administration for bioequivalence.>

WINDSCHITL of Harrison
HF2410.1483 (2) 83
pf/nh



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House Amendment 8226

PAG LIN

1 1 Amend House File 2410 as follows:
1 2 #1. Page 1, after line 33 by inserting:
1 3 <f. An authorized prescriber under this subsection
1 4 shall include the patient's diagnosis on the face of
1 5 the prescription or shall provide the pharmacist with
1 6 this information if issuing the prescription in verbal
1 7 form.>

WINDSCHITL of Harrison
HF2410.1481 (2) 83
pf/nh



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House Amendment 8227

PAG LIN

1 1 Amend House File 2410 as follows:
1 2 #1. Page 1, by striking lines 7 through 11 and
1 3 inserting <treatment of epilepsy, prior to providing
1 4 notification to the authorized prescriber.>
1 5 #2. Page 1, by striking lines 14 through 18 and
1 6 inserting <verbal communication to the prescriber.>

WINDSCHITL of Harrison
HF2410.1480 (1) 83
pf/nh



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House Amendment 8228

PAG LIN

- 1 1 Amend House File 2470 as follows:
- 1 2 #1. Page 1, by striking lines 11 through 23.
- 1 3 #2. By renumbering as necessary.

ROBERTS of Carroll
HF2470.1474 (1) 83
sc/nh



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House Amendment 8229

PAG LIN

1 1 Amend the amendment, H=8169, to House File 2470 as
1 2 follows:
1 3 #1. Page 1, before line 2 by inserting:
1 4 <____. Page 1, by striking lines 11 through 23.>
1 5 #2. By renumbering as necessary.

ROBERTS of Carroll
HF2470.1473 (2) 83
sc/nh



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House Amendment 8230

PAG LIN

1 1 Amend House File 2474 as follows:
1 2 #1. Page 1, after line 34 by inserting:
1 3 <6. Use existing public education materials that
1 4 educate citizens of this state about the effects of
1 5 high-cost loans on Iowa families and their financial
1 6 stability. The materials shall include and reflect,
1 7 among other information, data and information available
1 8 from the division of banking of the department of
1 9 commerce concerning the types of loans available to
1 10 citizens of this state, including but not limited to
1 11 the rate of use for each type of loan, the total dollar
1 12 cost of the loan to borrowers, the effective annual
1 13 percentage rate applicable to the loan, the frequency
1 14 of use by citizens of this state for each type of
1 15 loan, and the types and availability of alternatives
1 16 to high-cost loans. The data and information shall
1 17 include examples of the total cost of repayment of each
1 18 type of loan described, the amount paid in interest and
1 19 fees, and the length of time anticipated to repay each
1 20 type of loan.>

PETERSEN of Polk
HF2474.1468 (1) 83
rn/nh



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House Amendment 8231

PAG LIN

1 1 Amend Senate File 2291, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 1, line 19, after <ethnicity,> by inserting
1 4 <electronically>

SWEENEY of Hardin

SF2291.1358 (2) 83
kh/nh



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House Amendment 8232

PAG LIN

1 1 Amend House File 2017 as follows:
1 2 #1. Page 1, line 7, after <5.> by inserting <a.>
1 3 #2. Page 1, lines 8 and 9 by striking <six inches
1 4 toward the stern>
1 5 #3. Page 1, line 12, by striking <eight> and
1 6 inserting <ten>
1 7 #4. Page 1, after line 13 by inserting:
1 8 <b. During the twelve-month period beginning July
1 9 1, 2010, and ending June 30, 2011, peace officers shall
1 10 issue only warning citations for violations of this
1 11 subsection. This paragraph is repealed July 1, 2011.>

ZIRKELBACH of Jones
HF2017.1479 (3) 83
av/nh



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House Amendment 8233

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1 1 Amend Senate File 2067, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 1, lines 23 and 24, by striking
1 4 <subsections 5 and 9, Code Supplement 2009, are> and
1 5 inserting <subsection 5, Code Supplement 2009, is>
1 6 #2. Page 2, by striking lines 3 through 11.

WILLEMS of Linn
SF2067.1459 (2) 83
tm/rj



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House Amendment 8234

PAG LIN

- 1 1 Amend House File 2483 as follows:
- 1 2 #1. Page 11, by striking lines 4 through 10.
- 1 3 #2. By renumbering as necessary.

HUSER of Polk
HF2483.1526 (2) 83
rh/nh



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House Amendment 8235

PAG LIN

- 1 1 Amend House File 2483 as follows:
- 1 2 #1. By striking page 10, line 10, through page 11,
- 1 3 line 3.
- 1 4 #2. By renumbering as necessary.

HUSER of Polk
HF2483.1525 (1) 83
rh/nh



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House Amendment 8236

PAG LIN

1 1 Amend House File 2442 as follows:
1 2 #1. Page 1, after line 28 by inserting:
1 3 <Sec. _____. Section 236.4, Code 2009, is amended by
1 4 adding the following new subsection:
1 5 NEW SUBSECTION. 5A. Prior to the entry of a
1 6 temporary order under this section that involves a
1 7 child-custody determination as defined in section
1 8 598B.102, the plaintiff shall furnish information to
1 9 the court in compliance with section 598B.209.>
1 10 #2. Page 1, after line 34 by inserting:
1 11 <Sec. _____. Section 236.5, subsection 1, paragraph
1 12 b, subparagraph (4), Code Supplement 2009, is amended
1 13 by adding the following new subparagraph division:
1 14 NEW SUBPARAGRAPH DIVISION. (d) Prior to entry of
1 15 an order or agreement under this section that involves
1 16 a child-custody determination as defined in section
1 17 598B.102, the parties shall furnish information to the
1 18 court in compliance with section 598B.209.>
1 19 #3. By striking page 3, line 31, through page 4,
1 20 line 7.
1 21 #4. Title page, line 1, by striking <and>
1 22 #5. By renumbering as necessary.

HUSER of Polk
HF2442.1538 (1) 83
jm/rj



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House Amendment 8237

PAG LIN

1 1 Amend Senate File 2345, as passed by the Senate, as
 1 2 follows:
 1 3 #1. Page 4, after line 9 by inserting:
 1 4 <Sec. _____. Section 633.20, subsection 3, Code 2009,
 1 5 is amended to read as follows:
 1 6 3. A person appointed as an associate probate
 1 7 judge shall have jurisdiction to audit accounts of
 1 8 fiduciaries and to perform ministerial duties as
 1 9 a referee provided in this section and shall have
 1 10 additional jurisdiction to perform the judicial
 1 11 functions as the court prescribes provided in section
 1 12 633.20D.
 1 13 Sec. _____. NEW SECTION. 633.20D Associate probate
 1 14 judge == jurisdiction == appeals.
 1 15 1. An associate probate judge shall have
 1 16 the same jurisdiction to conduct probate court
 1 17 proceedings, to issue no-contact or protective orders,
 1 18 injunctions, contempt orders for adults in probate
 1 19 court proceedings, and to issue orders, findings, and
 1 20 decisions as the judge of the probate court. However,
 1 21 the chief judge may limit the exercise of probate court
 1 22 jurisdiction by the associate probate judge.
 1 23 2. The parties to a proceeding heard by an
 1 24 associate probate judge are entitled to appeal the
 1 25 order, finding, or decision of an associate probate
 1 26 judge, in the manner of an appeal from orders,
 1 27 findings, or decisions of district court judges. An
 1 28 appeal does not automatically stay the order, finding,
 1 29 or decision of an associate probate judge.>
 1 30 #2. By renumbering as necessary.

HUSER of Polk
 SF2345.1540 (1) 83
 jm/rj



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House Amendment 8238

PAG LIN

1 1 Amend Senate File 2345, as passed by the Senate, as
1 2 follows:
1 3 #1. Page 4, after line 9 by inserting:
1 4 <Sec. ____ Section 665.7, Code 2009, is amended to
1 5 read as follows:
1 6 665.7 Notice to show cause.
1 7 Before punishing for contempt, unless the offender
1 8 is already in the presence of the court, the offender
1 9 must be served personally with ~~a rule~~ an order to
1 10 show cause against the punishment, and a reasonable
1 11 time given the offender therefor; or the offender may
1 12 be brought before the court forthwith, or on a given
1 13 day, by warrant, if necessary. In either case the
1 14 offender may, at the offender's option, make a written
1 15 explanation of the offender's conduct under oath, which
1 16 must be filed and preserved.>
1 17 #2. By renumbering as necessary.

HUSER of Polk
SF2345.1546 (2) 83
jm/rj



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House Amendment 8239

PAG LIN

1 1 Amend House File 2508 as follows:
1 2 #1. Page 1, before line 1 by inserting:
1 3 <Section 1. NEW SECTION. 100.17 Carbon monoxide
1 4 detectors.
1 5 1. As used in this section:
1 6 a. "Carbon monoxide detector" means a device which
1 7 detects carbon monoxide and which incorporates control
1 8 equipment and an alarm=sounding unit operated from a
1 9 power supply either in the unit or obtained at the
1 10 point of installation. A "carbon monoxide detector"
1 11 may include a device that also meets the definition of
1 12 a smoke detector under section 100.18, if the device
1 13 produces a distinct audible alarm for each type of
1 14 hazard.
1 15 b. "Dormitory" means the same as defined in section
1 16 100.18.
1 17 c. "Fossil fuel" means coal, kerosene, oil,
1 18 wood, fuel gases, or other petroleum or hydrocarbon
1 19 products that emit carbon monoxide as a by=product of
1 20 combustion.
1 21 d. "Multiple=unit residential dwelling" means a
1 22 residential building, an apartment house, or a portion
1 23 of a building or an apartment house with two or more
1 24 dwelling units. "Multiple=unit residential dwelling"
1 25 does not include a hotel, motel, dormitory, or rooming
1 26 house.
1 27 2. a. A multiple=unit residential dwelling
1 28 containing a fossil fuel heater, fossil fuel furnace,
1 29 fossil fuel appliance, fossil fuel fireplace, or an
1 30 attached garage shall have approved carbon monoxide
1 31 detectors installed in each dwelling unit according
1 32 to the requirements of this section and the rules
1 33 established by the state fire marshal under subsection
1 34 3.
1 35 b. A single=family dwelling containing a fossil
1 36 fuel heater, fossil fuel furnace, fossil fuel
1 37 appliance, fossil fuel fireplace, or an attached garage
1 38 shall have approved carbon monoxide detectors installed
1 39 according to the requirements of this section and the
1 40 rules established by the state fire marshal under
1 41 subsection 3.
1 42 c. Carbon monoxide detectors required under
1 43 paragraph "a" or "b" shall be installed in the
1 44 immediate vicinity of the sleeping area of the
1 45 dwelling.
1 46 3. a. The state fire marshal shall adopt rules
1 47 under chapter 17A concerning the placement of carbon
1 48 monoxide detectors and the use of acceptable carbon
1 49 monoxide detectors.
1 50 b. This section does not prohibit a county or city



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2 1 from adopting carbon monoxide detector requirements
2 2 that are more stringent than those in this section.
2 3 4. a. The owner of a single-family dwelling or
2 4 multiple-unit residential dwelling that is used as a
2 5 rental property and subject to the requirements of
2 6 subsection 2, shall do all of the following:
2 7 (1) Provide and install one approved carbon
2 8 monoxide detector within each dwelling or dwelling unit
2 9 located in the immediate vicinity of the sleeping area
2 10 of the dwelling or dwelling unit.
2 11 (2) Replace any carbon monoxide detector that has
2 12 been stolen, removed, or rendered inoperable prior
2 13 to the commencement of a tenancy, unless the carbon
2 14 monoxide detector was replaced by the previous tenant.
2 15 (3) Ensure that all batteries required for
2 16 operation of the carbon monoxide detector are replaced
2 17 prior to the commencement of a tenancy.
2 18 b. Except as required under paragraph "a", an
2 19 owner of a single-family dwelling or multiple-unit
2 20 residential dwelling that is used as a rental property
2 21 and subject to the requirements of subsection 2,
2 22 is not required to maintain, repair, or replace a
2 23 carbon monoxide detector, including the replacement of
2 24 batteries, if applicable.
2 25 5. In lieu of the carbon monoxide detector
2 26 installation requirements under subsections 2 and 4,
2 27 the owner of a multiple-unit residential dwelling that
2 28 is used as a rental property and that is otherwise
2 29 subject to the requirements of subsection 2, may
2 30 install an approved carbon monoxide detector not
2 31 less than ten feet and not more than twenty-five
2 32 feet from each centralized fossil fuel heater, fossil
2 33 fuel furnace, fossil fuel appliance, or fossil fuel
2 34 fireplace if the carbon monoxide detector is able
2 35 to produce an alarm to alert all residents of the
2 36 multiple-unit residential dwelling of a hazard.
2 37 However, this subsection shall not relieve the owner
2 38 of the installation requirements under subsections
2 39 2 and 4 for any dwelling unit in the multiple-unit
2 40 residential dwelling that also contains an attached
2 41 garage or a fossil fuel heater, fossil fuel furnace,
2 42 fossil fuel appliance, or fossil fuel fireplace that
2 43 is not centralized.
2 44 6. A lessee or tenant of a single-family dwelling
2 45 or multiple-unit residential dwelling that is used as
2 46 a rental property and subject to the requirements of
2 47 subsection 2 shall do all of the following:
2 48 a. Test and maintain the carbon monoxide detector
2 49 in good repair.
2 50 b. Replace batteries as needed.



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3 1 c. Replace a carbon monoxide detector that is
3 2 stolen, removed, or rendered inoperable during the
3 3 lessee or tenant's tenancy.
3 4 d. Notify the owner of the single-family dwelling
3 5 or multiple-unit residential dwelling or the owner's
3 6 authorized agent in writing if the lessee or tenant is
3 7 unable to correct a deficiency related to the carbon
3 8 monoxide detector.
3 9 7. A person shall not render inoperable a carbon
3 10 monoxide detector that is required to be installed
3 11 under this section, unless the person is replacing
3 12 the batteries in the carbon monoxide detector or
3 13 inspecting, maintaining, or repairing the carbon
3 14 monoxide detector.
3 15 8. a. A person who files for a homestead tax
3 16 credit pursuant to chapter 425 shall certify that the
3 17 single-family dwelling for which the credit is filed
3 18 has a carbon monoxide detector installed in compliance
3 19 with this section, or that one will be installed within
3 20 thirty days of the date the filing for the credit is
3 21 made.
3 22 b. Each property tax statement delivered under
3 23 section 445.5 for property subject to the requirements
3 24 of this section shall include information relating to
3 25 the applicable carbon monoxide requirements.>
3 26 #2. Page 1, after line 18 by inserting:
3 27 <Sec. _____. Section 445.5, Code 2009, is amended by
3 28 adding the following new subsection:
3 29 NEW SUBSECTION. 1A. For each parcel that is
3 30 subject to the carbon monoxide detector requirements
3 31 under section 100.17, the treasurer shall include
3 32 written information relating to the applicable
3 33 carbon monoxide detector requirements along with each
3 34 statement mailed under subsection 1.
3 35 Sec. _____. EFFECTIVE DATE. The sections of this Act
3 36 enacting section 100.17 and amending section 445.5 take
3 37 effect July 1, 2013.>
3 38 #3. Page 1, line 19, by striking <This Act> and
3 39 inserting <The sections of this Act amending sections
3 40 331.304 and 364.17>
3 41 #4. Page 1, line 20, by striking <takes> and
3 42 inserting <take>
3 43 #5. Title page, line 1, after <to> by inserting
3 44 <residential dwelling safety devices by requiring
3 45 carbon monoxide detectors in certain dwellings and
3 46 establishing requirements for>
3 47 #6. By renumbering as necessary.

BURT of Black Hawk
HF2508.1553 (4) 83
md/sc



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House Amendment 8240

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1 1 Amend Senate File 2288, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 6, after line 12 by inserting:
1 4 <Sec. _____. Section 257.17, Code 2009, is amended to
1 5 read as follows:
1 6 257.17 Aid reduction for early school starts.
1 7 State aid payments made pursuant to section
1 8 257.16 for a fiscal year shall be reduced by one
1 9 one-hundred-eightieth for each day of that fiscal year
1 10 for which the school district begins school before the
1 11 earliest starting date specified in section 279.10,
1 12 subsection 1. However, this section does not apply to
1 13 a school district that has received approval from the
1 14 ~~director of the department of education under section~~
~~1 15 279.10, subsection 4, to commence classes for regularly~~
~~1 16 established elementary and secondary schools in~~
~~1 17 advance of the starting date established in for a pilot~~
~~1 18 program for an innovative school year in accordance~~
~~1 19 with section 279.10, subsection 3.~~>
1 20 #2. Page 9, after line 10 by inserting:
1 21 <Sec. _____. Section 279.10, subsections 1 and 2,
1 22 Code 2009, are amended to read as follows:
1 23 1. The school year shall begin on the first day
1 24 of July and each regularly established elementary
1 25 and secondary school shall begin no sooner than a day
~~1 26 during the calendar week in which the first day of~~
~~1 27 September falls the fourth Monday in August but no~~
1 28 later than the first Monday in December. ~~However, if~~
~~1 29 the first day of September falls on a Sunday, school~~
~~1 30 may begin on a day during the calendar week which~~
~~1 31 immediately precedes the first day of September unless~~
~~1 32 the school district has received approval from the~~
~~1 33 department of education for a pilot program for an~~
~~1 34 innovative school year in accordance with subsection 3.~~
1 35 School shall continue for at least one hundred eighty
1 36 days, except as provided in subsection 3, and may be
1 37 maintained during the entire calendar year. However,
1 38 if the board of directors of a district extends the
1 39 school calendar because inclement weather caused the
1 40 district to temporarily close school during the regular
1 41 school calendar, the district may excuse a graduating
1 42 senior who has met district or school requirements for
1 43 graduation from attendance during the extended school
1 44 calendar. A school corporation may begin employment
1 45 of personnel for in-service training and development
1 46 purposes before the date to begin elementary and
1 47 secondary school.
1 48 2. The board of directors shall hold a public
1 49 hearing on any ~~proposal~~ request made pursuant to
~~1 50 subsection 3~~ prior to submitting it to the department



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House Amendment 8240 continued

2 1 of education for approval.
2 2 Sec. _____. Section 279.10, subsection 4, Code 2009,
2 3 is amended by striking the subsection. >>
2 4 #3. Page 10, line 5, by striking <subsection 2, Code
2 5 2009, is> and inserting <subsections 1 and 2, Code
2 6 2009, are>
2 7 #4. Page 10, after line 6 by inserting:
2 8 <1. The board of directors of each public
2 9 school district and the authorities in charge of
2 10 each nonpublic school shall prescribe the minimum
2 11 educational program and an attendance policy which
2 12 shall require each child to attend school for at least
2 13 one hundred forty-eight days, to be met by attendance
2 14 for at least thirty-seven days each school quarter,
2 15 for the schools under their jurisdictions. Each public
2 16 school and nonpublic school shall comply with the start
2 17 date and school calendar requirements specified in
2 18 section 279.10, subsection 1.>
2 19 #5. Page 23, after line 13 by inserting:
2 20 <Sec. _____. EFFECTIVE DATES. The provisions of the
2 21 sections of this Act amending section 257.17, section
2 22 279.10, subsections 1 and 2, section 279.10, subsection
2 23 4, and section 280.3, subsection 1, take effect July 1,
2 24 2011, and are applicable for school years beginning on
2 25 or after that date.>
2 26 #6. Title page, line 2, after <boards> by inserting
2 27 <and including effective date and applicability
2 28 provisions>
2 29 #7. By renumbering as necessary.

MAY of Dickinson
SF2288.1498 (2) 83
kh/sc



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House Amendment 8241

PAG LIN

1 1 Amend Senate File 2288, as amended, passed, and
 1 2 reprinted by the Senate, as follows:
 1 3 #1. Page 10, after line 4 by inserting:
 1 4 <Sec. _____. Section 279.46, Code 2009, is amended to
 1 5 read as follows:
 1 6 279.46 Retirement incentives == tax.
 1 7 1. The board of directors of a school district
 1 8 may adopt a program for payment of a monetary bonus,
 1 9 continuation of health or medical insurance coverage,
 1 10 or other incentives for encouraging its employees to
 1 11 retire before the normal retirement date as defined
 1 12 in chapter 97B. The program is available only to
 1 13 employees who notify the board of directors prior
 1 14 to April 1 of the fiscal year that they intend to
 1 15 retire not later than the start of the next following
 1 16 school calendar. The age at which employees shall be
 1 17 designated eligible for the program shall be at the
 1 18 discretion of the board.
 1 19 2. An employee retiring under this section may
 1 20 apply for a retirement allowance under chapter 97B or
 1 21 chapter 294.
 1 22 3. A school district shall not offer permanent
 1 23 part-time employment, permanent full-time employment,
 1 24 temporary employment, or retention as an independent
 1 25 contractor to an employee retiring under a program
 1 26 adopted pursuant to subsection 1. However, the
 1 27 school district may offer the employee employment as a
 1 28 substitute teacher.
 1 29 4. The board may include in the district management
 1 30 levy an amount to pay the total estimated accumulated
 1 31 cost to the school district of the health or medical
 1 32 insurance coverage, bonus, or other incentives for
 1 33 employees within the age range of fifty-five to
 1 34 sixty-five years of age who retire under this section.>
 1 35 #2. By renumbering as necessary.

SCHULTE of Linn
 SF2288.1504 (2) 83
 kh/sc



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House Amendment 8242

PAG LIN

1 1 Amend Senate File 2288, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 1, before line 1 by inserting:
1 4 <DIVISION ____
1 5 GENERAL PROVISIONS>
1 6 #2. Page 23, after line 13 by inserting:
1 7 <DIVISION ____
1 8 MARKET FACTOR TEACHER INCENTIVES
1 9 Sec. ____ . MARKET FACTOR TEACHER INCENTIVES ==
1 10 FUNDS TRANSFER. Notwithstanding any provisions to the
1 11 contrary, any remaining allocations paid to a school
1 12 district for market factor teacher incentives pursuant
1 13 to section 284.11, Code Supplement 2007, prior to the
1 14 school budget year beginning July 1, 2009, and which
1 15 are maintained in a separate listing within a school
1 16 district's budget shall be transferred by the district
1 17 into the school district's general fund to be used for
1 18 general fund purposes beginning with school budget
1 19 years beginning on or after July 1, 2009.
1 20 Sec. ____ . EFFECTIVE UPON ENACTMENT. This division
1 21 of this Act, being deemed of immediate importance,
1 22 takes effect upon enactment.>
1 23 #3. Title page, line 2, after <boards> by inserting
1 24 <, and including effective date provisions>
1 25 #4. By renumbering as necessary.

PETTENGILL of Benton
SF2288.1502 (1) 83
kh/sc



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House Amendment 8243

PAG LIN

1 1 Amend Senate File 2288, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 5, after line 7 by inserting:
1 4 <Sec. _____. NEW SECTION. 256F.14 Innovative charter
1 5 schools.
1 6 1. The board of directors of a school district, the
1 7 administrators of an accredited nonpublic school, the
1 8 board of directors of a community college, the state
1 9 board of regents, an accredited private institution
1 10 as defined in section 261.9, or a private nonprofit
1 11 corporation organized under chapter 504 may submit
1 12 an application to the state board to establish an
1 13 innovative charter school. The state board shall
1 14 adopt rules specifying the criteria for approval of
1 15 innovative charter schools. The department shall
1 16 develop an application process. The applicant shall
1 17 specify in its application all of the following:
1 18 a. Mission and instructional focus of the school.
1 19 b. Organizational structure and management of the
1 20 school.
1 21 c. Impact of labor agreements and contracts on the
1 22 success of the school.
1 23 d. Roles and responsibilities of all involved
1 24 constituencies.
1 25 e. Arrangements for special needs students.
1 26 f. Connection of the school to the school district.
1 27 g. Facility and operation costs.
1 28 h. Methods for measuring results, including but not
1 29 limited to student achievement results.
1 30 2. For purposes of this section, "innovative charter
1 31 school" means a school that is nonsectarian in its
1 32 program, admission policies, employment practices, and
1 33 all other operations. The school is a public school
1 34 and is part of the state's system of public education.
1 35 The primary focus of an innovative charter school shall
1 36 be to provide a comprehensive program of instruction
1 37 for at least one grade or age group from five through
1 38 eighteen years of age. Innovative charter schools
1 39 may be designed to allow significant autonomy to the
1 40 schools. However, innovative charter schools shall be
1 41 accountable for significant results.
1 42 3. Except as provided in this subsection,
1 43 innovative charter schools are exempt from all statutes
1 44 and rules applicable to a school, a school board, or a
1 45 school district, although an innovative charter school
1 46 may elect to comply with one or more provisions of
1 47 statute or rule. However, an innovative charter school
1 48 shall meet all applicable state and local health and
1 49 safety requirements; an innovative charter school shall
1 50 be organized and operated as a nonprofit corporation



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House Amendment 8243 continued

2 1 under chapter 504; the provisions of chapters 21
2 2 and 22 shall apply to meetings and records of an
2 3 innovative charter school board; and an innovative
2 4 charter school is subject to and shall comply with
2 5 chapters 216 and 216A relating to civil and human
2 6 rights, and sections 275.55A, 279.9A, 280.17B, 280.21B,
2 7 and 282.4, relating to suspension and expulsion of a
2 8 student. The innovative charter school shall employ or
2 9 contract with necessary teachers, as defined in section
2 10 272.1, who hold a valid license with an endorsement
2 11 for the type of service for which the teacher is
2 12 employed. Innovative charter schools are subject
2 13 to the same financial audits, audit procedures, and
2 14 audit requirements as a school district. The audits
2 15 shall be consistent with the requirements of sections
2 16 11.6, 11.14, 11.19, 256.9, subsection 19, and section
2 17 279.29, except to the extent deviations are necessary
2 18 because of the program at the school. The department,
2 19 auditor of state, or the legislative services agency
2 20 may conduct financial, program, or compliance audits.
2 21 The provisions of chapter 20 shall not apply to the
2 22 board of directors of an innovative charter school or
2 23 its employees.
2 24 4. A student enrolled in an innovative charter
2 25 school shall be counted, for state school foundation
2 26 aid purposes, in the student's district of residence.
2 27 A student's residence, for purposes of this section,
2 28 means a residence under section 282.1. The board of
2 29 directors of the district of residence shall pay to the
2 30 innovative charter school the state cost per pupil for
2 31 the previous school year, plus any moneys received for
2 32 the student as a result of the non-English speaking
2 33 weighting under section 280.4, subsection 3, for the
2 34 previous school year multiplied by the state cost per
2 35 pupil for the previous year.>
2 36 #2. Title page, line 2, after <education> by
2 37 inserting <, innovative charter schools,>
2 38 #3. By renumbering as necessary.

MAY of Dickinson

DOLECHECK of Ringgold

CHAMBERS of O'Brien

RAECKER of Polk



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TYMESON of Madison
SF2288.1549 (2) 83
kh/sc



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House Amendment 8244

PAG LIN

1 1 Amend Senate File 2288, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 23, before line 1 by inserting:
1 4 <Sec. ____ Section 256.9, subsection 60, paragraph
1 5 b, as enacted by 2010 Iowa Acts, Senate File 2033,
1 6 section 1, is amended by striking the paragraph.>
1 7 #2. By renumbering as necessary.

MAY of Dickinson

DOLECHECK of Ringgold

CHAMBERS of O'Brien

RAECKER of Polk

TYMESON of Madison
SF2288.1499 (1) 83
kh/sc



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House Amendment 8245

PAG LIN

1 1 Amend Senate File 2288, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 4, after line 2 by inserting:
1 4 <Sec. ____ Section 256.9, Code Supplement 2009, is
1 5 amended by adding the following new subsection:
1 6 NEW SUBSECTION. 59. Prepare and submit to the
1 7 general assembly on or before January 10, 2010, a
1 8 report on state and federal mandated requirements
1 9 with which school districts must comply. For each
1 10 succeeding fiscal year, the report shall be updated,
1 11 and the updated report shall be submitted to the
1 12 general assembly on or before January 10.>
1 13 #2. By renumbering as necessary.

UPMEYER of Hancock
SF2288.1500 (2) 83
kh/sc



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House Amendment 8246

PAG LIN

1 1 Amend House File 2484 as follows:
1 2 #1. By striking page 1, line 3, through page 2, line
1 3 10, and inserting:
1 4 <1. A dock in a boat harbor located on the Cedar
1 5 river in a city with a population of more than one
1 6 hundred twenty-five thousand located in a county with a
1 7 population of more than two hundred thousand is exempt
1 8 from all dock requirements of the department of natural
1 9 resources if the dock is in compliance with local city
1 10 regulations for a dock in such a boat harbor except as
1 11 provided in subsection 2.
1 12 2. A dock in a boat harbor located on the Cedar
1 13 river in a city with a population of more than one
1 14 hundred twenty-five thousand located in a county with
1 15 a population of more than two hundred thousand that
1 16 meets the requirements of subsection 1 and that uses
1 17 containers as dock flotation devices that were not
1 18 originally manufactured as dock flotation devices, may
1 19 continue to use such containers as dock flotation
1 20 devices if the containers were in use on or before the
1 21 effective date of this Act. At the time that such
1 22 containers are replaced, the replacement dock flotation
1 23 devices shall be dock flotation devices that comply
1 24 with the rules of the department of natural resources.
1 25 However, if the ownership of the dock is transferred,
1 26 the new owner shall have six months from the date of
1 27 transfer to replace such containers with dock flotation
1 28 devices that comply with the rules of the department
1 29 of natural resources.
1 30 Sec. ____ . EFFECTIVE UPON ENACTMENT. This Act,
1 31 being deemed of immediate importance, takes effect upon
1 32 enactment.>
1 33 #2. Title page, lines 2 and 3, by striking <and
1 34 retroactive applicability>

RUNNING=MARQUARDT of Linn
HF2484.1564 (2) 83
av/sc



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House Amendment 8247

PAG LIN

1 1 Amend House File 2324 as follows:
1 2 #1. Page 1, after line 31 by inserting:
1 3 <Sec. _____. Section 459.204, Code 2009, is amended
1 4 to read as follows:
1 5 459.204 Liquid manure application == separation
1 6 distance.
1 7 1. a. This subsection applies on and after the
1 8 effective date of this Act and prior to December 21,
1 9 2011.
1 10 (1) Except as provided in section 459.205, a person
1 11 shall not apply liquid manure from a confinement
1 12 feeding operation with a confinement feeding operation
1 13 structure constructed or expanded prior to May 31,
1 14 1995, on land located within one thousand five hundred
1 15 feet from a residence not owned by the titleholder
1 16 of the land, a commercial enterprise, a bona fide
1 17 religious institution, an educational institution, or a
1 18 public use area.
1 19 (2) Except as provided in section 459.205, a person
1 20 shall not apply liquid manure from a confinement
1 21 feeding operation with a confinement feeding operation
1 22 structure constructed or expanded on or after May 31,
1 23 1995, on land located within seven hundred fifty feet
1 24 from a residence not owned by the titleholder of the
1 25 land, a commercial enterprise, a bona fide religious
1 26 institution, an educational institution, or a public
1 27 use area.
1 28 b. This subsection is repealed on December 21,
1 29 2011.
1 30 2. This subsection applies on and after December
1 31 21, 2011. Except as provided in section 459.205, a
1 32 person shall not apply liquid manure from a confinement
1 33 feeding operation on land located within seven
1 34 hundred fifty feet from a residence not owned by the
1 35 titleholder of the land, a commercial enterprise,
1 36 a bona fide religious institution, an educational
1 37 institution, or a public use area.>
1 38 #2. Page 2, after line 27 by inserting:
1 39 <Sec. _____. Section 459.313A, subsection 1,
1 40 unnumbered paragraph 1, Code Supplement 2009, is
1 41 amended to read as follows:
1 42 During the period beginning December 21 and ending
1 43 April 1, the person may apply liquid manure originating
1 44 from a manure storage structure, that is part of a
1 45 confinement feeding operation, on snow covered ground
1 46 only when there is an emergency. During the period
1 47 beginning February 1 and ending April 1, the person
1 48 may apply liquid manure originating from a manure
1 49 storage structure, that is part of a confinement
1 50 feeding operation, on frozen ground only when there



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House Amendment 8247 continued

2 1 is an emergency. An emergency occurs only when there
2 2 is an immediate need to comply with section 459.311,
2 3 subsection 1, due to unforeseen circumstances affecting
2 4 the storage of the liquid manure. The unforeseen
2 5 circumstances must be beyond the control of the owner
2 6 of the confinement feeding operation, including but
2 7 not limited to natural disaster, unusual weather
2 8 conditions, or equipment or structural failure. An
2 9 emergency does not include a situation in which a
2 10 person may continue to store liquid manure within a
2 11 manure storage structure that is part of the person's
2 12 confinement feeding operation. A person who is
2 13 authorized to apply liquid manure on snow covered
2 14 ground or frozen ground when there is an emergency
2 15 shall comply with all of the following:
2 16 Sec. _____. Section 459.313A, subsection 1, paragraph
2 17 d, Code Supplement 2009, is amended to read as follows:
2 18 d. Any surface water drain tile intake that is on
2 19 land in the owner's manure management plan and located
2 20 down gradient of the application must be temporarily
2 21 blocked beginning not later than the time that the
2 22 liquid manure is first applied and ending not earlier
2 23 than ~~two~~ three weeks after the completion of the
2 24 application.>
2 25 #3. Page 2, by striking lines 30 through 33 and
2 26 inserting:
2 27 <NEW SUBSECTION. 4. A confinement feeding
2 28 operation with all confinement feeding operation
2 29 structures constructed before May 31, 1995, and not
2 30 expanded on or after that date, is not required to
2 31 construct or expand a manure storage structure to
2 32 comply with this section until December 21, 2011.>
2 33 #4. Page 2, before line 34 by inserting:
2 34 <Sec. _____. Section 459.314, Code Supplement 2009,
2 35 is amended by adding the following new subsection:
2 36 NEW SUBSECTION. 1A. a. This subsection applies on
2 37 and after the effective date of this Act and prior to
2 38 December 21, 2011.
2 39 (1) A person shall not apply liquid manure from
2 40 a confinement feeding operation with a confinement
2 41 feeding operation structure constructed or expanded
2 42 prior to May 31, 1995, on land located within four
2 43 hundred feet from a designated area, unless one of the
2 44 following applies:
2 45 (a) The liquid manure is land=applied by injection
2 46 or incorporation on the same date as the liquid manure
2 47 was land=applied.
2 48 (b) An area of permanent vegetation cover,
2 49 including filter strips and riparian forest buffers,
2 50 exists for one hundred feet surrounding the designated



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House Amendment 8247 continued

3 1 area other than an unplugged agricultural drainage well
3 2 or surface intake to an unplugged agricultural drainage
3 3 well, and the area of permanent vegetation cover is not
3 4 subject to manure application.

3 5 (c) If applied in proximity to a high-quality water
3 6 resource, the liquid manure is applied not less than
3 7 eight times the four-hundred-foot distance from the
3 8 designated area.

3 9 (2) A person shall not apply liquid manure from
3 10 a confinement feeding operation with a confinement
3 11 feeding operation structure constructed or expanded
3 12 on or after May 31, 1995, on land located within two
3 13 hundred feet from a designated area, unless one of the
3 14 following applies:

3 15 (a) The liquid manure is land-applied by injection
3 16 or incorporation on the same date as the liquid manure
3 17 was land-applied.

3 18 (b) An area of permanent vegetation cover,
3 19 including filter strips and riparian forest buffers,
3 20 exists for fifty feet surrounding the designated area
3 21 other than an unplugged agricultural drainage well or
3 22 surface intake to an unplugged agricultural drainage
3 23 well, and the area of permanent vegetation cover is not
3 24 subject to manure application.

3 25 (c) If applied in proximity to a high-quality water
3 26 resource, the liquid manure is applied not less than
3 27 four times the distance from the designated area.

3 28 b. This subsection is repealed on December 21,
3 29 2011.

3 30 Sec. _____. Section 459.314, subsection 2, unnumbered
3 31 paragraph 1, Code Supplement 2009, is amended to read
3 32 as follows:

3 33 This subsection applies on and after December 21,
3 34 2011. Except as otherwise provided in this subsection,
3 35 a person shall not apply manure on land located within
3 36 two hundred feet from a designated area, unless one of
3 37 the following applies:>

3 38 #5. Title page, line 3, before <on> by inserting
3 39 <including on land and>

KUHN of Floyd

D. OLSON of Boone
HF2324.1578 (2) 83
da/rj



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House Amendment 8248

PAG LIN

1 1 Amend Senate File 2288, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 3, after line 16 by inserting:
1 4 <Sec. _____. Section 256.7, Code Supplement 2009, is
1 5 amended by adding the following new subsection:
1 6 NEW SUBSECTION. 30. Adopt rules by July 1, 2011,
1 7 to require school districts and accredited nonpublic
1 8 schools to administer, beginning not later than the
1 9 2015=2016 school year, a statewide comprehensive
1 10 exit examination, developed by the director pursuant
1 11 to section 256.9, subsection 59, to students as a
1 12 condition of graduation. The rules shall provide for
1 13 alternative pathways to graduation and for a timeline
1 14 for the administration of the exit examinations by
1 15 school districts and accredited nonpublic schools, and
1 16 shall direct school districts and schools to allow a
1 17 student to take the exit examination if the student
1 18 or the student's parent or guardian submits a written
1 19 request to the school district or school.>
1 20 #2. Page 4, after line 2 by inserting:
1 21 <Sec. _____. Section 256.9, Code Supplement 2009, is
1 22 amended by adding the following new subsection:
1 23 NEW SUBSECTION. 59. a. Develop a statewide
1 24 comprehensive exit examination aligned with the core
1 25 curriculum and the core content standards adopted
1 26 pursuant to section 256.7, subsections 26 and 28,
1 27 alternative pathways to graduation, and alternative
1 28 assessment measures for students with special
1 29 needs, including but not limited to students with
1 30 disabilities, English language learners, and general
1 31 education students who can otherwise demonstrate
1 32 mastery of high school level curriculum and knowledge
1 33 using an alternative assessment measure.
1 34 b. (1) In developing a statewide comprehensive
1 35 examination, alternative pathways to graduation,
1 36 and alternative assessment measures, the director
1 37 shall convene a task force to identify best practices
1 38 for the adoption of a statewide comprehensive exit
1 39 examination and determine the levels of support
1 40 necessary to prepare teachers and students for the
1 41 assessments and examination. The task force shall
1 42 review the statewide comprehensive exit examination
1 43 requirements of other states and the advantages and
1 44 disadvantages other states have realized in developing,
1 45 implementing, and administering statewide comprehensive
1 46 exit examinations, alternative graduation pathways, and
1 47 alternative assessments, including but not limited to
1 48 the costs of preparing teachers and students for the
1 49 examinations. The task force shall also identify the
1 50 purposes and goals other states have established in



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2 1 regard to the comprehensive exit examinations. The
2 2 task force shall be comprised of kindergarten through
2 3 grade sixteen education stakeholders. The task force
2 4 shall submit its findings and recommendations in a
2 5 report to the state board of education, the governor,
2 6 and the general assembly on or before January 17, 2011.
2 7 (2) This paragraph "b" is repealed on July 1,
2 8 2011.>
2 9 #3. By renumbering as necessary.

MAY of Dickinson
SF2288.1507 (2) 83
kn/sc



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House Amendment 8249

PAG LIN

1 1 Amend Senate File 2288, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 7, after line 27 by inserting:
1 4 <Sec. ____ Section 272.2, Code Supplement 2009, is
1 5 amended by adding the following new subsection:
1 6 NEW SUBSECTION. 19. Adopt rules that require any
1 7 applicant for a teacher license or for renewal of a
1 8 teacher license to take the praxis II principles of
1 9 learning and teaching test for the appropriate grade
1 10 level and a praxis II teaching foundations test in the
1 11 appropriate subject area. If the applicant is applying
1 12 for an Iowa endorsement, the board shall require the
1 13 applicant to take a praxis II subject assessment for
1 14 each endorsement the applicant seeks. However, the
1 15 rules shall provide that the applicant is exempt from
1 16 the testing requirements of this subsection if the
1 17 applicant provides the board with evidence that the
1 18 applicant has taken the appropriate praxis II tests and
1 19 the applicant's scores on the tests meet or exceed the
1 20 qualifying scores approved by the board.>
1 21 #2. Title page, line 2, after <boards> by inserting
1 22 <and to testing requirements for applicants for teacher
1 23 licensure or endorsement>

MAY of Dickinson
SF2288.1508 (1) 83
kh/sc



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House Amendment 8250

PAG LIN

1 1 Amend House File 2322 as follows:
1 2 #1. Page 1, line 27, after <to the fund.> by
1 3 inserting <The fund shall not, however, consist of or
1 4 receive an appropriation from the net proceeds from
1 5 bonds issued pursuant to sections 12.87 and 12.90.>
1 6 #2. By striking page 2, line 34, through page 3,
1 7 line 2.
1 8 #3. By renumbering as necessary.

RAECKER of Polk
HF2322.1594 (1) 83
md/nh



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House Resolution 116 - Introduced

PAG LIN

HOUSE RESOLUTION NO.

BY RAECKER

1 1 A Resolution honoring the Urbandale Major League
1 2 All-Star Team for a successful tournament season
1 3 and for its participation in the 2009 Little League
1 4 World Series.
1 5 WHEREAS, the Urbandale Little League selected
1 6 players from its major league, forming the Urbandale
1 7 Major League All-Star Team to compete in the 2009
1 8 Little League World Series; and
1 9 WHEREAS, beginning practice in June 2009 the team
1 10 showed a strong defense, good pitching, solid offense,
1 11 and mental toughness; and
1 12 WHEREAS, in July district competition the team went
1 13 8=0; and
1 14 WHEREAS, in state tournament competition, hosted by
1 15 Urbandale, the team went 6=0, and all players became
1 16 repeat state champions; and
1 17 WHEREAS, in August the team headed to regional play
1 18 in Indianapolis and another tournament victory; and
1 19 WHEREAS, the team then headed to South Williamsport,
1 20 Pennsylvania, where the team competed in the 63rd
1 21 edition of the Little League World Series, where eight
1 22 teams from the United States and eight from throughout
1 23 the world competed for the 2009 championship; and
1 24 WHEREAS, throughout the weeks of practice, travel,
1 25 and tournament play, the Urbandale Major League
1 26 All-Star Team consistently demonstrated strength of
1 27 character and good sportsmanship and embodied the
1 28 concept of pursuing victory with honor; NOW THEREFORE,



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House Resolution 116 - Introduced continued

2 1 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That
2 2 the House of Representatives honors the Urbandale Major
2 3 League All=Star Team for a successful tournament season
2 4 and recognizes the team members, Ross Kramer, Trae
2 5 Cropp, Trey Creighton, Jaran Sabus, Spencer Sturges,
2 6 Brody Egger, Robert Vanderlinden, Cole Scieszinski,
2 7 Zach Rague, Michael Staub, Jake Quirk, and Jake
2 8 Grau, along with manager Scott Grau, and coach Chris
2 9 Sabus, for their contributions to the team's success.

LSB 6249HH (7) 83

jr/rj



Iowa General Assembly
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Senate Amendment 5128

PAG LIN

1 1 Amend Senate File 2346 as follows:
1 2 #1. Page 1, line 5, by striking <step=down provision
1 3 or exclusion> and inserting <provision>
1 4 #2. Page 1, line 11, by striking <step=down
1 5 provision or exclusion> and inserting <provision>
1 6 #3. Page 1, lines 13 and 14, by striking <step=down
1 7 provision or exclusion> and inserting <provision that
1 8 explains>
1 9 #4. Page 1, line 17, by striking <informing> and
1 10 inserting <that informs>
1 11 #5. Page 1, lines 18 and 19, by striking <step=down
1 12 provision or exclusion> and inserting <provision>
1 13 #6. Page 1, line 26, by striking <insurer offers>
1 14 and inserting <insured purchased>
1 15 #7. Page 2, line 1, by striking <less> and inserting
1 16 <more>

RICH OLIVE
SF2346.1455 (2) 83
av/nh



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Senate Amendment 5129

PAG LIN

1 1 Amend Senate File 2321 as follows:
1 2 #1. Page 1, line 4, by striking <Text=messaging
1 3 while driving.> and inserting <Use of electronic
1 4 communication device while driving == text messaging.>
1 5 #2. Page 2, line 2, by striking <operator to
1 6 write, send, or read a text message.> and inserting
1 7 <operator.>
1 8 #3. Page 2, lines 5 and 6, by striking <operator to
1 9 write, send, or read a text message.> and inserting
1 10 <operator.>
1 11 #4. Title page, line 1, after <Act> by inserting
1 12 <concerning the use of electronic communication devices
1 13 while driving, including>
1 14 #5. By renumbering as necessary.

JEFF DANIELSON
SF2321.1469 (1) 83
dea/nh



Iowa General Assembly
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Senate Amendment 5130

PAG LIN

1 1 Amend Senate File 2234 as follows:
1 2 #1. Page 1, by striking lines 1 through 6.
1 3 #2. Page 1, line 18, after <of> by inserting <the>
1 4 #3. Page 1, line 25, after <separate> by inserting
1 5 <written>
1 6 #4. Page 1, line 26, by striking <relates to> and
1 7 inserting <materially affects>
1 8 #5. Page 2, line 22, after <claims,> by inserting
1 9 <controversies>
1 10 #6. Page 2, line 23, after <chapter> by inserting
1 11 <by written release or other written document where
1 12 separate and adequate consideration is offered and
1 13 accepted>
1 14 #7. Page 2, line 28, after <void.> by inserting
1 15 <This section does not limit a franchiser from
1 16 establishing good cause for the termination of a
1 17 franchise pursuant to sections 322A.2 and 322A.11 on
1 18 the grounds that the franchisee's dealership facility
1 19 is not adequate to accommodate an additional line=make
1 20 that has been added to the franchisee's dealership.>
1 21 #8. Page 2, line 34, by striking <customer> and
1 22 inserting <customer, including information necessary to
1 23 complete the sale of the vehicle,>
1 24 #9. By renumbering as necessary.

SWATI DANDEKAR
SF2234.1497 (1) 83
rn/nh



Iowa General Assembly
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Senate Amendment 5131

PAG LIN

1 1 Amend Senate File 2321 as follows:
1 2 #1. By striking everything after the enacting clause
1 3 and inserting:
1 4 <Section 1. Section 321.210, subsection 2, Code
1 5 2009, is amended by adding the following new paragraph:
1 6 NEW PARAGRAPH. e. Violations of section 321.276.
1 7 Sec. 2. NEW SECTION. 321.276 Intentional
1 8 distracted driving.
1 9 1. A person operating a motor vehicle shall not
1 10 intentionally engage in an activity that distracts the
1 11 person from the safe operation of the motor vehicle.
1 12 2. This section does not apply to a member of a
1 13 public safety agency, as defined in section 34.1,
1 14 engaged in the performance of the member's official
1 15 duties.
1 16 3. a. A person convicted of a violation of this
1 17 section is guilty of a simple misdemeanor punishable as
1 18 a scheduled violation under section 805.8A, subsection
1 19 14, paragraph "k".
1 20 b. A violation of this section shall not be
1 21 considered a moving violation for purposes of this
1 22 chapter or rules adopted pursuant to this chapter.
1 23 4. For the period beginning July 1, 2010, through
1 24 June 30, 2011, peace officers shall issue only
1 25 warning citations for violations of this section. The
1 26 department, in cooperation with the department of
1 27 public safety, shall establish educational programs
1 28 to foster compliance with the requirements of this
1 29 section.
1 30 Sec. 3. Section 321.482A, unnumbered paragraph 1,
1 31 Code 2009, is amended to read as follows:
1 32 Notwithstanding section 321.482, a person who
1 33 is convicted of operating a motor vehicle in
1 34 violation of section 321.275, subsection 4, section
1 35 321.276, 321.297, 321.298, 321.299, 321.302, 321.303,
1 36 321.304, 321.305, 321.306, 321.307, 321.308, section
1 37 321.309, subsection 2, or section 321.311, 321.319,
1 38 321.320, 321.321, 321.322, 321.323, 321.323A, 321.324,
1 39 321.324A, 321.327, 321.329, or 321.333 causing serious
1 40 injury to or the death of another person may be subject
1 41 to the following penalties in addition to the penalty
1 42 provided for a scheduled violation in section 805.8A or
1 43 any other penalty provided by law:
1 44 Sec. 4. Section 321.555, subsection 2, Code 2009,
1 45 is amended to read as follows:
1 46 2. Six or more of any separate and distinct
1 47 offenses within a two-year period in the operation of a
1 48 motor vehicle, which are required to be reported to the
1 49 department by section 321.491 or chapter 321C, except
1 50 equipment violations, parking violations as defined



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Senate Amendment 5131 continued

2 1 in section 321.210, violations of registration laws,
2 2 violations of sections 321.445 and 321.446, violations
2 3 of section 321.276, operating a vehicle with an expired
2 4 license or permit, failure to appear, weights and
2 5 measures violations and speeding violations of less
2 6 than fifteen miles per hour over the legal speed limit.
2 7 Sec. 5. Section 805.8A, subsection 14, Code
2 8 Supplement 2009, is amended by adding the following new
2 9 paragraph:
2 10 NEW PARAGRAPH. k. Distracted driving violations.
2 11 For violations under section 321.276, the scheduled
2 12 fine is thirty dollars.>
2 13 #2. Title page, by striking lines 1 through 3 and
2 14 inserting <An Act relating to driving while distracted
2 15 and providing penalties.>
2 16 #3. By renumbering as necessary.

BRAD ZAUN
SF2321.1361 (2) 83
dea/nh



Iowa General Assembly
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Senate Amendment 5132

PAG LIN

1 1 Amend Senate File 2321 as follows:
1 2 #1. By striking everything after the enacting clause
1 3 and inserting:
1 4 <Section 1. Section 321.210, subsection 2, Code
1 5 2009, is amended by adding the following new paragraph:
1 6 NEW PARAGRAPH. e. Violations of section 321.276.
1 7 Sec. 2. NEW SECTION. 321.276 Prohibited use
1 8 of electronic communication device == persons under
1 9 eighteen years of age.
1 10 1. For purposes of this section, unless the context
1 11 otherwise requires:
1 12 a. "Electronic communication device" means an
1 13 electronic device, including but not limited to a
1 14 wireless telephone, a personal digital assistant, or
1 15 a portable or mobile computer, capable of being used
1 16 for the purpose of writing, reading, or sending a
1 17 text-based communication or accessing the internet.
1 18 b. "Text message" means a text-based communication
1 19 transmitted through the short messaging service
1 20 (SMS), a wireless telephone service, or an electronic
1 21 communication network by means of a wireless handset or
1 22 other electronic communication device.
1 23 c. "Write, read, or send a text-based communication"
1 24 means using an electronic communication device
1 25 to communicate with any person or device using a
1 26 text-based communication, including but not limited to
1 27 a text message, an instant message, or electronic mail.
1 28 2. A person under eighteen years of age shall
1 29 not operate a motor vehicle while using an electronic
1 30 communication device to write, read, or send a
1 31 text-based communication or to access the internet.
1 32 3. a. A person convicted of a violation of this
1 33 section is guilty of a simple misdemeanor punishable as
1 34 a scheduled violation under section 805.8A, subsection
1 35 14, paragraph "k".
1 36 b. A violation of this section shall not be
1 37 considered a moving violation for purposes of this
1 38 chapter or rules adopted pursuant to this chapter.
1 39 4. For the period beginning July 1, 2010, through
1 40 June 30, 2011, peace officers shall issue only
1 41 warning citations for violations of this section. The
1 42 department, in cooperation with the department of
1 43 public safety, shall establish educational programs
1 44 to foster compliance with the requirements of this
1 45 section.
1 46 Sec. 3. Section 321.482A, unnumbered paragraph 1,
1 47 Code 2009, is amended to read as follows:
1 48 Notwithstanding section 321.482, a person who
1 49 is convicted of operating a motor vehicle in
1 50 violation of section 321.275, subsection 4, section



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Senate Amendment 5132 continued

2 1 321.276, 321.297, 321.298, 321.299, 321.302, 321.303,
 2 2 321.304, 321.305, 321.306, 321.307, 321.308, section
 2 3 321.309, subsection 2, or section 321.311, 321.319,
 2 4 321.320, 321.321, 321.322, 321.323, 321.323A, 321.324,
 2 5 321.324A, 321.327, 321.329, or 321.333 causing serious
 2 6 injury to or the death of another person may be subject
 2 7 to the following penalties in addition to the penalty
 2 8 provided for a scheduled violation in section 805.8A or
 2 9 any other penalty provided by law:
 2 10 Sec. 4. Section 321.555, subsection 2, Code 2009,
 2 11 is amended to read as follows:
 2 12 2. Six or more of any separate and distinct
 2 13 offenses within a two-year period in the operation of a
 2 14 motor vehicle, which are required to be reported to the
 2 15 department by section 321.491 or chapter 321C, except
 2 16 equipment violations, parking violations as defined
 2 17 in section 321.210, violations of registration laws,
 2 18 violations of sections 321.445 and 321.446, violations
 2 19 of section 321.276, operating a vehicle with an expired
 2 20 license or permit, failure to appear, weights and
 2 21 measures violations and speeding violations of less
 2 22 than fifteen miles per hour over the legal speed limit.
 2 23 Sec. 5. Section 805.8A, subsection 14, Code
 2 24 Supplement 2009, is amended by adding the following new
 2 25 paragraph:
 2 26 NEW PARAGRAPH. k. Electronic communication device
 2 27 violations. For violations under section 321.276, the
 2 28 scheduled fine is thirty dollars.>
 2 29 #2. Title page, by striking lines 1 through 3 and
 2 30 inserting <An Act relating to the use of electronic
 2 31 communication devices by a motor vehicle operator under
 2 32 eighteen years of age and providing penalties.>
 2 33 #3. By renumbering as necessary.

BRAD ZAUN
 SF2321.1373 (2) 83
 dea/nh



Iowa General Assembly
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Senate Amendment 5133

PAG LIN

1 1 Amend House File 2456, as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. Page 1, line 26, by striking <write or send> and
1 4 inserting <write, send, or read>
1 5 #2. Page 1, lines 28 and 29, by striking <writing or
1 6 sending> and inserting <writing, sending, or reading>
1 7 #3. Title page, lines 2 and 3, by striking <writing
1 8 or sending> and inserting <writing, sending, or
1 9 reading>
1 10 #4. By renumbering as necessary.

STACI APPEL

WILLIAM HECKROTH
HF2456.1510 (2) 83
dea/nh



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Senate Amendment 5134

PAG LIN

1 1 Amend Senate File 2305 as follows:

1 2 #1. Page 1, after line 18 by inserting:

1 3 <Sec. _____. Section 692A.101, subsection 27, Code
1 4 Supplement 2009, is amended to read as follows:

1 5 27. "Sex offense" means an indictable offense for
1 6 which a conviction has been entered that ~~has an element~~
~~1 7 involving a sexual act, sexual contact, or sexual~~
~~1 8 conduct, and which is enumerated in section 692A.102,~~
1 9 and means any comparable offense for which a conviction
1 10 has been entered under prior law, or any comparable
1 11 offense for which a conviction has been entered in
1 12 a federal, military, or foreign court, or another
1 13 jurisdiction.

1 14 Sec. _____. Section 692A.101, Code Supplement 2009,
1 15 is amended by adding the following new subsection:

1 16 NEW SUBSECTION. 28A. "Sexually motivated" means the
1 17 same as defined in section 229A.2.>

1 18 #2. Page 1, by striking lines 19 through 31.

1 19 #3. Page 1, before line 32 by inserting:

1 20 <Sec. _____. Section 692A.102, subsection 1,
1 21 paragraph a, subparagraphs (6) and (7), Code Supplement
1 22 2009, are amended to read as follows:

1 23 (6) (a) Harassment in violation of section 708.7,
1 24 subsection 1, 2, or 3, if a determination is made that
1 25 the offense was sexually motivated pursuant to section
1 26 692A.126.

1 27 ~~(7)~~ (b) Stalking in violation of section 708.11,
1 28 except a violation of subsection 3, paragraph "b",
1 29 subparagraph (3), if a determination is made that the
1 30 offense was sexually motivated pursuant to section
1 31 692A.126.

1 32 (c) Any other indictable offense in violation of
1 33 chapter 708 if the offense is committed against a minor
1 34 and if a determination is made that the offense was
1 35 sexually motivated pursuant to section 692A.126.

1 36 Sec. _____. Section 692A.102, subsection 1, paragraph
1 37 a, Code Supplement 2009, is amended by adding the
1 38 following new subparagraphs:

1 39 NEW SUBPARAGRAPH. (08) Pimping in violation of
1 40 section 725.2 if the offense was committed against
1 41 a minor or otherwise involves a minor and if a
1 42 determination is made that the offense was sexually
1 43 motivated pursuant to section 692A.126.

1 44 NEW SUBPARAGRAPH. (008) Pandering in violation
1 45 of section 725.3, subsection 2, if a determination is
1 46 made that the offense was sexually motivated pursuant
1 47 to section 692A.126.

1 48 NEW SUBPARAGRAPH. (0008) Any indictable offense in
1 49 violation of chapter 726 if the offense is committed
1 50 against a minor or otherwise involves a minor and if



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Senate Amendment 5134 continued

2 1 a determination is made that the offense was sexually
2 2 motivated pursuant to section 692A.126.
2 3 Sec. _____. Section 692A.102, subsection 1, paragraph
2 4 b, Code Supplement 2009, is amended by adding the
2 5 following new subparagraph:
2 6 NEW SUBPARAGRAPH. (015) Pandering in violation of
2 7 section 725.3.>
2 8 #4. Page 1, line 35, by striking <(5A).> and
2 9 inserting <(06)>
2 10 #5. Page 2, after line 13 by inserting:
2 11 <Sec. _____. Section 692A.113, subsection 1,
2 12 unnumbered paragraph 1, Code Supplement 2009, is
2 13 amended to read as follows:
2 14 A sex offender who has been convicted of a sex
2 15 offense against a minor or a person required to
2 16 register as a sex offender in another jurisdiction for
2 17 an offense involving a minor shall not do any of the
2 18 following:>
2 19 #6. Page 2, after line 28 by inserting:
2 20 <Sec. _____. Section 692A.125, Code Supplement 2009,
2 21 is amended by adding the following new subsection:
2 22 NEW SUBSECTION. 2A. For an offense requiring
2 23 registration due to sexual motivation, the registration
2 24 requirements of section 692A.126 shall apply to a
2 25 person convicted of an offense if the department
2 26 makes the determination that the offense was sexually
2 27 motivated as provided in section 692A.126, subsection
2 28 2.
2 29 Sec. _____. Section 692A.126, Code Supplement 2009,
2 30 is amended to read as follows:
2 31 692A.126 Sexually motivated offense ==
2 32 determination.
2 33 1. If a judge or jury makes a determination, beyond
2 34 a reasonable doubt, that any of the following offenses
2 35 for which a conviction has been entered on or after
2 36 July 1, 2009, are sexually motivated, the person shall
2 37 be required to register as provided in this chapter:
2 38 a. Murder in the first degree in violation of
2 39 section 707.2.
2 40 b. Murder in the second degree in violation of
2 41 section 707.3.
2 42 c. Voluntary manslaughter in violation of section
2 43 707.4.
2 44 d. Involuntary manslaughter in violation of section
2 45 707.5.
2 46 e. Attempt to commit murder in violation of section
2 47 707.11.
2 48 f. Harassment in violation of section 708.7,
2 49 subsection 1, 2, or 3.
2 50 g. Stalking in violation of section 708.11,



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3 1 subsection 3, paragraph "b", subparagraph (3).
3 2 h. Any other indictable offense in violation of
3 3 chapter 708 if the offense was committed against a
3 4 minor or otherwise involves a minor.
3 5 ~~h.~~ i. Kidnapping in the first degree in violation
3 6 of section 710.2.
3 7 ~~i.~~ j. Kidnapping in the second degree in violation
3 8 of section 710.3.
3 9 ~~j.~~ k. Kidnapping in the third degree in violation
3 10 of section 710.4.
3 11 ~~k.~~ l. Child stealing in violation of section
3 12 710.5.
3 13 ~~l.~~ m. Purchase or sale or attempted purchase or
3 14 sale of an individual in violation of section 710.11.
3 15 ~~m.~~ n. Burglary in the first degree in violation
3 16 of section 713.3, subsection 1, paragraph "a", "b", or
3 17 "c".
3 18 ~~n.~~ o. Attempted burglary in the first degree in
3 19 violation of section 713.4.
3 20 ~~o.~~ p. Burglary in the second degree in violation
3 21 of section 713.5.
3 22 ~~p.~~ q. Attempted burglary in the second degree in
3 23 violation of section 713.6.
3 24 ~~q.~~ r. Burglary in the third degree in violation of
3 25 section 713.6A.
3 26 ~~r.~~ s. Attempted burglary in the third degree in
3 27 violation of section 713.6B.
3 28 t. Pimping in violation of section 725.2 if the
3 29 offense was committed against a minor or otherwise
3 30 involves a minor.
3 31 u. Pandering in violation of section 725.3,
3 32 subsection 2.
3 33 v. Any indictable offense in violation of chapter
3 34 726 if the offense was committed against a minor or
3 35 otherwise involves a minor.
3 36 2. a. ~~If a~~ The following persons shall be required
3 37 to register as provided in this chapter if the
3 38 department makes a determination that the offense was
3 39 sexually motivated:
3 40 (1) A person convicted of an offense in this state
3 41 specified under subsection 1 prior to July 1, 2009.
3 42 (2) A person ~~is~~ convicted of an offense in another
3 43 jurisdiction, or convicted of an offense that was
3 44 prosecuted in a federal, military, or foreign court,
3 45 prior to, on, or after July 1, 2009, that is comparable
3 46 to an offense specified in subsection 1, ~~the person~~
3 47 shall be required to register as provided in this
3 48 chapter if the department makes a determination that
3 49 the offense was sexually motivated.
3 50 ~~3.~~ (3) ~~If a~~ A juvenile ~~is~~ convicted of an offense



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Senate Amendment 5134 continued

4 1 in another jurisdiction, or convicted of an offense
 4 2 as a juvenile in a similar juvenile court proceeding
 4 3 in a federal, military, or foreign court, prior to,
 4 4 on, or after July 1, 2009, that is comparable to an
 4 5 offense specified in subsection 1, ~~the person shall be~~
 4 6 ~~required to register as provided in this chapter if the~~
 4 7 ~~department makes a determination that the offense was~~
 4 8 ~~sexually motivated.~~

4 9 b. A determination made pursuant to this subsection
 4 10 shall be issued in writing and shall include a summary
 4 11 of the information and evidence considered in making
 4 12 the determination that the offense was sexually
 4 13 motivated.

4 14 c. The determination made by the department shall
 4 15 be subject to judicial review in accordance with
 4 16 chapter 17A.

4 17 Sec. ____. NEW SECTION. 708.14 Sexual motivation.
 4 18 A person convicted of any indictable offense under
 4 19 this chapter shall be required to register as a sex
 4 20 offender pursuant to the provisions of chapter 692A,
 4 21 if the offense was committed against a minor and the
 4 22 fact finder makes a determination that the offense was
 4 23 sexually motivated pursuant to section 692A.126.>

4 24 #7. Page 3, after line 33 by inserting:

4 25 <Sec. ____. NEW SECTION. 726.10 Sexual motivation.
 4 26 A person convicted of any indictable offense under
 4 27 this subchapter shall be required to register as a sex
 4 28 offender pursuant to the provisions of chapter 692A,
 4 29 if the offense was committed against a minor and the
 4 30 fact finder makes a determination that the offense was
 4 31 sexually motivated pursuant to section 692A.126. >#8. By

renumbering as necessary.

KEITH A. KREIMAN
 SF2305.1476 (2) 83
 jm/rj



Iowa General Assembly
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Senate Amendment 5135

PAG LIN

1 1 Amend Senate File 2354 as follows:

1 2 #1. Page 1, before line 1 by inserting:

1 3 <Section 1. Section 68A.402A, subsection 1,
1 4 paragraph d, Code 2009, is amended to read as follows:

1 5 d. The name and mailing address of each person
1 6 who has made one or more in-kind contributions to
1 7 the committee when the aggregate market value of the
1 8 in-kind contributions in a calendar year exceeds the
1 9 applicable amount specified in paragraph "b". In-kind
1 10 contributions shall be designated on a separate
1 11 schedule from schedules showing contributions of money
1 12 and shall identify the nature of the contribution and
1 13 provide its estimated fair market value. A committee
1 14 receiving an in-kind contribution shall report the
1 15 estimated fair market value of the in-kind contribution
1 16 at the time it is provided to the committee. A person
1 17 providing an in-kind contribution to a committee shall
1 18 notify the committee of the estimated fair market
1 19 value of the in-kind contribution at the time the
1 20 in-kind contribution is provided to the committee. For
1 21 purposes of this section, the estimated fair market
1 22 value of the in-kind contribution shall be reported
1 23 regardless of whether the person has been billed for
1 24 the cost of the in-kind contribution.

1 25 Sec. _____. Section 68A.402B, Code 2009, is amended
1 26 by adding the following new subsection:

1 27 NEW SUBSECTION. 3. If a person who files an
1 28 independent expenditure statement and a disclosure
1 29 report, pursuant to section 68A.404, determines
1 30 that the person will no longer make an independent
1 31 expenditure, the person shall notify the board within
1 32 thirty days following such determination by filing a
1 33 termination report on forms prescribed by the board.>

1 34 #2. Page 1, line 5, by striking <one hundred> and
1 35 inserting <one hundred seven hundred fifty>

1 36 #3. Page 1, by striking lines 11 through 15 and
1 37 inserting:

1 38 <2.a. An entity, other than an individual or
1 39 individuals, shall not make an independent expenditure
1 40 or disburse funds from its treasury to pay for, in
1 41 whole or in part, an independent expenditure made by
1 42 another person without the authorization of a majority
1 43 of the entity's board of directors, executive council,
1 44 or similar organizational leadership body of the
1 45 use of treasury funds for an independent expenditure
1 46 involving a candidate or ballot issue committee. Such
1 47 authorization must occur in the same calendar year in
1 48 which the independent expenditure is incurred.

1 49 b. Such authorization shall expressly provide
1 50 whether the board of directors, executive council,



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2 1 or similar organizational leadership body authorizes
2 2 one or more independent expenditures that expressly
2 3 advocate the nomination or election of a candidate or
2 4 passage of a ballot issue or authorizes one or more
2 5 independent expenditures that expressly advocate the
2 6 defeat of a candidate or ballot issue.
2 7 c. A foreign national shall not make an independent
2 8 expenditure, directly or indirectly, that advocates the
2 9 nomination, election, or defeat of any state or local
2 10 candidate or the passage or defeat of any ballot issue.
2 11 As used in this section, "foreign national" means a
2 12 person who is not a citizen of the United States and
2 13 who is not lawfully admitted for permanent residence.
2 14 "Foreign national" includes a foreign principal, such
2 15 as a government of a foreign country or a foreign
2 16 political party, partnership, association, corporation,
2 17 organization, or other combination of persons that has
2 18 its primary place of business in or is organized under
2 19 the laws of a foreign country. "Foreign national" does
2 20 not include a person who is a citizen of the United
2 21 States or who is a national of the United States.>
2 22 #4. Page 1, line 18, after <statement.> by inserting
2 23 <All statements and reports required by this section
2 24 shall be filed as an electronic mail attachment, or
2 25 electronic filing as prescribed by rule.>
2 26 #5. Page 1, by striking lines 19 through 23 and
2 27 inserting:
2 28 <a. ~~The requirement to file an independent~~
2 29 ~~expenditure statement under this section does not~~
2 30 ~~by itself mean that~~ Subject to paragraph "b", the
2 31 person filing the independent expenditure statement
2 32 is required to register and shall file reports
2 33 under sections ~~68A.201 and 68A.402~~ and 68A.402A. An
2 34 initial report shall be filed at the same time as the
2 35 independent expenditure statement. Subsequent reports
2 36 shall be filed according to the same schedule as the
2 37 office or election to which the independent expenditure
2 38 was directed.
2 39 (1) A supplemental report shall be filed after a
2 40 primary or general election if the person making the
2 41 independent expenditure either raises or expends more
2 42 than one thousand dollars.
2 43 (2) A report filed as a result of this paragraph
2 44 "a" shall not require the identification of individual
2 45 members who pay dues to a labor union, organization, or
2 46 association, or individual stockholders of a publicly
2 47 traded business corporation.
2 48 #6. Page 1, line 31, after <aggregate> by inserting
2 49 <, or within forty-eight hours of disseminating the
2 50 communication to its intended audience, whichever is



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Senate Amendment 5135 continued

3 1 earlier. For purposes of this section, an independent
3 2 expenditure is made when the independent expenditure
3 3 communication is purchased or ordered regardless
3 4 of whether or not the person making the independent
3 5 expenditure has been billed for the cost of the
3 6 independent expenditure.>
3 7 #7. Page 2, after line 19 by inserting:
3 8 <g. A certification that the board of directors,
3 9 executive council, or similar organizational leadership
3 10 body expressly authorized the independent expenditure
3 11 or use of treasury funds for the independent
3 12 expenditure by resolution or other affirmative
3 13 action within the calendar year when the independent
3 14 expenditure was incurred.>
3 15 #8. Page 2, line 25, by striking <the subject of>
3 16 and inserting <benefited by>
3 17 #9. By striking page 3, line 31, through page 4,
3 18 line 5, and inserting:
3 19 <f. If the person responsible is a corporation,
3 20 the words "paid for by", the name and address of
3 21 the corporation, and the name and title of the
3 22 corporation's chief executive officer shall appear on
3 23 the material.>
3 24 #10. Page 4, after line 9 by inserting:
3 25 <h. If the published material is the result of an
3 26 independent expenditure subject to section 68A.404, the
3 27 published material shall include a statement that the
3 28 published material was not authorized by any candidate,
3 29 candidate's committee, or ballot issue committee.>
3 30 #11. Page 6, after line 26 by inserting:
3 31 <Sec. ____ . EMERGENCY RULES. The board shall adopt
3 32 emergency rules under section 17A.4, subsection 3,
3 33 and section 17A.5, subsection 2, paragraph "b", to
3 34 implement the provisions of this Act and the rules
3 35 shall be effective immediately upon filing unless
3 36 a later date is specified in the rules. Any rules
3 37 adopted in accordance with this section shall also be
3 38 published as a notice of intended action as provided
3 39 in section 17A.4.
3 40 Sec. ____ . EFFECTIVE UPON ENACTMENT. This Act,
3 41 being deemed of immediate importance, takes effect upon
3 42 enactment.>
3 43 #12. Title page, line 3, by striking <and>
3 44 #13. Title page, line 3, after <applicable> by
3 45 inserting <, and including effective date provisions>
3 46 #14. By renumbering as necessary.

JEFF DANIELSON
SF2354.1442 (2) 83
jr/rj



**Iowa General Assembly
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Senate Amendment 5136

PAG LIN

1 1 Amend Senate File 2366 as follows:

1 2 #1. Page 2, line 12, by striking <864,048> and

1 3 inserting <764,048>

1 4 #2. Page 2, line 16, by striking <343,179> and

1 5 inserting <543,179>

1 6 #3. Page 2, line 20, by striking <2,750,762> and

1 7 inserting <2,650,762>

1 8 #4. Page 6, line 7, after <corrections> by inserting

1 9 <and to the department of inspections and appeals for

1 10 the office of the state public defender>

1 11 #5. Page 10, after line 2 by inserting:

1 12 <TRANSFERS

1 13 Sec. ____ . COLLEGE STUDENT AID COMMISSION.

1 14 1. Notwithstanding section 261.20, for the fiscal

1 15 year beginning July 1, 2009, and ending June 30, 2010,

1 16 the following amounts are transferred for distribution

1 17 to appropriations as provided in subsection 2:

1 18 a. From the scholarship and tuition grant reserve

1 19 fund created in section 261.20:

1 20 \$ 514,180

1 21 b. From moneys from the tuition grant program,

1 22 not=for=profit, that would otherwise be deposited in

1 23 the scholarship and tuition grant reserve fund:

1 24 \$ 228,490

1 25 2. The moneys transferred pursuant to subsection

1 26 1 are distributed after applying the reductions made

1 27 pursuant to executive order number 19 issued October

1 28 8, 2009, as follows:

1 29 a. For the Iowa national guard educational

1 30 assistance program appropriation made in 2009 Iowa

1 31 Acts, chapter 177, section 2, subsection 4:

1 32 \$ 241,120

1 33 b. For the all Iowa opportunity scholarship program

1 34 appropriation made in 2009 Iowa Acts, chapter 177,

1 35 section 2, subsection 6:

1 36 \$ 250,254

1 37 c. For the vocational=technical tuition grants

1 38 appropriation made in section 261.25, subsection 3:

1 39 \$ 251,296

1 40 Sec. ____ . DEPARTMENT OF INSPECTIONS AND

1 41 APPEALS. There is transferred from the Medicaid fraud

1 42 account created in section 249A.7 under the department

1 43 of inspections and appeals for the fiscal year

1 44 beginning July 1, 2009, and ending June 30, 2010, after

1 45 applying the reduction made pursuant to executive order

1 46 number 19 issued October 8, 2009, to the following

1 47 appropriation:

1 48 For the investigations division of the department of

1 49 inspections and appeals in 2009 Iowa Acts, chapter 181,

1 50 section 13, subsection 3:



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Senate Amendment 5136 continued

2 1 \$ 747,037
 2 2 Sec. ____ EFFECTIVE DATE == APPLICABILITY. This
 2 3 section of this division of this Act providing for
 2 4 transfers involving the college student aid commission
 2 5 and the department of inspections and appeals are
 2 6 retroactively applicable to December 14, 2009, and
 2 7 apply in lieu of the transfers made for the same
 2 8 purposes by the executive branch, as reported by the
 2 9 department of management in the transfer notices dated
 2 10 December 14, 2009.>
 2 11 #6. Page 13, line 7, by striking <2009> and
 2 12 inserting <2008>
 2 13 #7. Page 13, after line 12 by inserting:
 2 14 <DIVISION ____
 2 15 HUMAN SERVICES NURSING
 2 16 FACILITY REIMBURSEMENT
 2 17 Sec. ____ 2001 Iowa Acts, chapter 192, section 4,
 2 18 subsection 4, as amended by 2008 Iowa Acts chapter
 2 19 1187, section 33, as amended by 2009 Iowa Acts, chapter
 2 20 182, section 33, is amended by adding the following new
 2 21 paragraph:
 2 22 NEW PARAGRAPH. i. Pay=for=performance payments
 2 23 shall not be made under this subsection until such
 2 24 time as sufficient funding is available to implement
 2 25 the subsection, as determined by the director of the
 2 26 department of human services.
 2 27 Sec. ____ NURSING FACILITY REIMBURSEMENT AND
 2 28 PAYMENT PROCEDURES. Notwithstanding the administrative
 2 29 rule changes made by the department of human services
 2 30 pursuant to executive order number 19 issued October
 2 31 8, 2009, relating to nursing facility payment
 2 32 procedures, the department shall reinstitute or
 2 33 adopt administrative rules to provide for all of the
 2 34 following:
 2 35 1. For purposes of computation of administrative,
 2 36 environmental, and property expenses, for nonstate
 2 37 owned nursing facilities, patient days shall be
 2 38 inpatient days as determined by 441 IAC 81.6(7), or
 2 39 85 percent of the licensed capacity of the facility,
 2 40 whichever is greater.
 2 41 2. For purposes of calculation of the capital
 2 42 cost per diem instant relief add-on pursuant to 441
 2 43 IAC 81.6(16)(h)(9) the total patient days shall be
 2 44 determined using the most current submitted financial
 2 45 and statistical report or using the estimated total
 2 46 patient days as reported in the request for the add-on.
 2 47 For purposes of calculating the add-on, total patient
 2 48 days shall be the greater of the estimated annual total
 2 49 patient days or 85 percent of the facility's estimated
 2 50 licensed capacity.



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Senate Amendment 5136 continued

3 1 3. For purposes of reconciliation of the capital
3 2 cost per diem instant relief add-on pursuant to 441
3 3 IAC 81.6(16)(h)(12), for purposes of recalculating
3 4 the capital cost per diem instant relief add-on,
3 5 total patient days shall be based on the greater of
3 6 the number of actual patient days during the period
3 7 in which the add-on was paid or 85 percent of the
3 8 facility's actual licensed bed capacity during the
3 9 period in which the add-on was paid.

3 10 4. For purposes of periods authorized for payment
3 11 pursuant to 441 IAC 81.10(4), a facility shall hold
3 12 or reserve a bed for periods the resident is absent
3 13 overnight for purposes of hospitalization or prescribed
3 14 therapeutic leave, not to exceed 18 calendar days in
3 15 any calendar year for prescribed therapeutic leave and
3 16 not to exceed 10 days in any calendar month due to
3 17 hospitalization. Beginning December 1, 2009, payment
3 18 shall not be authorized for reserve or bed hold days
3 19 and the facility shall no longer count nonpaid reserve
3 20 or bed hold days in calculating inpatient days for
3 21 payment at new rates. A medical assistance program
3 22 payment to the facility shall not be initiated while a
3 23 resident is on reserve bed days due to hospitalization
3 24 unless the person was residing in the facility as a
3 25 private pay resident prior to the hospitalization and
3 26 returns to the facility as a medical assistance program
3 27 recipient resident.

3 28 Sec. ____ . DEPARTMENT OF HUMAN
3 29 SERVICES. Notwithstanding any provision to the
3 30 contrary and subject to the availability of funds,
3 31 there is appropriated from the quality assurance
3 32 trust fund created pursuant to section 249L.4, to
3 33 the department of human services for the fiscal year
3 34 beginning July 1, 2009, and ending June 30, 2010, no
3 35 more than the following amount or so much thereof as is
3 36 necessary to supplement the appropriations made for the
3 37 following designated purposes:

3 38 To supplement the appropriation made for medical
3 39 assistance in 2009 Iowa Acts, chapter 182, section 9,
3 40 to be used for nursing facility reimbursement under
3 41 the medical assistance program, in accordance with
3 42 2009 Iowa Acts, chapter 182, section 32, subsection 1,
3 43 paragraph "a", and this division of this Act, and to
3 44 institute the administrative rules changes as directed
3 45 in this division of this Act:
3 46 \$ 2,300,000

3 47 The department shall determine the amount of the
3 48 5 percent reduction that can be restored, up to 2
3 49 percent, within the amount of funds available in the
3 50 trust fund during the fiscal period specified, and



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Senate Amendment 5136 continued

4 1 shall adjust rates accordingly.
4 2 Sec. ____ CONTINGENT IMPLEMENTATION ==
4 3 NOTIFICATION.
4 4 1. Implementation of this division of this Act
4 5 is contingent upon the department of human services
4 6 receiving approval of the waivers and the medical
4 7 assistance state plan amendment by the centers for
4 8 Medicare and Medicaid services of the United States
4 9 department of health and human services relating to
4 10 the quality assurance assessment created in chapter
4 11 249L. The department of human services shall notify
4 12 the chairpersons and ranking members of the joint
4 13 appropriations subcommittee on health and human
4 14 services, the legislative services agency, and
4 15 the legislative caucus staffs upon receipt of such
4 16 approval.
4 17 2. The costs associated with implementation of
4 18 this Act shall be funded exclusively through moneys
4 19 appropriated from the quality assurance trust fund,
4 20 and shall result in budget neutrality to the general
4 21 fund of the state for the fiscal year beginning July 1,
4 22 2009, and ending June 30, 2010.>
4 23 #8. Title page, line 1, after <Act> by inserting
4 24 <relating to public funding and regulatory matters and>
4 25 #9. Title page, line 3, after <date> by inserting
4 26 <and retroactive applicability>
4 27 #10. By renumbering as necessary.

ROBERT E. DVORSKY
SF2366.1518 (1) 83
jp/tm



Iowa General Assembly
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Senate Amendment 5137

PAG LIN

1 1 Amend the amendment, S=5122, to Senate File 2316 as
1 2 follows:
1 3 #1. Page 1, by striking lines 31 and 32 and
1 4 inserting:
1 5 <____. Page 3, by striking lines 17 through 19.>
1 6 #2. Page 1, line 35, by striking <4.> and inserting
1 7 <3.>
1 8 #3. Page 1, by striking line 42 and inserting
1 9 <department.
1 10 4. a. This section shall not apply if a two=tenths
1 11 percent flood plain is not identified on a flood
1 12 insurance rate map certified by the federal emergency
1 13 management agency or on a map developed or approved by
1 14 the department.
1 15 b. This section shall not apply to a facility if
1 16 an application is pending for an amendment or revision
1 17 to a flood insurance rate map certified by the federal
1 18 emergency management agency on the basis that the
1 19 facility is not within the two=tenths percent flood
1 20 plain. >>

ROBERT M. HOGG
SF2316.1478 (3) 83
tm/rj



Iowa General Assembly
Daily Bills, Amendments & Study Bills
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Senate Amendment 5138

PAG LIN

1 1 Amend Senate File 2354 as follows:

1 2 #1. Page 1, before line 1 by inserting:

1 3 <Section 1. Section 68A.402A, subsection 1,
1 4 paragraph d, Code 2009, is amended to read as follows:

1 5 d. The name and mailing address of each person
1 6 who has made one or more in-kind contributions to
1 7 the committee when the aggregate market value of the
1 8 in-kind contributions in a calendar year exceeds the
1 9 applicable amount specified in paragraph "b". In-kind
1 10 contributions shall be designated on a separate
1 11 schedule from schedules showing contributions of money
1 12 and shall identify the nature of the contribution and
1 13 provide its estimated fair market value. A committee
1 14 receiving an in-kind contribution shall report the
1 15 estimated fair market value of the in-kind contribution
1 16 at the time it is provided to the committee. A person
1 17 providing an in-kind contribution to a committee shall
1 18 notify the committee of the estimated fair market
1 19 value of the in-kind contribution at the time the
1 20 in-kind contribution is provided to the committee. For
1 21 purposes of this section, the estimated fair market
1 22 value of the in-kind contribution shall be reported
1 23 regardless of whether the person has been billed for
1 24 the cost of the in-kind contribution.

1 25 Sec. _____. Section 68A.402B, Code 2009, is amended
1 26 by adding the following new subsection:

1 27 NEW SUBSECTION. 3. If a person who files an
1 28 independent expenditure statement and a disclosure
1 29 report, pursuant to section 68A.404, determines
1 30 that the person will no longer make an independent
1 31 expenditure, the person shall notify the board within
1 32 thirty days following such determination by filing a
1 33 termination report on forms prescribed by the board.>

1 34 #2. Page 1, line 5, by striking <one hundred> and
1 35 inserting <one hundred seven hundred fifty>

1 36 #3. Page 1, by striking lines 11 through 15 and
1 37 inserting:

1 38 <2.a. An entity, other than an individual or
1 39 individuals, shall not make an independent expenditure
1 40 or disburse funds from its treasury to pay for, in
1 41 whole or in part, an independent expenditure made by
1 42 another person without the authorization of a majority
1 43 of the entity's board of directors, executive council,
1 44 or similar organizational leadership body of the
1 45 use of treasury funds for an independent expenditure
1 46 involving a candidate or ballot issue committee. Such
1 47 authorization must occur in the same calendar year in
1 48 which the independent expenditure is incurred.

1 49 b. Such authorization shall expressly provide
1 50 whether the board of directors, executive council,



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Senate Amendment 5138 continued

2 1 or similar organizational leadership body authorizes
2 2 one or more independent expenditures that expressly
2 3 advocate the nomination or election of a candidate or
2 4 passage of a ballot issue or authorizes one or more
2 5 independent expenditures that expressly advocate the
2 6 defeat of a candidate or ballot issue.
2 7 c. A foreign national shall not make an independent
2 8 expenditure, directly or indirectly, that advocates
2 9 the nomination, election, or defeat of any candidate
2 10 or the passage or defeat of any ballot issue. As used
2 11 in this section, "foreign national" means a person
2 12 who is not a citizen of the United States and who
2 13 is not lawfully admitted for permanent residence.
2 14 "Foreign national" includes a foreign principal, such
2 15 as a government of a foreign country or a foreign
2 16 political party, partnership, association, corporation,
2 17 organization, or other combination of persons that has
2 18 its primary place of business in or is organized under
2 19 the laws of a foreign country. "Foreign national" does
2 20 not include a person who is a citizen of the United
2 21 States or who is a national of the United States.>
2 22 #4. Page 1, line 18, after <statement.> by inserting
2 23 <All statements and reports required by this section
2 24 shall be filed in an electronic format as prescribed
2 25 by rule.>
2 26 #5. Page 1, by striking lines 19 through 23 and
2 27 inserting:
2 28 <a. ~~The requirement to file an independent~~
2 29 ~~expenditure statement under this section does not~~
2 30 ~~by itself mean that~~ Subject to paragraph "b", the
2 31 person filing the independent expenditure statement
2 32 is required to register and shall file reports
2 33 under sections ~~68A.201 and 68A.402~~ and 68A.402A. An
2 34 initial report shall be filed at the same time as the
2 35 independent expenditure statement. Subsequent reports
2 36 shall be filed according to the same schedule as the
2 37 office or election to which the independent expenditure
2 38 was directed.
2 39 (1) A supplemental report shall be filed on the
2 40 same dates as in section 68A.402, subsection 2,
2 41 paragraph "b", if the person making the independent
2 42 expenditure either raises or expends more than one
2 43 thousand dollars.
2 44 (2) A report filed as a result of this paragraph
2 45 "a" shall not require the identification of individual
2 46 members who pay dues to a labor union, organization, or
2 47 association, or individual stockholders of a publicly
2 48 traded business corporation. A report filed as a
2 49 result of this paragraph "a" shall not require the
2 50 disclosure of any donor or other source of funding to



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3 1 the person making the independent expenditure except
3 2 when the donation or source of funding, or a portion of
3 3 the donation or source of funding, was provided for the
3 4 purpose of furthering the independent expenditure.>
3 5 #6. Page 1, line 31, after <aggregate> by inserting
3 6 <, or within forty-eight hours of disseminating the
3 7 communication to its intended audience, whichever is
3 8 earlier. For purposes of this section, an independent
3 9 expenditure is made when the independent expenditure
3 10 communication is purchased or ordered regardless
3 11 of whether or not the person making the independent
3 12 expenditure has been billed for the cost of the
3 13 independent expenditure>
3 14 #7. Page 2, after line 19 by inserting:
3 15 <g. A certification that the board of directors,
3 16 executive council, or similar organizational leadership
3 17 body expressly authorized the independent expenditure
3 18 or use of treasury funds for the independent
3 19 expenditure by resolution or other affirmative
3 20 action within the calendar year when the independent
3 21 expenditure was incurred.>
3 22 #8. Page 2, line 25, by striking <the subject of>
3 23 and inserting <benefited by>
3 24 #9. By striking page 3, line 31, through page 4,
3 25 line 5, and inserting:
3 26 <f. If the person responsible is a corporation,
3 27 the words "paid for by", the name and address of
3 28 the corporation, and the name and title of the
3 29 corporation's chief executive officer shall appear on
3 30 the material.>
3 31 #10. Page 4, after line 9 by inserting:
3 32 <h. If the published material is the result of an
3 33 independent expenditure subject to section 68A.404, the
3 34 published material shall include a statement that the
3 35 published material was not authorized by any candidate,
3 36 candidate's committee, or ballot issue committee.>
3 37 #11. Page 6, after line 26 by inserting:
3 38 <Sec. __. EMERGENCY RULES. The board shall adopt
3 39 emergency rules under section 17A.4, subsection 3,
3 40 and section 17A.5, subsection 2, paragraph "b", to
3 41 implement the provisions of this Act and the rules
3 42 shall be effective immediately upon filing unless
3 43 a later date is specified in the rules. Any rules
3 44 adopted in accordance with this section shall also be
3 45 published as a notice of intended action as provided
3 46 in section 17A.4.
3 47 Sec. __. EFFECTIVE UPON ENACTMENT. This Act,
3 48 being deemed of immediate importance, takes effect upon
3 49 enactment.>
3 50 #12. Title page, line 3, by striking <and>



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Senate Amendment 5138 continued

- 4 1 #13. Title page, line 3, after <applicable> by
- 4 2 inserting <, and including effective date provisions>
- 4 3 #14. By renumbering as necessary.

JEFF DANIELSON
SF2354.1527 (5) 83
jr/rj



Iowa General Assembly
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Senate Amendment 5139

PAG LIN

1 1 Amend House File 758, as passed by the House, as
1 2 follows:
1 3 #1. Page 1, after line 30 by inserting:
1 4 <1A. The amount of damages recoverable under
1 5 this section in a lawsuit filed against a hospital
1 6 designated as a critical access hospital pursuant to 42
1 7 U.S.C. { 1395i-4 shall not exceed one million dollars.}>
1 8 #2. By renumbering as necessary.

DAVID L. HARTSUCH
HF758.1512 (2) 83
rh/rj



Iowa General Assembly
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Senate Amendment 5140

PAG LIN

1 1 Amend House File 2456, as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. By striking page 1, line 34, through page 2,
1 4 line 6.
1 5 #2. By renumbering as necessary.

PAM JOCHUM
HF2456.1528 (1) 83
dea/nh



Iowa General Assembly
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Senate Amendment 5141

PAG LIN

1 1 Amend the amendment, S=5126, to Senate File 2357 as
1 2 follows:
1 3 #1. Page 2, after line 47 by inserting:
1 4 <6. If a firearm, offensive weapon, or ammunition
1 5 has been transferred to a qualified person pursuant
1 6 to subsection 4 and the protective order described
1 7 in subsection 2 is no longer in effect, the firearm,
1 8 offensive weapon, or ammunition shall be returned to
1 9 the person who was subject to the protective order
1 10 within five days of that person's request to have the
1 11 firearm, offensive weapon, or ammunition returned.>
1 12 #2. By renumbering as necessary.

DAVID L. HARTSUCH

JAMES A. SEYMOUR

JERRY BEHN

PAUL MCKINLEY

BRAD ZAUN

NANCY J. BOETTGER

KIM REYNOLDS

DAVID JOHNSON

LARRY NOBLE

PAT WARD



**Iowa General Assembly
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MERLIN BARTZ

JAMES F. HAHN
SF2357.1489 (2) 83
rh/rj



Iowa General Assembly
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Senate Amendment 5142

PAG LIN

1 1 Amend the amendment, S=5126, to Senate File 2357 as
1 2 follows:
1 3 #1. Page 1, line 49, by striking <class "D" felony>
1 4 and inserting <simple misdemeanor>

DAVID L. HARTSUCH

JAMES A. SEYMOUR

JERRY BEHN

PAUL MCKINLEY

BRAD ZAUN

NANCY J. BOETTGER

KIM REYNOLDS

DAVID JOHNSON

STEVE KETTERING

JAMES F. HAHN
SF2357.1490 (2) 83
rh/rj



Iowa General Assembly
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Senate Amendment 5143

PAG LIN

1 1 Amend House File 2284, as passed by the House, as
 1 2 follows:
 1 3 #1. By striking page 1, line 25, through page 4,
 1 4 line 22, and inserting:
 1 5 <Sec. _____. Section 154.1, Code 2009, is amended by
 1 6 adding the following new subsection:
 1 7 NEW SUBSECTION. 5. Beginning July 1, 2012,
 1 8 all licensed optometrists shall meet requirements
 1 9 established by the board by rule to employ diagnostic
 1 10 and therapeutic pharmaceutical agents for the practice
 1 11 of optometry. All licensees practicing optometry in
 1 12 this state shall have demonstrated qualifications
 1 13 and obtained certification to use diagnostic and
 1 14 therapeutic pharmaceutical agents as a condition of
 1 15 license renewal.>
 1 16 #2. Page 4, by striking lines 23 through 30.
 1 17 #3. Page 5, by striking lines 10 through 21 and
 1 18 inserting:
 1 19 <2. The number of instructors for each school
 1 20 shall be based upon total enrollment, with a minimum
 1 21 of ~~two instructors~~ one licensed instructor employed on
 1 22 a full-time basis for up to ~~thirty~~ fifteen students
 1 23 and an additional licensed instructor for each fifteen
 1 24 additional students. ~~However, a school operated by an~~
 1 25 ~~area community college prior to September 1, 1982, with~~
 1 26 ~~only one instructor per fifteen students is not subject~~
 1 27 ~~to this paragraph and may continue to operate with~~
 1 28 ~~the ratio of one instructor to fifteen students. A~~
 1 29 student instructor shall not be used to meet licensed
 1 30 instructor to student ratios.>
 1 31 #4. Page 6, by striking lines 12 and 13.
 1 32 #5. Title page, by striking lines 4 and 5 and
 1 33 inserting <and barbering licensure.>

COMMITTEE ON HUMAN RESOURCESAMANDA RAGAN, CHAIRPERSON
 HF2284.1544 (1) 83
 nh/nh



Iowa General Assembly
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Senate Amendment 5144

PAG LIN

1 1 Amend the amendment, S=5126, to Senate File 2357 as
1 2 follows:
1 3 #1. Page 1, after line 30 by inserting:
1 4 <Sec. ____ Section 708.7, subsection 1, paragraph
1 5 a, Code Supplement 2009, is amended by adding the
1 6 following new subparagraph:
1 7 NEW SUBPARAGRAPH. (5) Knowingly provides false or
1 8 misleading information in order to procure a protective
1 9 order referred to in section 724.26, subsection 2.>
1 10 #2. Page 1, line 44, after <2.> by inserting <a.>
1 11 #3. Page 1, after line 49 by inserting:
1 12 <b. Except as provided in paragraph "c", a person
1 13 who knowingly provides false or misleading information
1 14 in order to procure a protective order referred to
1 15 in this subsection shall, in addition to any other
1 16 penalty, be guilty of harassment pursuant to section
1 17 708.7.
1 18 c. A person who knowingly provides false or
1 19 misleading information in order to procure a protective
1 20 order referred to in this subsection that results in
1 21 the deprivation of a firearm, offensive weapon, or
1 22 ammunition necessary for the person who is the subject
1 23 of the protective order to maintain the person's
1 24 livelihood and the person providing such false or
1 25 misleading information could have reasonably foreseen
1 26 the loss of the other person's livelihood shall,
1 27 in addition to any other penalty, be guilty of a
1 28 fraudulent practice in the first degree as defined in
1 29 section 714.9.>
1 30 #4. By renumbering as necessary.

DAVID L. HARTSUCH
SF2357.1541 (2) 83
rh/rj



Iowa General Assembly
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Senate Amendment 5145

PAG LIN

1 1 Amend House File 2197, as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. Page 1, line 9, after <Day> by inserting <,
1 4 unless providing time off would impact public health
1 5 or safety or would cause the employer to experience
1 6 significant economic or operational disruption>
1 7 #2. Page 1, line 10, after <3.> by inserting <a.>
1 8 #3. Page 1, after line 16 by inserting:
1 9 <b. The employer shall, at least ten days prior
1 10 to Veterans Day, notify the employee if the employee
1 11 shall be provided paid or unpaid time off on Veterans
1 12 Day. If the employer determines that the employer is
1 13 unable to provide time off for Veterans Day for all
1 14 employees who request time off, the employer shall deny
1 15 time off to the minimum number of employees needed by
1 16 the employer to protect public health and safety or to
1 17 maintain minimum operational capacity, as applicable.>
1 18 #4. By renumbering as necessary.

STEVEN SODDERS
HF2197.1570 (2) 83
ec/nh