

**House File 417 - Introduced**

HOUSE FILE 417  
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 161)

**A BILL FOR**

- 1 An Act relating to nonsubstantive Code corrections.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I

MISCELLANEOUS CHANGES

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Section 1. Section 8.6, subsection 8, Code 2013, is amended to read as follows:

8. *Rules.* To make such rules, subject to the approval of the governor, as may be necessary for effectively carrying on the work of the department of management. The director may, with the approval of the executive council, require any state official, agency, department, or commission, to require any applicant, registrant, filer, permit holder, or license holder, whether individual, partnership, trust, or corporation, to submit to said official, agency, department, or commission, the social security number or the tax number or both so assigned to said individual, partnership, trust, or corporation.

Sec. 2. Section 8.32, Code 2013, is amended to read as follows:

**8.32 Conditional availability of appropriations.**

1. All appropriations made to any department or establishment of the government as receive or collect moneys available for expenditure by them under present laws, are declared to be in addition to such repayment receipts, and such appropriations are to be available as and to the extent that such receipts are insufficient to meet the costs of administration, operation, and maintenance, or public improvements of such departments:

a. Provided, that such receipts or collections shall be deposited in the state treasury as part of the general fund or special funds in all cases, except those collections made by the state fair board, the institutions under the state board of regents, and the natural resource commission.

b. Provided further, that no repayment receipts shall be available for expenditures until allotted as provided in section 8.31; and

c. Provided further, that the collection of repayment receipts by the state fair board and the institutions under

1 the state board of regents shall be deposited in a bank or  
2 banks duly designated and qualified as state depositories, in  
3 the name of the state of Iowa, for the use of such boards and  
4 institutions, and such funds shall be available only on the  
5 check of such boards or institutions depositing them, which  
6 are hereby authorized to withdraw such funds, but only after  
7 allotment by the governor as provided in section 8.31; and

8 d. Provided further, that this chapter shall not apply to  
9 endowment or private trust funds or to gifts to institutions  
10 owned or controlled by the state or to the income from such  
11 endowment or private trust funds, or to private funds belonging  
12 to students or inmates of state institutions.

13 2. The provisions of this chapter shall not be construed  
14 to prohibit the state fair board from creating an emergency  
15 or sinking fund out of the receipts of the state fair and  
16 state appropriation for the purpose of taking care of any  
17 emergency that might arise beyond the control of the board  
18 of not to exceed three hundred thousand dollars. Neither  
19 shall this chapter be construed to prohibit the state fair  
20 board from retaining an additional sum of not to exceed three  
21 hundred fifty thousand dollars to be used in carrying out the  
22 provisions of chapter 173.

23 Sec. 3. Section 8D.5, subsection 1, Code 2013, is amended  
24 to read as follows:

25 1. a. An education telecommunications council is  
26 established. The council consists of eighteen members and  
27 shall include the following: ~~two~~

28 (1) Two persons appointed by the state board of regents;  
29 ~~two.~~

30 (2) Two persons appointed by the Iowa association of  
31 community college trustees; ~~two.~~

32 (3) Two persons appointed by the area education agency  
33 boards; ~~two.~~

34 (4) Two persons appointed by the Iowa association of school  
35 boards; ~~two.~~

1     (5) Two persons appointed by the school administrators of  
2 Iowa; ~~two~~.

3     (6) Two persons appointed by the Iowa association of  
4 independent colleges and universities; ~~two~~.

5     (7) Two persons appointed by the Iowa state education  
6 association; ~~three~~.

7     (8) Three persons appointed by the director of the  
8 department of education including one person representing  
9 libraries and one person representing the Iowa association of  
10 nonpublic school administrators; ~~and one~~.

11    (9) One person appointed by the administrator of the public  
12 broadcasting division of the department of education.

13    b. The council shall establish scheduling and site usage  
14 policies for educational users of the network, coordinate the  
15 activities of the regional telecommunications councils, and  
16 develop proposed rules and changes to rules for recommendation  
17 to the commission. The council shall also recommend long-range  
18 plans for enhancements needed for educational applications.

19    c. Administrative support and staffing for the council shall  
20 be provided by the department of education.

21    Sec. 4. Section 15.107, subsection 5, paragraph a, Code  
22 2013, is amended to read as follows:

23    a. That the corporation ~~review~~ reviews and, at the board's  
24 direction, ~~implement~~ implements the applicable portions of the  
25 strategic plan developed by members of the authority pursuant  
26 to section 15.105.

27    Sec. 5. Section 16.6, subsection 2, Code 2013, is amended  
28 to read as follows:

29    2. The executive director shall advise the authority on  
30 matters relating to housing and housing finance, carry out  
31 all directives from the authority, and hire and supervise the  
32 authority's staff pursuant to its directions. All employees  
33 of the authority are exempt from the merit system provisions  
34 of chapter 8A, subchapter IV.

35    Sec. 6. Section 16.27, subsection 4, Code 2013, is amended

1 to read as follows:

2 4. The authority shall cause to be delivered to the  
3 legislative fiscal committee within ninety days of the close of  
4 its fiscal year its annual report certified by an independent  
5 certified public accountant, ~~{who may be the accountant or~~  
6 ~~a member of the firm of accountants who regularly audits~~  
7 ~~the books and accounts of the authority}~~, selected by the  
8 authority.

9 Sec. 7. Section 24.2, subsection 3, Code 2013, is amended  
10 to read as follows:

11 3. The words "*fiscal year*" shall mean the period of twelve  
12 months beginning on July 1 and ending on the thirtieth day of  
13 June. The fiscal year of cities, counties, and other political  
14 subdivisions of the state shall begin July 1 and end the  
15 following June 30.

16 ~~The fiscal year of cities, counties, and other political~~  
17 ~~subdivisions of the state shall begin July 1 and end the~~  
18 ~~following June 30.~~

19 Sec. 8. Section 28A.24, Code 2013, is amended to read as  
20 follows:

21 **28A.24 Exemption from taxation.**

22 Since an authority is performing essential governmental  
23 functions, an authority is not required to pay any taxes or  
24 assessments of any kind or nature upon any property required  
25 or used by it for its purposes, or any rates, fees, rentals,  
26 receipts, or incomes at any time received by it, and the  
27 bonds issued by an authority, their transfer, and the income,  
28 including any profits made on the sale of the bonds, is  
29 deductible in determining net income for the purposes of the  
30 state individual and corporate income tax under chapter 422,  
31 ~~divisions II and III of chapter 422,~~ and shall not be taxed by  
32 any political subdivision of this state.

33 Sec. 9. Section 28E.2, Code 2013, is amended to read as  
34 follows:

35 **28E.2 Definitions.**

1 For the purposes of this chapter, ~~the term "public agency":~~

2 1. "Private agency" shall mean an individual and any form of  
3 business organization authorized under the laws of this or any  
4 other state.

5 2. "Public agency" shall mean any political subdivision of  
6 this state; any agency of the state government or of the United  
7 States; and any political subdivision of another state. The  
8 term ~~"state"~~

9 3. "State" shall mean a state of the United States and the  
10 District of Columbia. ~~The term "private agency" shall mean an~~  
11 ~~individual and any form of business organization authorized~~  
12 ~~under the laws of this or any other state.~~

13 Sec. 10. Section 29A.15, Code 2013, is amended to read as  
14 follows:

15 **29A.15 State awards and decorations.**

16 The adjutant general, from the funds appropriated for the  
17 support and maintenance of the national guard, shall procure  
18 and issue to the members of the national guard merit or  
19 service badges or other appropriate awards for service under  
20 regulations and according to the design and pattern determined  
21 by the adjutant general. Members of the national guard who,  
22 by order of the president, serve in federal forces during a  
23 national emergency, may count the period of that federal active  
24 duty toward the procurement of a service badge.

25 Sec. 11. Section 29C.17, subsection 2, unnumbered paragraph  
26 1, Code 2013, is amended to read as follows:

27 For the purposes consistent with this chapter, the local  
28 emergency management agency's approved budget shall be  
29 funded by one or any combination of the following options, as  
30 determined by the commission:

31 Sec. 12. Section 34A.6, subsection 1, Code 2013, is amended  
32 to read as follows:

33 1. Before a joint E911 service board may request imposition  
34 of the wire-line E911 service surcharge by the program manager,  
35 the board shall submit the following question to voters, as

1 provided in subsection 2, in the proposed E911 service area,  
2 and the question shall receive a favorable vote from a simple  
3 majority of persons submitting valid ballots on the following  
4 question within the proposed E911 service area:

5 Shall the following public measure be adopted?

6 YES . . . .

7 NO . . . .

8 Enhanced 911 emergency telephone service shall be funded,  
9 in whole or in part, by a monthly surcharge of (an amount  
10 determined by the local joint E911 service board of up to one  
11 dollar) on each telephone access line collected as part of each  
12 telephone subscriber's monthly phone bill if provided within  
13 (description of the proposed E911 service area).

14 Sec. 13. Section 34A.7A, subsection 2, paragraph b, Code  
15 2013, is amended to read as follows:

16 *b.* The program manager shall reimburse ~~communication~~  
17 communications service providers on a calendar quarter basis  
18 for carriers' eligible expenses for transport costs between the  
19 selective router and the public safety answering points related  
20 to the delivery of wireless E911 phase 1 services.

21 Sec. 14. Section 49.80, subsection 2, Code 2013, is amended  
22 to read as follows:

23 2. *a.* In case of any challenges of an elector at the  
24 time the person is offering to vote in a precinct, a precinct  
25 election official may place such person under oath and question  
26 the person as, ~~(a) where~~ to the following:

27 (1) Where the person maintains the person's home; ~~(b) how.~~

28 (2) How long the person has maintained the person's home at  
29 such place; ~~(c) if.~~

30 (3) If the person maintains a home at any other location;  
31 ~~(d) the.~~

32 (4) The person's age.

33 *b.* The precinct election official may permit the challenger  
34 to participate in such questions. The challenged elector shall  
35 be allowed to present to the official such evidence and facts

1 as the elector feels sustains the fact that the person is  
2 qualified to vote. Upon completion thereof, if the challenge  
3 is withdrawn, the elector may cast the vote in the usual  
4 manner. If the challenge is not withdrawn, section 49.81 shall  
5 apply.

6 Sec. 15. Section 50.20, Code 2013, is amended to read as  
7 follows:

8 **50.20 Notice of number of provisional ballots.**

9 The commissioner shall compile a list of the number of  
10 provisional ballots cast under section 49.81 in each precinct.  
11 The list shall be made available to the public as soon as  
12 possible, but in no case later than ~~nine o'clock~~ 9:00 a.m. on  
13 the second day following the election. Any elector may examine  
14 the list during normal office hours, and may also examine the  
15 affidavit envelopes bearing the ballots of challenged electors  
16 until the reconvening of the special precinct board as required  
17 by this chapter. Only those persons so permitted by section  
18 53.23, subsection 4, shall have access to the affidavits while  
19 that board is in session. Any elector may present written  
20 statements or documents, supporting or opposing the counting of  
21 any provisional ballot, at the commissioner's office until the  
22 reconvening of the special precinct board.

23 Sec. 16. Section 53.45, subsection 1, paragraph a,  
24 unnumbered paragraph 1, Code 2013, is amended to read as  
25 follows:

26 As provided in this section, the commissioner shall  
27 provide special absentee ballots to be used for state general  
28 elections. A special absentee ballot shall only be provided to  
29 an eligible elector who completes an application stating both  
30 of the following to the best of the eligible elector's belief:

31 Sec. 17. Section 68A.604, Code 2013, is amended to read as  
32 follows:

33 **68A.604 Funds.**

34 Any candidate for a partisan public office, except as  
35 otherwise provided by section 68A.103, subsection 2, may

1 receive campaign funds from the Iowa election campaign  
2 fund through the state central committee of the candidate's  
3 political party. However, the state central committee of  
4 each political party shall have discretion as to which of  
5 the party's candidates for public office shall be allocated  
6 campaign funds out of money received by that party from the  
7 Iowa election campaign fund.

8 Sec. 18. Section 88.8, subsection 2, Code 2013, is amended  
9 to read as follows:

10 2. *Noncompliance notice.* If the commissioner has reason to  
11 believe that an employer has failed to correct the violation  
12 for which a citation has been issued within the period  
13 permitted for its correction, ~~(which period shall not begin to~~  
14 ~~run until the entry of a final order by the appeal board in the~~  
15 ~~case of any review proceedings under this section initiated~~  
16 ~~by the employer in good faith and not solely for delay or~~  
17 ~~avoidance of penalties),~~ the commissioner shall notify the  
18 employer by service in the same manner as an original notice or  
19 by certified mail of the failure and of the penalty proposed  
20 to be assessed under section 88.14 by reason of the failure,  
21 and that the employer has fifteen working days within which to  
22 notify the commissioner that the employer wishes to contest  
23 the commissioner's notification or the proposed assessment of  
24 penalty. If, within fifteen working days from the receipt  
25 of notification issued by the commissioner, the employer  
26 fails to notify the commissioner that the employer intends to  
27 contest the notification or proposed assessment of penalty, the  
28 notification and assessment, as proposed, shall be deemed the  
29 final order of the appeal board and not subject to review by  
30 any court or agency.

31 Sec. 19. Section 88.19, Code 2013, is amended to read as  
32 follows:

33 **88.19 Annual report.**

34 Within one hundred twenty days following the convening  
35 of each session of each general assembly, the commissioner

1 shall prepare and submit to the governor for transmittal to  
2 the general assembly a report upon the subject matter of  
3 this chapter, the progress toward achievement of the purpose  
4 of this chapter, the needs and requirements in the field  
5 of occupational safety and health, and any other relevant  
6 information. ~~Such~~ The reports may include information  
7 regarding ~~occupational~~ the following:

8 1. Occupational safety and health standards, and criteria  
9 for such standards, developed during the preceding year;  
10 evaluation.

11 2. Evaluation of standards and criteria previously  
12 developed under this chapter, defining areas of emphasis for  
13 new criteria and standards; ~~evaluation.~~

14 3. Evaluation of the degree of observance of applicable  
15 occupational safety and health standards, and a summary of  
16 inspection and enforcement activity undertaken; ~~analysis.~~

17 4. Analysis and evaluation of research activities for  
18 which results have been obtained under governmental and  
19 nongovernmental sponsorship; ~~an.~~

20 5. An analysis of major occupational diseases; ~~evaluation.~~

21 6. Evaluation of available control and measurement  
22 technology for hazards for which standards or criteria have  
23 been developed during the preceding year; ~~a.~~

24 7. A description of cooperative efforts undertaken between  
25 government agencies and other interested parties in the  
26 implementation of this chapter during the preceding year; ~~a.~~

27 8. A progress report on the development of an adequate  
28 supply of trained personnel in the field of occupational safety  
29 and health, including estimates of future needs and the efforts  
30 being made by government and others to meet those needs; ~~a.~~

31 9. A listing of all toxic substances in industrial usage for  
32 which labeling requirements, criteria, or standards have not  
33 yet been established; ~~and such.~~

34 10. Such recommendations for additional legislation as are  
35 deemed necessary to protect the safety and health of the worker

1 and improve the administration of this chapter.

2 Sec. 20. Section 96.13, subsection 2, Code 2013, is amended  
3 to read as follows:

4 2. *Replenishment of lost funds.* If any moneys received  
5 after June 30, 1941, from the social security ~~board~~  
6 administration under Tit. III of the Social Security Act, or  
7 any unencumbered balances in the unemployment compensation  
8 administration fund as of that date, or any moneys granted  
9 after that date to this state pursuant to the provisions  
10 of the Wagner-Peyser Act, or any moneys made available by  
11 this state or its political subdivisions and matched by such  
12 moneys granted to this state pursuant to the provisions of  
13 the Wagner-Peyser Act, are found by the social security ~~board~~  
14 administration, because of any action or contingency, to  
15 have been lost or been expended for purposes other than or  
16 in amounts in excess of, those found necessary by the social  
17 security ~~board~~ administration for the proper administration of  
18 this chapter, it is the policy of this state that such moneys  
19 shall be replaced by moneys appropriated for such purpose  
20 from the general funds of this state to the unemployment  
21 compensation administration fund for expenditure as provided  
22 in subsection 1 of this section. Upon receipt of notice of  
23 such a finding by the social security ~~board~~ administration,  
24 the department shall promptly report the amount required for  
25 such replacement to the governor and the governor shall at  
26 the earliest opportunity, submit to the legislature a request  
27 for the appropriation of such amount. This subsection shall  
28 not be construed to relieve this state of its obligation with  
29 respect to funds received prior to July 1, 1941, pursuant to  
30 the provisions of Tit. III of the Social Security Act.

31 Sec. 21. Section 97C.12, Code 2013, is amended to read as  
32 follows:

33 **97C.12 Contribution fund.**

34 1. There is hereby established in the office of the  
35 treasurer of state a special fund to be known as the

1 contribution fund. Such fund shall consist of, and there shall  
2 be deposited in such fund: ~~(1) all~~

3 a. All taxes, interest, and penalties collected under  
4 sections 97C.5, 97C.10, and 97C.11; ~~(2) all.~~

5 b. All moneys appropriated thereto under this chapter; ~~(3)~~  
6 any.

7 c. Any property or securities and earnings thereof acquired  
8 through the use of moneys belonging to the fund; ~~(4) interest.~~

9 d. Interest earned upon any moneys in the fund; ~~and (5) all.~~

10 e. All sums recovered upon the bond of the custodian or  
11 otherwise for losses sustained by the fund and all other moneys  
12 received for the fund from any other source.

13 2. Subject to the provisions of this chapter, the state  
14 agency is vested with full power, authority and jurisdiction  
15 over the fund, including all moneys and property or securities  
16 belonging thereto, and may perform any and all acts whether  
17 or not specifically designated, which are necessary to the  
18 administration thereof and are consistent with the provisions  
19 of this chapter. All moneys in this fund shall be mingled and  
20 undivided.

21 Sec. 22. Section 123.30, subsection 2, Code 2013, is amended  
22 to read as follows:

23 2. ~~No~~ A liquor control license shall not be issued  
24 for premises which do not conform to all applicable laws,  
25 ordinances, resolutions, and health and fire regulations. ~~No~~  
26 ~~shall any~~ A licensee shall not have or maintain any interior  
27 access to residential or sleeping quarters unless permission is  
28 granted by the administrator in the form of a living quarters  
29 permit.

30 Sec. 23. Section 123.50, subsection 1, Code 2013, is amended  
31 to read as follows:

32 1. Any person who violates any of the provisions of section  
33 123.49, except section 123.49, subsection 2, paragraph "h",  
34 or who fails to affix upon sale, defaces, or fails to record  
35 a keg identification sticker or produce a record of keg

1 identification stickers pursuant to section 123.138, shall  
2 be guilty of a simple misdemeanor. A person who violates  
3 section 123.49, subsection 2, paragraph "h", commits a simple  
4 misdemeanor punishable as a scheduled violation under section  
5 805.8C, subsection 2.

6 Sec. 24. Section 123.145, Code 2013, is amended to read as  
7 follows:

8 **123.145 Labels on bottles, barrels, etc. — conclusive**  
9 **evidence.**

10 The label on any bottle, keg, barrel, or other container in  
11 which beer is offered for sale in this state, representing the  
12 alcoholic content of such beer as being in excess of five ~~per~~  
13 ~~centum~~ percent by weight shall be conclusive evidence as to the  
14 alcoholic content of the beer contained therein.

15 Sec. 25. Section 124.401, subsection 1, paragraph d, Code  
16 2013, is amended to read as follows:

17 *d.* Violation of this subsection, with respect to any other  
18 controlled substances, counterfeit substances, or simulated  
19 controlled substances classified in section 124.204, subsection  
20 4, paragraph "ai", or section 124.204, subsection 6, paragraph  
21 "i", or classified in schedule IV or V is an aggravated  
22 misdemeanor. However, violation of this subsection involving  
23 fifty kilograms or less of marijuana or involving flunitrazepam  
24 is a class "D" felony.

25 Sec. 26. Section 126.11, subsection 3, paragraph b, Code  
26 2013, is amended to read as follows:

27 *b.* A drug dispensed by filling or refilling a written,  
28 electronic, facsimile, or oral prescription of a practitioner  
29 licensed by law to administer the drug is exempt from section  
30 126.10, except section 126.10, subsection 1, paragraph "a"  
31 ~~and~~, section 126.10, paragraph "i", subparagraphs (2) and  
32 (3), and section 126.10, subsection 1, paragraphs "k" and "l",  
33 and the packaging requirements of section 126.10, subsection  
34 1, paragraphs "g", "h", and "p", if the drug bears a label  
35 containing the name and address of the dispenser, the date of

1 the prescription or of its filling, the name of the prescriber,  
2 and, if stated in the prescription, the name of the patient,  
3 and the directions for use and cautionary statements, if  
4 any, contained in the prescription. This exemption does not  
5 apply to a drug dispensed in the course of the conduct of the  
6 business of dispensing drugs pursuant to diagnosis by mail,  
7 or to a drug dispensed in violation of paragraph "a" of this  
8 subsection.

9 Sec. 27. Section 135.74, subsection 2, Code 2013, is amended  
10 to read as follows:

11 2. In establishing uniform methods of financial reporting,  
12 the department shall consider all of the following:

13 a. The existing systems of accounting and reporting  
14 currently utilized by hospitals and health care facilities~~;~~.

15 b. Differences among hospitals and health care facilities,  
16 respectively, according to size, financial structure, methods  
17 of payment for services, and scope, type and method of  
18 providing services~~;~~and.

19 c. Other pertinent distinguishing factors.

20 Sec. 28. Section 135.75, subsection 1, Code 2013, is amended  
21 to read as follows:

22 1. Each hospital and each health care facility shall  
23 annually, after the close of its fiscal year, file all of the  
24 following with the department:

25 a. A balance sheet detailing the assets, liabilities and net  
26 worth of the hospital or health care facility~~;~~.

27 b. A statement of its income and expenses~~;~~and.

28 c. Such other reports of the costs incurred in rendering  
29 services as the department may prescribe.

30 Sec. 29. Section 135.83, Code 2013, is amended to read as  
31 follows:

32 **135.83 Contracts for assistance with analyses, studies, and**  
33 **data.**

34 In furtherance of the department's responsibilities under  
35 sections 135.76 and 135.78, the director may contract with the

1 Iowa hospital association and third-party payers, the Iowa  
2 health care facilities association and third-party payers, or  
3 ~~the Iowa association of homes for the aging~~ leading age Iowa  
4 and third-party payers for the establishment of pilot programs  
5 dealing with prospective rate review in hospitals or health  
6 care facilities, or both. Such contract shall be subject to  
7 the approval of the executive council and shall provide for an  
8 equitable representation of health care providers, third-party  
9 payers, and health care consumers in the determination  
10 of criteria for rate review. No third-party payer shall  
11 be excluded from positive financial incentives based upon  
12 volume of gross patient revenues. No state or federal funds  
13 appropriated or available to the department shall be used for  
14 any such pilot program.

15 Sec. 30. Section 135.156, subsection 2, paragraph b,  
16 unnumbered paragraph 1, Code 2013, is amended to read as  
17 follows:

18 An executive committee of the ~~electronic health information~~  
19 advisory council is established. Members of the executive  
20 committee of the advisory council shall receive reimbursement  
21 for actual expenses incurred while serving in their official  
22 capacity only if they are not eligible for reimbursement by  
23 the organization that they represent. The executive committee  
24 shall consist of the following members:

25 Sec. 31. Section 135.156B, subsections 5 and 8, Code 2013,  
26 are amended to read as follows:

27 5. Apply for, acquire by gift or purchase, and hold,  
28 dispense, or dispose of funds and real or personal property  
29 from any person, governmental entity, or organization in the  
30 exercise of ~~its~~ the department's powers or performance of ~~its~~  
31 the department's duties in accordance with this division.

32 8. Execute all instruments necessary or incidental to the  
33 performance of ~~its~~ the department's duties and the execution of  
34 ~~its~~ the department's powers under this division.

35 Sec. 32. Section 135C.2, subsection 5, paragraph a, Code

1 2013, is amended to read as follows:

2     *a.* A facility provider under the special classification  
3 must comply with rules adopted by the department for the  
4 special classification. However, a facility provider which has  
5 been accredited by the ~~accreditation~~ council ~~for services to~~  
6 ~~persons with an intellectual disability and other developmental~~  
7 ~~disabilities~~ on quality and leadership shall be deemed to be in  
8 compliance with the rules adopted by the department.

9     Sec. 33. Section 135C.6, subsection 3, Code 2013, is amended  
10 to read as follows:

11     3. No change in a health care facility, its operation,  
12 program, or services, of a degree or character affecting  
13 continuing ~~licensability~~ licensure shall be made without prior  
14 approval thereof by the department. The department may by rule  
15 specify the types of changes which shall not be made without  
16 its prior approval.

17     Sec. 34. Section 135C.6, subsection 8, paragraph *c*,  
18 unnumbered paragraph 1, Code 2013, is amended to read as  
19 follows:

20     A residential program approved by the department of human  
21 services pursuant to this paragraph "*c*" to receive moneys  
22 appropriated to the department of human services under  
23 provisions of a federally approved home and community-based  
24 services waiver for persons with an intellectual ~~disabilities~~  
25 disability may provide care to not more than five individuals.  
26 The department shall approve a residential program under this  
27 paragraph that complies with all of the following conditions:

28     Sec. 35. Section 138.13, subsection 2, paragraph *m*, Code  
29 2013, is amended to read as follows:

30     *m.* When a camp is operated during a season requiring  
31 artificial heating, living quarters with a minimum of one  
32 hundred square feet per occupant shall be provided and such  
33 living quarters or shelters shall, also, be provided with  
34 properly installed heating equipment of adequate capacity  
35 to maintain a room temperature of at least 70 degrees F

1 Fahrenheit. A stove or other source of heat shall be installed  
2 and vented in a manner to avoid both a fire hazard and a  
3 concentration of fumes or gas within such living quarters and  
4 shelters. In a room with wooden or combustible flooring, there  
5 shall be a concrete slab, metal sheet, or other fire-resistant  
6 material, on the floor under each stove, extending at least  
7 eighteen inches beyond the perimeter of the base of the stove.  
8 Any wall or ceiling not having a fire-resistant surface, within  
9 twenty-four inches of a stove or stovepipe, shall be protected  
10 by a metal sheet or other fire-resistant material. Heating  
11 appliances, other than electrical, shall be provided with a  
12 stovepipe or vent connected to the appliance and discharging to  
13 the outside air or chimney. The vent or chimney shall extend  
14 above the peak of the roof. Stovepipes shall be insulated  
15 with fire-resistant material where they pass through walls,  
16 ceilings, or floors.

17 Sec. 36. Section 138.13, subsection 6, paragraph d, Code  
18 2013, is amended to read as follows:

19 *d.* Every service building used during periods requiring  
20 artificial heating shall be provided with equipment capable  
21 of maintaining a room temperature of at least 70 degrees F  
22 Fahrenheit.

23 Sec. 37. Section 144A.2, subsection 8, Code 2013, is amended  
24 to read as follows:

25 8. *a.* "*Life-sustaining procedure*" means any medical  
26 procedure, treatment, or intervention, including resuscitation,  
27 which meets both of the following requirements:

28 *a.* (1) Utilizes mechanical or artificial means to sustain,  
29 restore, or supplant a spontaneous vital function.

30 *b.* (2) When applied to a patient in a terminal condition,  
31 would serve only to prolong the dying process.

32 *b.* "*Life-sustaining procedure*" does not include the  
33 provision of nutrition or hydration except when required  
34 to be provided parenterally or through intubation or the  
35 administration of medication or performance of any medical

1 procedure deemed necessary to provide comfort care or to  
2 alleviate pain.

3 Sec. 38. Section 163.26, Code 2013, is amended to read as  
4 follows:

5 **163.26 Definition.**

6 For the purposes of this subchapter, "*garbage*" means  
7 putrescible animal and vegetable wastes resulting from the  
8 handling, preparation, cooking, and consumption of foods,  
9 including animal carcasses or parts. "*Garbage*" includes all  
10 waste material, by-products of a kitchen, restaurant, hotel,  
11 or slaughterhouse, every refuse accumulation of animal,  
12 fruit, or vegetable matter, liquids or otherwise, or grain not  
13 consumed, that is collected from hog sales pen floors in public  
14 stockyards. Animals or parts of animals, which are processed  
15 by slaughterhouses or rendering establishments, and which as  
16 part of the processing are heated to not less than 212 degrees  
17 ~~F.~~ Fahrenheit for thirty minutes, are not garbage for purposes  
18 of this chapter.

19 Sec. 39. Section 176A.10, subsection 2, Code 2013, is  
20 amended to read as follows:

21 2. An extension council of an extension district may choose  
22 to be subject to the levy and revenue limits specified in  
23 subparagraphs (2) of subsection 1, paragraphs "a" through  
24 "d", and subsection 1, paragraph "e", for the purpose of the  
25 annual levy for the fiscal year commencing July 1, 1991, which  
26 levy is payable in the fiscal year beginning July 1, 1992.  
27 Before an extension district may be subject to the levy and  
28 revenue limits specified in subparagraphs (2) of subsection 1,  
29 paragraphs "a" through "d", and subsection 1, paragraph "e",  
30 for fiscal years beginning on or after July 1, 1992, which levy  
31 is payable in fiscal years beginning on or after July 1, 1993,  
32 the question of whether the district shall be subject to the  
33 levy and revenue limits as specified in such paragraphs must  
34 be submitted to the registered voters of the district. The  
35 question shall be submitted at the time of a state general

1 election. If the question is approved by a majority of those  
2 voting on the question the levy and revenue limits specified in  
3 subparagraphs (2) of subsection 1, paragraphs "a" through "d",  
4 and subsection 1, paragraph "e", shall thereafter apply to the  
5 extension district. The question need only be approved at one  
6 state general election. If a majority of those voting on the  
7 question vote against the question, the district may continue  
8 to submit the question at subsequent state general elections  
9 until approved.

10 Sec. 40. Section 189A.11, Code 2013, is amended to read as  
11 follows:

12 **189A.11 Access by inspectors — acceptance by state agencies.**

13 1. ~~No~~ A person shall not deny access to any authorized  
14 inspectors upon the presentation of proper identification at  
15 any reasonable time to establishments and to all parts of such  
16 premises for the purposes of making inspections under this  
17 chapter.

18 2. When meat has been inspected and approved by the  
19 department, such inspection will be equal to federal inspection  
20 and therefore may be accepted by state agencies and political  
21 subdivisions of the state and no other inspection can be  
22 required.

23 ~~1-~~ a. ~~No~~ An inspection of products placed in any container  
24 at any official establishment shall not be deemed to be  
25 complete until the products are sealed or enclosed therein  
26 under the supervision of an inspector.

27 ~~2-~~ b. For purposes of any inspection of products required  
28 by this chapter, inspectors authorized by the secretary shall  
29 have access at all times by day or night to every part of every  
30 establishment required to have inspection under this chapter,  
31 whether the establishment is operated or not.

32 Sec. 41. Section 190.12, subsection 1, Code 2013, is amended  
33 to read as follows:

34 1. Frozen desserts and the pasteurized dairy ingredients  
35 used in the manufacture thereof, shall comply with the



1 the father and mother of the person. The county auditor,  
2 subject to the direction of the board of supervisors, shall  
3 enforce the obligation created in this section as to all sums  
4 advanced by the county. The liability to the county incurred  
5 by a person with mental illness or a person legally liable for  
6 the person's support under this section is limited to an amount  
7 equal to one hundred percent of the cost of care and treatment  
8 of the person with mental illness at a state mental health  
9 institute for one hundred twenty days of hospitalization. This  
10 limit of liability may be reached by payment of the cost of  
11 care and treatment of the person with mental illness subsequent  
12 to a single admission or multiple admissions to a state  
13 mental health institute or, if the person is not discharged as  
14 cured, subsequent to a single transfer or multiple transfers  
15 to a county care facility pursuant to section 227.11. After  
16 reaching this limit of liability, a person with mental illness  
17 or a person legally liable for the person's support is liable  
18 to the county for the care and treatment of the person with  
19 mental illness at a state mental health institute or, if  
20 transferred but not discharged as cured, at a county care  
21 facility in an amount not in excess of the average minimum  
22 cost of the maintenance of an individual who is physically and  
23 mentally healthy residing in the individual's own home, which  
24 standard shall be established and may from time to time be  
25 revised by the department of human services. A lien imposed  
26 by section 230.25 shall not exceed the amount of the liability  
27 which may be incurred under this section on account of a person  
28 with mental illness.

29 2. A person with a substance-related disorder is  
30 legally liable for the total amount of the cost of providing  
31 care, maintenance, and treatment for the person with a  
32 substance-related disorder while a voluntary or committed  
33 patient. When a portion of the cost is paid by a county,  
34 the person with a substance-related disorder is legally  
35 liable to the county for the amount paid. The person with

1 a substance-related disorder shall assign any claim for  
2 reimbursement under any contract of indemnity, by insurance  
3 or otherwise, providing for the person's care, maintenance,  
4 and treatment in a state hospital to the state. Any payments  
5 received by the state from or on behalf of a person with a  
6 substance-related disorder shall be in part credited to the  
7 county in proportion to the share of the costs paid by the  
8 county.

9 3. Nothing in this section shall be construed to prevent  
10 a relative or other person from voluntarily paying the full  
11 actual cost or any portion of the care and treatment of any  
12 person with mental illness or a substance-related disorder as  
13 established by the department of human services.

14 Sec. 44. Section 231D.3A, Code 2013, is amended to read as  
15 follows:

16 **231D.3A Exception.**

17 An entity certified by the centers for Medicare and Medicaid  
18 services of the United States department of health and human  
19 services as a federal program of all-inclusive care for the  
20 elderly shall not be required to be certified as an adult  
21 day services program under this chapter. A program ~~for~~ of  
22 all-inclusive care for the elderly, as used in this section,  
23 shall not identify itself or hold itself out to be an adult day  
24 services program as defined in section 231D.1.

25 Sec. 45. Section 235.3, subsection 2, Code 2013, is amended  
26 to read as follows:

27 2. Make such reports and obtain and furnish such information  
28 from time to time as may be necessary to permit cooperation by  
29 the state division with the United States children's bureau,  
30 the social security ~~board~~ administration, or any other federal  
31 agency which is now or may hereafter be charged with any duty  
32 regarding child care or child welfare services.

33 Sec. 46. Section 235B.1, subsection 4, paragraph a,  
34 subparagraph (1), Code 2013, is amended to read as follows:

35 (1) Advise the director of human services, the director

1 of ~~elder affairs~~ the department on aging, the director of  
2 inspections and appeals, the director of public health, the  
3 director of the department of corrections, and the director of  
4 human rights regarding dependent adult abuse.

5 Sec. 47. Section 235B.16A, subsection 4, Code 2013, is  
6 amended to read as follows:

7 4. The department of human services shall cooperate with  
8 the department on aging, the departments of elder affairs,  
9 inspections and appeals, public health, public safety, and  
10 workforce development, the civil rights commission, and other  
11 state and local agencies performing inspections or otherwise  
12 visiting residential settings where dependent adults live,  
13 to regularly provide training to the appropriate staff in  
14 the agencies concerning each agency's procedures involving  
15 dependent adults, and to build awareness concerning dependent  
16 adults and reporting of dependent adult abuse.

17 Sec. 48. Section 249A.4B, subsection 2, paragraph a,  
18 subparagraphs (29) and (41), Code 2013, are amended to read as  
19 follows:

20 (29) ~~The Iowa association of homes and services for the~~  
21 aging Leading age Iowa.

22 (41) The Iowa ~~dietetic association~~ academy of nutrition and  
23 dietetics.

24 Sec. 49. Section 249A.12, subsection 3, paragraph b, Code  
25 2013, is amended to read as follows:

26 b. The state shall be responsible for all of the nonfederal  
27 share of medical assistance home and community-based services  
28 waivers for persons with an intellectual ~~disabilities~~  
29 disability services provided to minors, and a county is not  
30 required to reimburse the department and shall not be billed  
31 for the nonfederal share of the costs of the services.

32 Sec. 50. Section 249A.12, subsection 5, paragraph b, Code  
33 2013, is amended to read as follows:

34 b. The department of human services shall seek federal  
35 approval to amend the home and community-based services waiver

1 for persons with an intellectual disabilities disability  
2 to include day habilitation services. Inclusion of day  
3 habilitation services in the waiver shall take effect upon  
4 receipt of federal approval.

5 Sec. 51. Section 249A.26, subsection 4, Code 2013, is  
6 amended to read as follows:

7 4. The state shall pay for the entire nonfederal share  
8 of the costs for case management services provided to  
9 persons seventeen years of age or younger who are served in  
10 a home and community-based services waiver program under the  
11 medical assistance program for persons with an intellectual  
12 disabilities disability.

13 Sec. 52. Section 249A.30, subsection 1, Code 2013, is  
14 amended to read as follows:

15 1. The base reimbursement rate for a provider of services  
16 under a medical assistance program home and community-based  
17 services waiver for persons with an intellectual disabilities  
18 disability shall be recalculated at least every three years  
19 to adjust for the changes in costs during the immediately  
20 preceding three-year period.

21 Sec. 53. Section 249L.4, subsection 5, paragraph b,  
22 subparagraph (4), Code 2013, is amended to read as follows:

23 (4) Each nursing facility shall submit to the department,  
24 information in a form as specified by the department and  
25 developed in cooperation with representatives of the Iowa  
26 caregivers association, the Iowa health care association, ~~the~~  
27 leading age Iowa association of homes and services for the  
28 aging, and the AARP Iowa chapter, that demonstrates compliance  
29 by the nursing facility with the requirements for use of the  
30 rate adjustment increases and other reimbursements provided to  
31 nursing facilities through the quality assurance assessment.

32 Sec. 54. Section 252.27, unnumbered paragraph 2, Code 2013,  
33 is amended to read as follows:

34 The board shall record its proceedings relating to the  
35 provision of assistance to specific persons under this chapter.

1 A person who is aggrieved by a decision of the board may appeal  
2 the decision as if it were a contested case before an agency  
3 and as if the person had exhausted administrative remedies in  
4 accordance with the procedures and standards in section 17A.19,  
5 subsections 2 to 12, except section 17A.19, subsection 10,  
6 paragraphs "b" and "g", and section 17A.20.

7 Sec. 55. Section 252D.17, Code 2013, is amended to read as  
8 follows:

9 **252D.17 Notice to payor of income — duties and liability —**  
10 **criminal penalty.**

11 1. The district court shall provide notice by sending a copy  
12 of the order for income withholding or a notice of the order  
13 for income withholding to the obligor and the obligor's payor  
14 of income by regular mail, with proof of service completed  
15 according to rule of civil procedure 1.442. The child support  
16 recovery unit shall provide notice of the income withholding  
17 order by sending a notice of the order to the obligor's payor  
18 of income by regular mail or by electronic means. Proof of  
19 service may be completed according to rule of civil procedure  
20 1.442. The child support recovery unit's notice of the order  
21 may be sent to the payor of income on the same date that the  
22 order is sent to the clerk of court for filing. In all other  
23 instances, the income withholding order shall be filed with the  
24 clerk of court prior to sending the notice of the order to the  
25 payor of income. In addition to the amount to be withheld for  
26 payment of support, the order or the notice of the order shall  
27 be in a standard format as prescribed by the unit and shall  
28 include all of the following information regarding the duties  
29 of the payor in implementing the withholding order:

30 ~~1-~~ a. The withholding order or notice of the order  
31 for income withholding for child support or child support  
32 and spousal support has priority over a garnishment or an  
33 assignment for any other purpose.

34 ~~2-~~ b. As reimbursement for the payor's processing costs,  
35 the payor may deduct a fee of no more than two dollars for each

1 payment in addition to the amount withheld for support. The  
2 payor of income is not required to vary the payroll cycle to  
3 comply with the frequency of payment of a support order.

4 ~~3.~~ c. The amount withheld for support, including the  
5 processing fee, shall not exceed the amounts specified in 15  
6 U.S.C. § 1673(b).

7 ~~4.~~ d. The income withholding order is binding on an  
8 existing or future payor of income ten days after receipt of  
9 the copy of the order or the notice of the order, and is binding  
10 whether or not the copy of the order received is file-stamped.

11 ~~5.~~ e. The payor shall send the amounts withheld to the  
12 collection services center or the clerk of the district court  
13 pursuant to section 252B.14 within seven business days of the  
14 date the obligor is paid. "*Business day*" means a day on which  
15 state offices are open for regular business.

16 ~~6.~~ f. The payor may combine amounts withheld from the  
17 obligors' income in a single payment to the clerk of the  
18 district court or to the collection services center, as  
19 appropriate. Whether combined or separate, payments shall be  
20 identified by the name of the obligor, account number, amount,  
21 and the date withheld. If payments for multiple obligors are  
22 combined, the portion of the payment attributable to each  
23 obligor shall be specifically identified.

24 ~~7.~~ g. The withholding is binding on the payor until further  
25 notice by the court or the child support recovery unit.

26 ~~8.~~ h. If the payor, with actual knowledge and intent to  
27 avoid legal obligation, fails to withhold income or to pay the  
28 amounts withheld to the collection services center or the clerk  
29 of court in accordance with the provisions of the order, the  
30 notice of the order, or the notification of payors of income  
31 provisions established in section 252B.13A, the payor commits a  
32 simple misdemeanor for a first offense and is liable for the  
33 accumulated amount which should have been withheld, together  
34 with costs, interest, and reasonable attorney fees related to  
35 the collection of the amounts due from the payor. For each

1 subsequent offense prescribed under this ~~subsection~~ paragraph,  
2 the payor commits a serious misdemeanor and is liable for the  
3 accumulated amount which should have been withheld, together  
4 with costs, interest, and reasonable attorney fees related to  
5 the collection of the amounts due from the payor.

6 ~~9.~~ i. The payor shall promptly notify the court or the  
7 child support recovery unit when the obligor's employment or  
8 other income terminates, and provide the obligor's last known  
9 address and the name and address of the obligor's new employer,  
10 if known.

11 ~~10.~~ j. Any payor who discharges an obligor, refuses to  
12 employ an obligor, or takes disciplinary action against an  
13 obligor based upon income withholding is guilty of a simple  
14 misdemeanor. A withholding order or the notice of the order  
15 for income withholding has the same force and effect as any  
16 other district court order, including, but not limited to,  
17 contempt of court proceedings for noncompliance.

18 ~~11.~~ ~~a.~~ k. (1) Beginning July 1, 1997, if a payor of  
19 income does business in another state through a registered  
20 agent and receives a notice of income withholding issued by  
21 another state, the payor shall, and beginning January 1, 1998,  
22 any payor of income shall, withhold funds as directed in a  
23 notice issued by another state, except that a payor of income  
24 shall follow the laws of the obligor's principal place of  
25 employment when determining all of the following:

26 ~~(1)~~ (a) The payor's fee for processing an income  
27 withholding payment.

28 ~~(2)~~ (b) The maximum amount permitted to be withheld from  
29 the obligor's income.

30 ~~(3)~~ (c) The time periods for implementing the income  
31 withholding order and forwarding the support payments.

32 ~~(4)~~ (d) The priorities for withholding and allocating  
33 income withheld for multiple child support obligees.

34 ~~(5)~~ (e) Any withholding terms or conditions not specified  
35 in the order.

1 ~~b.~~ (2) A payor of income who complies with an income  
2 withholding notice that is regular on its face shall not be  
3 subject to any civil liability to any individual or agency for  
4 conduct in compliance with the notice.

5 ~~12.~~ 1. The payor of income shall comply with chapter 252K  
6 when receiving a notice of income withholding from another  
7 state.

8 ~~13.~~ m. The department shall establish criteria and a  
9 phased-in schedule to require, no later than June 30, 2015,  
10 payors of income to electronically transmit the amounts  
11 withheld under an income withholding order. The department  
12 shall assist payors of income in complying with the required  
13 electronic transmission, and shall adopt rules setting forth  
14 procedures for use in electronic transmission of funds, and  
15 exemption from use of electronic transmission taking into  
16 consideration any undue hardship electronic transmission  
17 creates for payors of income.

18 Sec. 56. Section 256.9, subsection 55, paragraph a, Code  
19 2013, is amended to read as follows:

20 a. The Iowa ~~dietetic association~~ academy of nutrition and  
21 dietetics.

22 Sec. 57. Section 256.18A, Code 2013, is amended to read as  
23 follows:

24 **256.18A Service learning.**

25 The board of directors of a school district or the  
26 authorities in charge of a nonpublic school may require a  
27 certain number of service learning units as a condition for  
28 the inclusion of a service learning endorsement on a student's  
29 diploma or as a condition of graduation from the district  
30 or school. For purposes of this ~~paragraph~~ section, "*service*  
31 *learning*" means a method of teaching and learning which engages  
32 students in solving problems and addressing issues in their  
33 school or greater community as part of the academic curriculum.

34 Sec. 58. Section 256.42, subsection 6, Code 2013, is amended  
35 to read as follows:

1 6. Coursework offered under the initiative shall be  
2 rigorous and high quality, and the department shall annually  
3 evaluate the quality of the courses, and ensure that coursework  
4 is aligned with the state's core curriculum and core content  
5 requirements and standards, as well as national standards  
6 of quality for online courses issued by an internationally  
7 recognized association for kindergarten through grade twelve  
8 online learning.

9 Sec. 59. Section 258.16, subsection 3, paragraph d, Code  
10 2013, is amended to read as follows:

11 *d.* Implement the procedures and contract, at the request  
12 of the director of the board of vocational education, for the  
13 delivery of vocational education programs and services pursuant  
14 to section 256.11, subsection 4, and section 256.11, subsection  
15 5, paragraph "h", and section 260C.14, subsection 1.

16 Sec. 60. Section 261B.2, subsection 5, paragraph c, Code  
17 2013, is amended to read as follows:

18 *c.* Uses in its name the term "college", "academy",  
19 "institute", or "university" or a similar term to imply that  
20 the person is primarily engaged in the education of students  
21 at the postsecondary level, and ~~which makes a charge~~ charges  
22 for its services.

23 Sec. 61. Section 261B.9, subsection 7, Code 2013, is amended  
24 to read as follows:

25 7. The disclosures required by the department of education  
26 for an out-of-state school that the state board of education  
27 approves to offer a practitioner preparation program by  
28 distance delivery method.

29 Sec. 62. Section 261E.5, subsection 3, Code 2013, is amended  
30 to read as follows:

31 3. From the funds allocated pursuant to section 261E.13,  
32 subsection 1, paragraph "d", the department shall remit amounts  
33 to the college board for advanced placement examinations  
34 administered by the college board for students enrolled in  
35 school districts and accredited nonpublic schools pursuant

1 to subsection 2 and shall distribute an amount per student  
2 to a school district submitting a list of students properly  
3 registered for the advanced placement examinations pursuant to  
4 subsection 2. The remittance rates to the college board and  
5 distribution amounts to the school districts in accordance with  
6 this subsection for the fiscal year beginning July 1, 2008, are  
7 as follows: ~~thirty-eight~~

8 a. Thirty-eight dollars for each school district or  
9 accredited nonpublic school student who does not qualify for  
10 fee reduction; ~~twenty-seven.~~

11 b. Twenty-seven dollars for each school district or  
12 accredited nonpublic school student who qualifies for fee  
13 reduction; ~~and eight.~~

14 c. Eight dollars to the school district for each school  
15 district or accredited nonpublic school student who was listed  
16 by the school district and who takes an advanced placement  
17 examination in accordance with this section.

18 Sec. 63. Section 263B.3, Code 2013, is amended to read as  
19 follows:

20 **263B.3 Agreements with federal departments.**

21 The state archaeologist is authorized to enter agreements  
22 and cooperative efforts with the ~~United States commissioner~~  
23 ~~of public roads~~ federal highway administrator, the United  
24 States departments of commerce, interior, agriculture, and  
25 defense, and any other federal or state agencies concerned with  
26 archaeological salvage or the preservation of antiquities.

27 Sec. 64. Section 266.48, subsection 1, paragraph a, Code  
28 2013, is amended to read as follows:

29 a. Iowa state university, in cooperation with the department  
30 of agriculture and land stewardship and the department of  
31 natural resources, shall establish a cost-share program for the  
32 livestock odor mitigation research efforts as established in  
33 sections 266.43 through 266.45 that maximizes participation  
34 in the livestock odor mitigation research efforts so as to  
35 accomplish the purposes in section 266.42, subsection 1.

1     Sec. 65. Section 272.31, subsection 5, Code 2013, is amended  
2 to read as follows:

3     5. The state board of education shall work with institutions  
4 of higher education, private colleges and universities,  
5 community colleges, area education agencies, and professional  
6 organizations to ensure that the courses and programs required  
7 for ~~authorization~~ authorizations under this section are offered  
8 throughout the state at convenient times and at a reasonable  
9 cost.

10    Sec. 66. Section 273.3, subsection 2, Code 2013, is amended  
11 to read as follows:

12    2. Be authorized to receive and expend money for providing  
13 programs and services as provided in sections 273.1, 273.2,  
14 this section, sections 273.4 to 273.9, and chapters 256B  
15 and 257. All costs incurred in providing the programs and  
16 services, including administrative costs, shall be paid from  
17 funds received pursuant to sections 273.1, 273.2, this section,  
18 sections 273.4 to 273.9 and chapters 256B and 257.

19    Sec. 67. Section 280.10, subsection 4, Code 2013, is amended  
20 to read as follows:

21    4. "*Industrial quality eye-protective devices*", as used  
22 in this section, means devices meeting American national  
23 standard, practice for occupational and educational eye and  
24 face protection promulgated by the American national standards  
25 institute, inc.

26    Sec. 68. Section 321.105A, subsection 5, paragraph b, Code  
27 2013, is amended to read as follows:

28    **b.** If an amount of the fee for new registration represented  
29 by a dealer to a purchaser is computed upon a purchase price  
30 that is not subject to the fee for new registration or the  
31 amount represented is in excess of the actual amount subject  
32 to the fee and the amount represented is actually paid by  
33 the purchaser to the dealer, the excess amount of fee for  
34 new registration paid shall be returned to the purchaser  
35 upon proper notification to the dealer by the purchaser that

1 an excess payment exists. "Proper" notification is written  
2 notification which allows a dealer at least sixty days to  
3 respond and which contains enough information to allow a dealer  
4 to determine the validity of a purchaser's claim that an excess  
5 amount of fee for new registration has been paid. No cause  
6 of action shall accrue against a dealer for excess fee for  
7 new registration paid until sixty days after proper notice  
8 notification has been given the dealer by the purchaser.

9 Sec. 69. Section 322.33, subsection 2, Code 2013, is amended  
10 to read as follows:

11 2. Article Chapter 537, article 2, parts 5 and 6, and  
12 chapter 537, article 3, sections 537.3203, 537.3206, 537.3209,  
13 537.3304, 537.3305, and 537.3306 shall apply to any credit  
14 transaction as defined in section 537.1301, that is a retail  
15 installment transaction. For the purpose of applying  
16 provisions of the consumer credit code in those transactions,  
17 "consumer credit sale" shall include a sale for a business  
18 purpose.

19 Sec. 70. Section 322A.1, subsection 5, paragraph a,  
20 subparagraphs (3) and (5), Code 2013, are amended to read as  
21 follows:

22 (3) The franchisee, as an independent business, constitutes  
23 a component of the franchiser's distribution system.

24 (5) The operation of the franchisee's business is  
25 substantially reliant on the franchiser for the continued  
26 supply of motor vehicles, parts, and accessories.

27 Sec. 71. Section 326.2, subsection 6, paragraph a, Code  
28 2013, is amended to read as follows:

29 a. A one-way movement from one point originating outside  
30 this state and destined ~~to~~ for another point outside this  
31 state.

32 Sec. 72. Section 331.362, subsection 1, Code 2013, is  
33 amended to read as follows:

34 1. A county has jurisdiction over secondary roads as  
35 provided in section 306.4, subsection 2, section 306.4,

1 subsection 5, paragraph "b", and section 306.4, subsection 6,  
2 paragraph "b".

3 Sec. 73. Section 331.382, subsection 8, paragraph a, Code  
4 2013, is amended to read as follows:

5 a. The board is subject to chapter 161F, chapters 357  
6 through 358, or chapter 468, subchapters I through III, chapter  
7 468, subchapter IV, parts 1 and 2, or chapter 468, subchapter  
8 V, as applicable, in acting relative to a special district  
9 authorized under any of those chapters.

10 Sec. 74. Section 331.390, subsection 2, paragraph a, Code  
11 2013, is amended to read as follows:

12 a. The voting membership of the governing board shall  
13 consist of at least one board of supervisors member from each  
14 county comprising the ~~regions~~ region or their designees.

15 Sec. 75. Section 331.390, subsection 3, paragraph b, Code  
16 2013, is amended to read as follows:

17 b. The regional administrator staff shall include  
18 one or more coordinators of disability services. A  
19 coordinator shall possess a bachelor's or higher level  
20 degree in a human services-related or ~~administrative-related~~  
21 administration-related field, including but not limited  
22 to social work, psychology, nursing, or public or business  
23 administration, from an accredited college or university.  
24 However, in lieu of a degree in public or business  
25 administration, a coordinator may provide documentation of  
26 relevant management experience. An action of a coordinator  
27 involving a clinical decision shall be made in conjunction  
28 with a professional who is trained in the delivery of the  
29 mental health or disability service addressed by the clinical  
30 decision. The regional administrator shall determine whether  
31 referral to a coordinator of disability services is required  
32 for a person seeking to access a service through a local access  
33 point of the regional service system.

34 Sec. 76. Section 331.552, subsection 25, Code 2013, is  
35 amended to read as follows:

1 25. Carry out duties relating to the funding of drainage  
2 districts as provided in chapter 468, subchapter I, parts 1 to  
3 5, chapter 468, subchapter II, parts 1, 5, and 6, chapter 468,  
4 subchapter III, and chapter 468, subchapter IV, parts 1 and 2.  
5 Sec. 77. Section 341A.2, Code 2013, is amended to read as  
6 follows:

7 **341A.2 Civil service commission.**

8 1. Subject to the alternate plan enumerated in section  
9 341A.3, there is created in each county a civil service  
10 commission composed of three members. Two members shall be  
11 appointed by the county board of supervisors and one member  
12 shall be appointed by the county attorney of each county.  
13 Appointees to the commission shall be residents of the county  
14 for at least two years immediately preceding appointment,  
15 and shall be electors. Terms of office shall be six years;  
16 however, the initial members of the commission shall be  
17 appointed as follows:

18 a. One of the members appointed by the board of supervisors  
19 shall serve for a period of two years while the other member  
20 shall serve for a period of six years and the board shall  
21 specify the term of each member so appointed.

22 b. The member appointed by the county attorney shall serve  
23 for a period of four years.

24 2. Any member of the commission may be removed by the  
25 appointing authority for incompetence, dereliction of duty,  
26 malfeasance in office, or for other good cause; however, no  
27 member of the commission shall be removed until apprised  
28 in writing of the nature of the charges against the member  
29 and a hearing on such charges has been held before the  
30 board of supervisors. In the event a vacancy occurs in the  
31 commission for any reason other than expiration of the term, an  
32 appointment to fill the vacancy for the unexpired term shall be  
33 made in the same manner as the original appointment.

34 3. A majority vote of the membership of the commission shall  
35 be sufficient to transact the business of the commission.

1     4. Not more than two commissioners shall be members of the  
2 same political party. Commissioners shall hold no elective  
3 or other appointive public office during their terms of  
4 appointment to the commission. Commissioners shall serve  
5 without compensation but shall be reimbursed for necessary  
6 expense and mileage incurred in the actual performance of their  
7 duties.

8     Sec. 78. Section 350.4, subsection 9, paragraph a, Code  
9 2013, is amended to read as follows:

10     a. To participate in watershed projects of soil and water  
11 conservation districts and the federal government and in  
12 projects of drainage districts organized under the provisions  
13 of chapter 161F and, chapter 468, subchapter I, parts 1 through  
14 5, and chapter 468, subchapter II, parts 1, 5, and 6, for the  
15 purpose of increasing the recreational resources of the county.

16     Sec. 79. Section 354.9, subsection 3, Code 2013, is amended  
17 to read as follows:

18     3. If cities establish overlapping areas of review outside  
19 their boundaries, then the cities shall establish by agreement  
20 pursuant to chapter 28E reasonable standards and conditions  
21 for review of subdivisions within the overlapping area. If no  
22 agreement is recorded pursuant to chapter 28E then the city  
23 which is closest to the boundary of the subdivision shall have  
24 authority to review ~~of~~ the subdivision.

25     Sec. 80. Section 355.7, subsection 6, Code 2013, is amended  
26 to read as follows:

27     6. a. The plat shall show the lengths and bearings of  
28 the boundaries of the parcels surveyed. The course of each  
29 boundary line shown on the plat may be indicated by a direct  
30 bearing reference or by an angle between the boundary line and  
31 an intersecting line having a shown bearing, except when the  
32 boundary line has an irregular or constantly changing course,  
33 as along a body of water, or when a description of the boundary  
34 line is better achieved by measurements shown at points or  
35 intervals along a meander line or an offset line having a shown

1 course. The bearings shall be referenced to a United States  
2 public land survey system land line, or recorded subdivision  
3 line. If the boundary lines show bearings, lengths, or  
4 locations which vary from those recorded in deeds, abutting  
5 plats, or other instruments of record, the following note shall  
6 be placed along the lines: ~~"recorded~~

7 Recorded as (show recorded bearing, length, or ~~location~~)"  
8 location).

9 b. Bearings and angles shown shall be given to at least the  
10 nearest minute of arc.

11 Sec. 81. Section 355.8, subsection 8, Code 2013, is amended  
12 to read as follows:

13 8. a. The plat shall show the lengths and bearings of  
14 the boundaries of the tracts surveyed. The course of each  
15 boundary line shown on the plat may be indicated by a direct  
16 bearing reference or by an angle between the boundary line and  
17 an intersecting line having a shown bearing, except when the  
18 boundary line has an irregular or constantly changing course,  
19 as along a body of water, or when a description of the boundary  
20 line is better achieved by measurements shown at points or  
21 intervals along a meander line or an offset line having a shown  
22 course. The bearing shall be referenced to a United States  
23 public land survey system land line, or recorded subdivision  
24 line. If the boundary lines show bearings, lengths, or  
25 locations which vary from those recorded in deeds, abutting  
26 plats, or other instruments of record, the following note shall  
27 be placed along the lines: ~~"recorded~~

28 Recorded as (show recorded bearing, length, or ~~location~~)"  
29 location).

30 b. Bearings and angles shown shall be given to at least the  
31 nearest minute of arc.

32 Sec. 82. Section 384.6, subsection 1, paragraph b, Code  
33 2013, is amended to read as follows:

34 b. If a police chief or fire chief has submitted a  
35 written request to the board of trustees to be exempt from

1 chapter 411, authorized in section 411.3, subsection 1, a  
2 city shall make contributions for the chief, in an amount  
3 not to exceed the amount that would have been contributed by  
4 the city under section 411.8, subsection 1, paragraph "a",  
5 to the international city management ~~association/retirement~~  
6 association retirement corporation.

7 Sec. 83. Section 419.4, subsection 2, paragraph a,  
8 subparagraph (5), Code 2013, is amended to read as follows:

9 (5) The creation, maintenance, custody, investment and  
10 reinvestment and use of special funds from the revenues of such  
11 project, ~~and.~~

12 Sec. 84. Section 419.4, subsection 2, paragraph b, Code  
13 2013, is amended to read as follows:

14 b. (1) A municipality shall have the power to provide  
15 that proceeds from the sale of bonds and special funds from  
16 the revenues of the project shall be invested and reinvested  
17 in such securities and other investments as shall be provided  
18 in the proceedings under which the bonds are authorized to be  
19 issued including:

20 ~~(1)~~ (a) Obligations issued or guaranteed by the United  
21 States~~.~~

22 ~~(2)~~ (b) Obligations issued or guaranteed by any person  
23 controlled or supervised by and acting as an instrumentality of  
24 the United States pursuant to authority granted by the Congress  
25 of the United States~~.~~

26 ~~(3)~~ (c) Obligations issued or guaranteed by any state  
27 of the United States, or the District of Columbia, or any  
28 political subdivision of any such state or district~~.~~

29 ~~(4)~~ (d) Prime commercial paper~~.~~

30 ~~(5)~~ (e) Prime finance company paper~~.~~

31 ~~(6)~~ (f) Bankers' acceptances drawn on and accepted by banks  
32 organized under the laws of any state or of the United States~~.~~

33 ~~(7)~~ (g) Repurchase agreements fully secured by obligations  
34 issued or guaranteed by the United States or by any person  
35 controlled or supervised by and acting as an instrumentality of

1 the United States pursuant to authority granted by the Congress  
2 of the United States; ~~and~~.

3 ~~(g)~~ (h) Certificates of deposit issued by banks organized  
4 under the laws of any state or of the United States; whether  
5 or not such investment or reinvestment is authorized under any  
6 other law of this state. The municipality shall also have the  
7 power to provide that such proceeds or funds or investments and  
8 the amounts payable under the lease, sale contract, or loan  
9 agreement shall be received, held and disbursed by one or more  
10 banks or trust companies located in or out of the state of  
11 Iowa.

12 (2) A municipality shall also have the power to provide  
13 that the project and improvements shall be constructed by the  
14 municipality, lessee, the lessee's designee, the contracting  
15 party, or the contracting party's designee, or any one or  
16 more of them on real estate owned by the municipality, the  
17 lessee, the lessee's designee, the contracting party, or the  
18 contracting party's designee, as the case may be, and that the  
19 bond proceeds shall be disbursed by the trustee bank or banks,  
20 trust company or trust companies, during construction upon the  
21 estimate, order or certificate of the lessee, the lessee's  
22 designee, the contracting party, or the contracting party's  
23 designee.

24 Sec. 85. Section 421.24, subsection 3, Code 2013, is amended  
25 to read as follows:

26 3. a. For the purposes of this section, the words "tax"  
27 and "taxes" shall include interest and penalties due under any  
28 taxing statute, and liability for such interest or penalties,  
29 or both, due under a taxing statute of another state or a  
30 political subdivision thereof, shall be recognized and enforced  
31 by the courts of this state to the same extent that the laws  
32 of such other state permit the enforcement in its courts of  
33 liability for such interest or penalties, or both, due under  
34 a taxing statute of this state or a political subdivision  
35 thereof.

1     b. The courts of this state may not enforce interest rates  
2 or penalties on taxes of any other state which exceed the  
3 interest rates and penalties imposed by the state of Iowa for  
4 the same or a similar tax.

5     Sec. 86. Section 422.16, subsection 10, paragraph c, Code  
6 2013, is amended to read as follows:

7     c. If any withholding agent, being a domestic or foreign  
8 corporation, required under the provisions of this section  
9 to withhold on wages or other taxable Iowa income subject to  
10 this chapter, fails to withhold the amounts required to be  
11 withheld, make the required returns or remit to the department  
12 the amounts withheld, the director may, having exhausted all  
13 other means of enforcement of the provisions of this chapter,  
14 certify such fact or facts to the secretary of state, who shall  
15 thereupon cancel the articles of incorporation or certificate  
16 of authority, ~~{as as the case may be}~~ be, of such corporation,  
17 and the rights of such corporation to carry on business in the  
18 state of Iowa shall thereupon cease. The secretary of state  
19 shall immediately notify by registered mail such domestic or  
20 foreign corporation of the action taken by the secretary of  
21 state. The provisions of section 422.40, subsection 3, shall  
22 be applicable.

23     Sec. 87. Section 422.20, subsection 3, paragraph a, Code  
24 2013, is amended to read as follows:

25     a. Unless otherwise expressly permitted by section 8A.504,  
26 section 8G.4, section 96.11, subsection 6, section 421.17,  
27 subsections 22, 23, and 26, section 421.17, subsection 27,  
28 paragraph "k", and section 421.17, subsection 31, section  
29 252B.9, section 321.40, subsection 6, sections 321.120, 421.19,  
30 421.28, 422.72, and 452A.63, and this section, a tax return,  
31 return information, or investigative or audit information  
32 shall not be divulged to any person or entity, other than the  
33 taxpayer, the department, or internal revenue service for use  
34 in a matter unrelated to tax administration.

35     Sec. 88. Section 422.32, subsection 2, Code 2013, is amended

1 to read as follows:

2 2. The words, terms, and phrases defined in ~~division II,~~  
3 section 422.4, subsections 4 to 6, 8, 9, 13, and 15 to 17, when  
4 used in this division, shall have the meanings ascribed to them  
5 in said section except where the context clearly indicates a  
6 different meaning.

7 Sec. 89. Section 422.33, subsection 5, Code 2013, is amended  
8 to read as follows:

9 5. *a.* The taxes imposed under this division shall  
10 be reduced by a state tax credit for increasing research  
11 activities in this state equal to the sum of the following:

12 (1) Six and one-half percent of the excess of qualified  
13 research expenses during the tax year over the base amount for  
14 the tax year based upon the state's apportioned share of the  
15 qualifying expenditures for increasing research activities.

16 (2) Six and one-half percent of the basic research payments  
17 determined under section 41(e)(1)(A) of the Internal Revenue  
18 Code during the tax year based upon the state's apportioned  
19 share of the qualifying expenditures for increasing research  
20 activities.

21 *b.* The state's apportioned share of the qualifying  
22 expenditures for increasing research activities is a percent  
23 equal to the ratio of qualified research expenditures in this  
24 state to the total qualified research expenditures.

25 ~~*b.*~~ *c.* In lieu of the credit amount computed in paragraph  
26 "a", subparagraph (1), a corporation may elect to compute the  
27 credit amount for qualified research expenses incurred in this  
28 state in a manner consistent with the alternative simplified  
29 credit described in section 41(c)(5) of the Internal Revenue  
30 Code. The taxpayer may make this election regardless of  
31 the method used for the taxpayer's federal income tax. The  
32 election made under this paragraph is for the tax year and the  
33 taxpayer may use another or the same method for any subsequent  
34 year.

35 ~~*c.*~~ *d.* For purposes of the alternate credit computation

1 method in paragraph ~~"b"~~ "c", the credit percentages applicable  
2 to qualified research expenses described in section 41(c)(5)(A)  
3 and clause (ii) of section 41(c)(5)(B) of the Internal Revenue  
4 Code are four and fifty-five hundredths percent and one and  
5 ninety-five hundredths percent, respectively.

6 ~~d.~~ e. (1) For purposes of this subsection, "base amount",  
7 "basic research payment", and "qualified research expense" mean  
8 the same as defined for the federal credit for increasing  
9 research activities under section 41 of the Internal Revenue  
10 Code, except that for the alternative simplified credit such  
11 amounts are for research conducted within this state.

12 (2) For purposes of this subsection, "Internal Revenue Code"  
13 means the Internal Revenue Code in effect on January 1, 2012.

14 ~~e.~~ f. Any credit in excess of the tax liability for the  
15 taxable year shall be refunded with interest computed under  
16 section 422.25. In lieu of claiming a refund, a taxpayer may  
17 elect to have the overpayment shown on its final, completed  
18 return credited to the tax liability for the following taxable  
19 year.

20 ~~f.~~ Reserved.

21 g. A corporation which is an eligible business may claim an  
22 additional research activities credit authorized pursuant to  
23 section 15.335.

24 h. The department shall by February 15 of each year issue  
25 an annual report to the general assembly containing the total  
26 amount of all claims made by employers under this subsection  
27 and the portion of the claims issued as refunds, for all claims  
28 processed during the previous calendar year. The report shall  
29 contain the name of each claimant for whom a tax credit in  
30 excess of five hundred thousand dollars was issued and the  
31 amount of the credit received.

32 Sec. 90. Section 422.70, subsection 1, Code 2013, is amended  
33 to read as follows:

34 1. The director, for the purpose of ascertaining the  
35 correctness of a return or for the purpose of making an

1 estimate of the taxable income or receipts of a taxpayer, has  
2 ~~power~~ the following powers:

3 a. To examine or cause to be examined by an agent or  
4 representative designated by the director, books, papers,  
5 records, or memoranda; ~~to.~~

6 b. To require by subpoena the attendance and testimony of  
7 witnesses; to issue and sign subpoenas; ~~to.~~

8 c. To administer oaths, to examine witnesses and receive  
9 evidence; ~~to.~~

10 d. To compel witnesses to produce for examination books,  
11 papers, records, and documents relating to any matter which the  
12 director has the authority to investigate or determine.

13 Sec. 91. Section 422.72, subsection 3, paragraph a, Code  
14 2013, is amended to read as follows:

15 a. Unless otherwise expressly permitted by section 8A.504,  
16 section 8G.4, section 96.11, subsection 6, section 421.17,  
17 subsections 22, 23, and 26, section 421.17, subsection 27,  
18 paragraph "k", and section 421.17, subsection 31, section  
19 252B.9, section 321.40, subsection 6, sections 321.120, 421.19,  
20 421.28, 422.20, and 452A.63, and this section, a tax return,  
21 return information, or investigative or audit information  
22 shall not be divulged to any person or entity, other than the  
23 taxpayer, the department, or internal revenue service for use  
24 in a matter unrelated to tax administration.

25 Sec. 92. Section 422D.1, subsection 2, paragraph a,  
26 unnumbered paragraph 1, Code 2013, is amended to read as  
27 follows:

28 The taxes for emergency medical services shall only be  
29 imposed after an election at which a majority of those voting  
30 on the question of imposing the tax or combination of taxes  
31 specified in subsection 1, paragraph "a", subparagraph (1)  
32 or (2), vote in favor of the question. However, the tax or  
33 combination of taxes specified in subsection 1 shall not be  
34 imposed on property within or on residents of a benefited  
35 emergency medical services district under chapter 357F. The

1 question of imposing the tax or combination of the taxes may  
2 be submitted at the regular city election, a special election,  
3 or ~~state the~~ general election. Notice of the question shall  
4 be provided by publication at least sixty days before the time  
5 of the election and shall identify the tax or combination of  
6 taxes and the rate or rates, as applicable. If a majority of  
7 those voting on the question approve the imposition of the tax  
8 or combination of taxes, the tax or combination of taxes shall  
9 be imposed as follows:

10 Sec. 93. Section 423.3, subsection 18, paragraph c, Code  
11 2013, is amended to read as follows:

12 c. Rehabilitation facilities that provide accredited  
13 rehabilitation services to persons with disabilities which are  
14 accredited by the commission on accreditation of rehabilitation  
15 facilities or the ~~accreditation council for services for~~  
16 ~~persons with an intellectual disability and other persons with~~  
17 ~~developmental disabilities~~ on quality and leadership and adult  
18 day care services approved for reimbursement by the state  
19 department of human services.

20 Sec. 94. Section 423.5, Code 2013, is amended to read as  
21 follows:

22 **423.5 Imposition of tax.**

23 1. Except as provided in ~~subsection 3~~ paragraph "c", an  
24 excise tax at the rate of six percent of the purchase price or  
25 installed purchase price is imposed on the following:

26 ~~1-~~ a. The use in this state of tangible personal property  
27 as defined in section 423.1, including aircraft subject to  
28 registration under section 328.20, purchased for use in this  
29 state. For the purposes of this subchapter, the furnishing  
30 or use of the following services is also treated as the use  
31 of tangible personal property: optional service or warranty  
32 contracts, except residential service contracts regulated under  
33 chapter 523C, vulcanizing, recapping, or retreading services,  
34 engraving, photography, retouching, printing, or binding  
35 services, and communication service when furnished or delivered

1 to consumers or users within this state.

2 ~~2.~~ b. The use of manufactured housing in this state, on  
3 the purchase price if the manufactured housing is sold in  
4 the form of tangible personal property or on the installed  
5 purchase price if the manufactured housing is sold in the form  
6 of realty.

7 ~~3.~~ c. An excise tax at the rate of five percent is imposed  
8 on the use of vehicles subject only to the issuance of a  
9 certificate of title and the use of manufactured housing, and  
10 on the use of leased vehicles, if the lease transaction does  
11 not require titling or registration of the vehicle, on the  
12 amount subject to tax as calculated pursuant to section 423.26,  
13 subsection 2.

14 ~~4.~~ d. Purchases of tangible personal property made from  
15 the government of the United States or any of its agencies by  
16 ultimate consumers shall be subject to the tax imposed by this  
17 section. Services purchased from the same source or sources  
18 shall be subject to the service tax imposed by this subchapter  
19 and apply to the user of the services.

20 ~~5.~~ e. The use in this state of services enumerated in  
21 section 423.2. This tax is applicable where the service is  
22 first used in this state.

23 ~~6.~~ 2. The excise tax is imposed upon every person using  
24 the property within this state until the tax has been paid  
25 directly to the county treasurer, the state department of  
26 transportation, a retailer, or the department. This tax is  
27 imposed on every person using the services or the product of  
28 the services in this state until the user has paid the tax  
29 either to an Iowa use tax permit holder or to the department.

30 ~~7.~~ 3. For the purpose of the proper administration of the  
31 use tax and to prevent its evasion, evidence that tangible  
32 personal property was sold by any person for delivery in this  
33 state shall be prima facie evidence that such tangible personal  
34 property was sold for use in this state.

35 ~~8.~~ 4. Any person or that person's affiliate, which is a

1 retailer in this state or a retailer maintaining a place of  
2 business in this state under this chapter, that enters into a  
3 contract with an agency of this state must register, collect,  
4 and remit Iowa use tax under this chapter on all sales of  
5 tangible personal property and enumerated services. Every  
6 bid submitted and each contract executed by a state agency  
7 shall contain a certification by the bidder or contractor  
8 stating that the bidder or contractor is registered with the  
9 department and will collect and remit Iowa use tax due under  
10 this chapter. In the certification, the bidder or contractor  
11 shall also acknowledge that the state agency may declare the  
12 contract or bid void if the certification is false. Fraudulent  
13 certification, by act or omission, may result in the state  
14 agency or its representative filing for damages for breach of  
15 contract.

16 ~~9.~~ 5. The use tax rate of six percent is reduced to five  
17 percent on January 1, 2030.

18 Sec. 95. Section 423.6, subsection 6, Code 2013, is amended  
19 to read as follows:

20 6. Tangible personal property or services the sales price  
21 of which is exempt from the sales tax under section 423.3,  
22 except section 423.3, subsections 39 and 73, as it relates to  
23 the sale, but not the lease or rental, of vehicles subject only  
24 to the issuance of a certificate of title and as it relates to  
25 aircraft subject to registration under section 328.20.

26 Sec. 96. Section 426A.8, unnumbered paragraph 1, Code 2013,  
27 is amended to read as follows:

28 If the amount of credit apportioned to any property eligible  
29 ~~to~~ for military service tax exemption under this chapter in  
30 any year shall exceed the total tax, exclusive of any special  
31 assessments levied against such property eligible for military  
32 service tax exemption, then the excess shall be remitted by the  
33 county treasurer to the department of revenue to be redeposited  
34 in the general fund of the state and reallocated the following  
35 year by the department.

1     Sec. 97. Section 426A.11, subsection 1, Code 2013, is  
2 amended to read as follows:

3     1. The property, not to exceed two thousand seven hundred  
4 seventy-eight dollars in taxable value of any veteran, as  
5 defined in section 35.1, of the ~~First~~ World War I.

6     Sec. 98. Section 441.16, subsection 2, paragraph b, Code  
7 2013, is amended to read as follows:

8     *b.* The combined budgets shall contain an itemized list of  
9 the proposed salaries of the assessor and each deputy~~;~~; the  
10 amount required for field personnel and other personnel, their  
11 number~~,~~, and their compensation; the estimated amount needed for  
12 expenses, printing, mileage, and other expenses necessary to  
13 operate the assessor's office~~;~~; the estimated expenses of the  
14 examining board~~;~~; and the salaries and expenses of the local  
15 board of review.

16     Sec. 99. Section 452A.2, subsection 25, paragraph a,  
17 subparagraph (2), Code 2013, is amended to read as follows:

18     (2) Any liquid advertised, offered for sale, sold for  
19 use as, or commonly or commercially used as a fuel for  
20 propelling motor vehicles which, when subjected to distillation  
21 of gasoline, naphtha, kerosene and similar petroleum  
22 products [ASTM (American society for testing and materials)  
23 international designation D-86], shows not less than ten ~~per~~  
24 ~~centum~~ percent distilled (recovered) below three hundred  
25 forty-seven degrees Fahrenheit (one hundred seventy-five  
26 degrees Centigrade) and not less than ninety-five ~~per centum~~  
27 percent distilled (recovered) below four hundred sixty-four  
28 degrees Fahrenheit (two hundred forty degrees Centigrade).

29     Sec. 100. Section 455B.105, subsection 11, paragraph a,  
30 subparagraph (2), Code 2013, is amended to read as follows:

31     (2) The relative benefits to the applicant and to the  
32 public of permit and conditional permit review, issuance, and  
33 monitoring compliance. It is the intention of the legislature  
34 that permit fees shall not cover any costs connected with  
35 correcting violation of the terms of any permit and shall not

1 impose unreasonable costs on any municipality.

2 ~~It is the intention of the legislature that permit fees shall~~  
3 ~~not cover any costs connected with correcting violation of the~~  
4 ~~terms of any permit and shall not impose unreasonable costs on~~  
5 ~~any municipality.~~

6 Sec. 101. Section 455B.474A, Code 2013, is amended to read  
7 as follows:

8 **455B.474A Rules consistent with federal regulations.**

9 The rules adopted by the commission under section  
10 455B.474 shall be consistent with and shall not exceed the  
11 requirements of federal regulations relating to the regulation  
12 of underground storage tanks except as provided in section  
13 455B.474, subsection 1, paragraph "a", subparagraph (6),  
14 and section 455B.474, subsection 3, paragraph "d". It is  
15 the intent of the general assembly that state rules adopted  
16 pursuant to section 455B.474, subsection 1, paragraph "a",  
17 subparagraph (6), and section 455B.474, subsection 3, paragraph  
18 "d", be consistent with and not more restrictive than federal  
19 regulations adopted by the United States environmental  
20 protection agency when those rules are adopted.

21 Sec. 102. Section 455B.516, subsection 9, Code 2013, is  
22 amended to read as follows:

23 9. a. "*Toxics pollution prevention*" means employment of a  
24 practice which reduces the industrial use of toxic substances  
25 or reduces the environmental and health hazards associated  
26 with an environmental waste without diluting or concentrating  
27 the waste before the release, handling, storage, transport,  
28 treatment, or disposal of the waste. The term includes toxics  
29 pollution prevention techniques but does not include a practice  
30 which is applied to an environmental waste after the waste is  
31 generated or comes into existence on or after the waste exits a  
32 production or commercial operation.

33 b. "*Toxics pollution prevention*" does not include, promote,  
34 or require any of the following:

35 a- (1) Waste burning in industrial furnaces, boilers,

1 smelters, or cement kilns for the purpose of energy recovery.

2 ~~b.~~ (2) The transfer of an environmental waste from one  
3 environmental medium to another environmental medium, the  
4 workplace environment, or a product.

5 ~~c.~~ (3) Off-site waste recycling.

6 ~~d.~~ (4) Any other method of end-of-pipe management  
7 of environmental wastes including waste exchange and the  
8 incorporation or embedding of regulated environmental wastes  
9 into products or by-products.

10 Sec. 103. Section 456A.19, Code 2013, is amended to read as  
11 follows:

12 **456A.19 Expenditures.**

13 1. All funds accruing to the fish and game protection fund,  
14 except an equitable portion of the administration fund, shall  
15 be expended solely in carrying on fish and wildlife activities.  
16 Expenditures incurred by the department in carrying on the  
17 activities shall be only on authorization by the general  
18 assembly.

19 a. The department shall by October 1 of each year submit to  
20 the department of management for transmission to the general  
21 assembly a detailed estimate of the amount required by the  
22 department during the succeeding year for carrying on fish and  
23 wildlife activities. The estimate shall be in the same general  
24 form and detail as required by law in estimates submitted by  
25 other state departments.

26 b. Any unexpended balance at the end of the biennium shall  
27 revert to the fish and game protection fund.

28 c. All administrative expense shall be paid from the  
29 administration fund.

30 d. All other expenditures shall be paid from the state  
31 conservation fund.

32 2. All expenditures under this chapter are subject to  
33 approval by the director of management and the director of the  
34 department of administrative services.

35 3. All moneys credited to the county conservation board

1 fund shall be used to provide grants to county conservation  
2 boards to provide funding for the purposes of chapter 350.  
3 These grants are in addition to moneys appropriated to the  
4 conservation boards from the county boards of supervisors. The  
5 grants shall be made to the conservation boards based upon the  
6 needs of the boards. Applications shall be made by the boards  
7 to the commission.

8 Sec. 104. Section 459.202, subsection 1, unnumbered  
9 paragraphs 1 and 2, Code 2013, are amended to read as follows:

10 a. Except as provided in subsection 3 and sections 459.203,  
11 459.205, and 459.206, this subsection applies to confinement  
12 feeding operation structures constructed on or after May 31,  
13 1995, but prior to January 1, 1999; and to the expansion of  
14 structures constructed prior to January 1, 1999.

15 b. The following table represents the minimum separation  
16 distance in feet required between a confinement feeding  
17 operation structure and a residence not owned by the owner of  
18 the confinement feeding operation, or a commercial enterprise,  
19 bona fide religious institution, or an educational institution:

20 Sec. 105. Section 459.202, subsection 2, unnumbered  
21 paragraphs 1 and 2, Code 2013, are amended to read as follows:

22 a. Except as provided in subsection 3 and sections 459.203,  
23 459.205, and 459.206, this subsection applies to confinement  
24 feeding operation structures constructed on or after January  
25 1, 1999, but prior to March 1, 2003, and to the expansion of  
26 structures constructed on or after January 1, 1999, but prior  
27 to March 1, 2003.

28 b. The following table represents the minimum separation  
29 distance in feet required between a confinement feeding  
30 operation structure and a residence not owned by the owner of  
31 the confinement feeding operation, or a commercial enterprise,  
32 bona fide religious institution, or an educational institution:

33 Sec. 106. Section 459.202, subsection 3, unnumbered  
34 paragraphs 1 and 2, Code 2013, are amended to read as follows:

35 a. Except as provided in sections 459.203, 459.205, and

1 459.206, this subsection applies to confinement feeding  
2 operation structures constructed on or after May 31, 1995,  
3 but prior to March 1, 2003; to the expansion of structures  
4 constructed on or after May 31, 1995, but prior to March 1,  
5 2003; and to the expansion of structures constructed prior to  
6 May 31, 1995.

7 b. The following table represents the minimum separation  
8 distance in feet required between a confinement feeding  
9 operation structure and a public use area; or between a  
10 confinement feeding operation structure and a residence not  
11 owned by the owner of the confinement feeding operation, a  
12 commercial enterprise, a bona fide religious institution,  
13 or an educational institution, if the residence, commercial  
14 enterprise, religious institution, or educational institution  
15 is located within the corporate limits of a city:

16 Sec. 107. Section 459.202, subsection 4, unnumbered  
17 paragraphs 1 and 2, Code 2013, are amended to read as follows:

18 a. Except as provided in subsection 5 and sections 459.203,  
19 459.205, and 459.206, this subsection applies to confinement  
20 feeding operation structures constructed on or after March 1,  
21 2003, and to the expansion of confinement feeding operation  
22 structures constructed on or after March 1, 2003.

23 b. The following table represents the minimum separation  
24 distance in feet required between a confinement feeding  
25 operation structure and a residence not owned by the owner of  
26 the confinement feeding operation, a commercial enterprise, a  
27 bona fide religious institution, or an educational institution:

28 Sec. 108. Section 459.202, subsection 5, unnumbered  
29 paragraphs 1 and 2, Code 2013, are amended to read as follows:

30 a. Except as provided in sections 459.203, 459.205, and  
31 459.206, this subsection applies to confinement feeding  
32 operation structures constructed on or after March 1, 2003, and  
33 to the expansion of confinement feeding operation structures  
34 constructed on or after March 1, 2003.

35 b. The following table represents the minimum separation

1 distance in feet required between a confinement feeding  
2 operation structure and a public use area; or between a  
3 confinement feeding operation structure and a residence not  
4 owned by the owner of the confinement feeding operation, a  
5 commercial enterprise, a bona fide religious institution,  
6 or an educational institution, if the residence, commercial  
7 enterprise, religious institution, or educational institution  
8 is located within the corporate limits of a city:

9     Sec. 109. Section 459.401, subsection 2, unnumbered  
10 paragraph 1, Code 2013, is amended to read as follows:

11     The compliance fund is composed of three accounts, the  
12 general account, the assessment account, and the educational  
13 program account.

14     Sec. 110. Section 468.202, Code 2013, is amended to read as  
15 follows:

16     **468.202 Agreement in advance.**

17     The agreement with the federal government contemplated in  
18 section 468.201 may be entered into by the board in advance of  
19 the filing of the ~~plan~~ — plan, such agreement to be effective  
20 if the plan is finally adopted. If the plan is approved the  
21 board shall make a record of any such cooperative agreement.

22     Sec. 111. Section 468.309, Code 2013, is amended to read as  
23 follows:

24     **468.309 Appeal by trustees or boards.**

25     Trustees or boards of supervisors having charge of any  
26 previously organized district which is proposed to be included  
27 {either in whole or in part} within the new intercounty  
28 district may, in the same manner and under the same procedure,  
29 appeal to the district court from the action of the joint  
30 boards in establishing the new district or in including therein  
31 the previously organized district or any part thereof.

32     Sec. 112. Section 476.6, subsection 22, Code 2013, is  
33 amended to read as follows:

34     **22. Nuclear generating facilities — legislative intent.**

35     a. It is the intent of the general assembly to require

1 certain rate-regulated public utilities to undertake analyses  
2 of and preparations for the possible construction of nuclear  
3 generating facilities in this state that would be beneficial in  
4 a carbon-constrained environment.

5     *b.* A rate-regulated electric utility that was subject to  
6 a revenue sharing settlement agreement with regard to its  
7 electric base rates as of January 1, 2010, shall recover,  
8 through a rider and pursuant to a tariff filing made on or  
9 before December 31, 2013, the reasonable and prudent costs of  
10 its analyses of and preparations for the possible construction  
11 of facilities of the type referenced in paragraph "a". Cost  
12 recovery shall be accomplished by instituting a revenue  
13 increase applied in the same percentage amount to each customer  
14 class and not designed to recover, on an annual basis, more  
15 than five-tenths percent of the electric utility's calendar  
16 year 2009 revenues attributable to billed base rates in this  
17 state. At the conclusion of the cost recovery period, which  
18 shall extend no more than thirty-six months in total, the board  
19 shall conduct a contested case proceeding pursuant to chapter  
20 17A to evaluate the reasonableness and prudence of the cost  
21 recovery. The utility shall file such information with the  
22 board as the board deems appropriate, including the filing  
23 of an annual report identifying and explaining expenditures  
24 identified in the rider as items for cost recovery, and  
25 any other information required by the board. If the board  
26 determines that the utility has imprudently incurred costs, or  
27 has incurred costs that are less than the amount recovered, the  
28 board shall order the utility to modify the rider to adjust the  
29 amount recoverable.

30     *c.* Costs that may be recovered through the rider described  
31 in paragraph "b" shall be consistent with the "United States  
32 Nuclear Regulatory Guide, Section 4.7, General Site Suitability  
33 Criteria for Nuclear Power Stations, Revision Two, April 1998,"  
34 including costs related to the study and use of sites for  
35 nuclear generation.

1     Sec. 113. Section 476.53, subsection 2, paragraph a, Code  
2 2013, is amended to read as follows:

3     a. The general assembly's intent with regard to the  
4 development of electric power generating and transmission  
5 facilities, or the significant alteration of an existing  
6 generating facility, as provided in subsection 1, shall be  
7 implemented in a manner that is cost-effective and compatible  
8 with the environmental policies of the state, as expressed in  
9 this Title XI.

10    Sec. 114. Section 489.110, subsection 3, paragraph h, Code  
11 2013, is amended to read as follows:

12    h. Vary the requirement to wind up a limited liability  
13 company's business as specified in section 489.702, subsection  
14 1, and section 489.702, subsection 2, paragraph "a".

15    Sec. 115. Section 489.110, subsection 4, paragraph a, Code  
16 2013, is amended to read as follows:

17    a. Restrict or eliminate the duty to do any of the  
18 following:

19     (1) As required in section 489.409, subsection 2, paragraph  
20 "a", and section 489.409, subsection 8, to account to the  
21 limited liability company and to hold as trustee for it any  
22 property, profit, or benefit derived by the member in the  
23 conduct or winding up of the company's business, from a use by  
24 the member of the company's property, or from the appropriation  
25 of a limited liability company opportunity.

26     (2) As required in section 489.409, subsection 2, paragraph  
27 "b", and section 489.409, subsection 8, to refrain from dealing  
28 with the company in the conduct or winding up of the company's  
29 business as or on behalf of a party having an interest adverse  
30 to the company.

31     (3) As required by section 489.409, subsection 2, paragraph  
32 "c", and section 489.409 subsection 8, to refrain from competing  
33 with the company in the conduct of the company's business  
34 before the dissolution of the company.

35    Sec. 116. Section 490.850, subsection 6, Code 2013, is

1 amended to read as follows:

2 6. a. "Official capacity" means:

3 ~~a.~~ (1) When used with respect to a director, the office of  
4 director in a corporation.

5 ~~b.~~ (2) When used with respect to an officer, as  
6 contemplated in section 490.856, the office in a corporation  
7 held by the officer.

8 b. "Official capacity" does not include service for any  
9 other domestic or foreign corporation or any partnership, joint  
10 venture, trust, employee benefit plan, or other entity.

11 Sec. 117. Section 493.9, Code 2013, is amended to read as  
12 follows:

13 **493.9 Change in stock.**

14 Any such corporation may, by appropriate amendments to its  
15 articles of incorporation, adopted by a two-third affirmative  
16 vote of each class of stock then issued and outstanding and  
17 affected by such amendment, change its common or preferred  
18 stock (~~common or preferred~~) having a par value to an equal,  
19 greater or less number of shares of stock having no par value,  
20 and, in connection therewith, may fix the amount of capital  
21 represented by such shares of stock without par value.

22 Sec. 118. Section 502.610, subsections 1, 2, and 6, Code  
23 2013, are amended to read as follows:

24 1. *Sales and offers to sell.* Sections 502.301, 502.302,  
25 section 502.401, subsection 1, section 502.402, subsection 1,  
26 section 502.403, subsection 1, section 502.404, subsection 1,  
27 and sections 502.501, 502.506, 502.509, and 502.510 do not  
28 apply to a person that sells or offers to sell a security  
29 unless the offer to sell or the sale is made in this state or  
30 the offer to purchase or the purchase is made and accepted in  
31 this state.

32 2. *Purchases and offers to purchase.* ~~Sections~~ Section  
33 502.401, subsection 1, section 502.402, subsection 1, section  
34 502.403, subsection 1, section 502.404, subsection 1, and  
35 sections 502.501, 502.506, 502.509, and 502.510 do not apply to

1 a person that purchases or offers to purchase a security unless  
2 the offer to purchase or the purchase is made in this state  
3 or the offer to sell or the sale is made and accepted in this  
4 state.

5 6. *Investment advice and misrepresentations.* Sections  
6 Section 502.403, subsection 1, section 502.404, subsection 1,  
7 section 502.405, subsection 1, and sections 502.502, 502.505,  
8 and 502.506 apply to a person if the person engages in an act,  
9 practice, or course of business instrumental in effecting  
10 prohibited or actionable conduct in this state, whether or not  
11 either party is then present in this state.

12 Sec. 119. Section 507A.7, subsection 2, Code 2013, is  
13 amended to read as follows:

14 2. The court in any action, suit, or proceeding in which  
15 service is made as provided in section 507A.6, subsections 2  
16 and 3 ~~of section 507A.6~~, or the commissioner of insurance in  
17 any administrative proceeding before the commissioner in which  
18 service is made as provided in section 507A.6, subsections 2  
19 and 3 ~~of section 507A.6~~, may in the court's or commissioner's  
20 discretion, order such postponement as may be necessary to  
21 afford the defendant reasonable opportunity to comply with the  
22 provisions of subsection 1 of this section and to defend such  
23 action.

24 Sec. 120. Section 507C.28, subsection 1, paragraph b,  
25 subparagraph (4), Code 2013, is amended to read as follows:

26 (4) The creditor receiving the transfer was an officer,  
27 or an employee, attorney or other person who was in fact in a  
28 position of comparable influence in the insurer to an officer  
29 whether or not the person held the position of an officer, or a  
30 shareholder directly or indirectly holding more than five ~~per~~  
31 ~~centum~~ percent of a class of an equity security issued by the  
32 insurer, or other person, firm, corporation, association, or  
33 aggregation of persons with whom the insurer did not deal at  
34 arm's length.

35 Sec. 121. Section 508.36, subsection 4, Code 2013, is

1 amended to read as follows:

2 4. *Computation for minimum standards for annuities.*

3 a. Except as provided in subsection 5, the minimum  
4 standard for the valuation of all individual annuity and pure  
5 endowment contracts issued on or after the operative date of  
6 this subsection, and for all annuities and pure endowments  
7 purchased on or after the operative date of this subsection  
8 under group annuity and pure endowment contracts, shall be the  
9 commissioner's reserve valuation methods defined in subsections  
10 6 and 7, and the following tables and interest rates:

11 ~~a.~~ (1) For individual annuity and pure endowment contracts  
12 issued prior to January 1, 1980, excluding any disability  
13 and accidental death benefits in such contracts, both of the  
14 following:

15 ~~(1)~~ (a) The 1971 individual annuity mortality table, or any  
16 modification of this table approved by the commissioner.

17 ~~(2)~~ (b) Six percent interest for single premium immediate  
18 annuity contracts, and four percent interest for all other  
19 individual annuity and pure endowment contracts.

20 ~~b.~~ (2) For individual single premium immediate annuity  
21 contracts issued on or after January 1, 1980, excluding any  
22 disability and accidental death benefits in such contracts,  
23 both of the following:

24 ~~(1)~~ (a) One of the following tables:

25 ~~(a)~~ (i) The 1971 individual annuity mortality table.

26 ~~(b)~~ (ii) An individual annuity mortality table,  
27 adopted after 1980 by the national association of insurance  
28 commissioners and approved by rule adopted by the commissioner  
29 for use in determining the minimum standard of valuation for  
30 such contracts.

31 ~~(c)~~ (iii) A modification of the tables identified in  
32 subparagraph ~~divisions~~ (a) subdivisions (i) and (b) (ii)  
33 approved by the commissioner.

34 ~~(2)~~ (b) Seven and one-half percent interest.

35 ~~c.~~ (3) For individual annuity and pure endowment contracts

1 issued on or after January 1, 1980, other than single premium  
2 immediate annuity contracts, excluding any disability and  
3 accidental death benefits in such contracts, both of the  
4 following:

5 ~~(1)~~ (a) One of the following tables:

6 ~~(a)~~ (i) The 1971 individual annuity mortality table.

7 ~~(b)~~ (ii) An individual annuity mortality table adopted  
8 after 1980 by the national association of insurance  
9 commissioners and approved by rule adopted by the commissioner  
10 for use in determining the minimum standard of valuation for  
11 such contracts.

12 ~~(c)~~ (iii) A modification of the tables identified in  
13 subparagraph ~~divisions~~ subdivisions (i) and ~~(b)~~ (ii)  
14 approved by the commissioner.

15 ~~(2)~~ (b) Five and one-half percent interest for single  
16 premium deferred annuity and pure endowment contracts and four  
17 and one-half percent interest for all other such individual  
18 annuity and pure endowment contracts.

19 ~~d.~~ (4) For all annuities and pure endowments purchased  
20 prior to January 1, 1980, under group annuity and pure  
21 endowment contracts, excluding any disability and accidental  
22 death benefits purchased under such contracts, both of the  
23 following:

24 ~~(1)~~ (a) The 1971 group annuity mortality table or any  
25 modification of this table approved by the commissioner.

26 ~~(2)~~ (b) Six percent interest.

27 ~~e.~~ (5) For all annuities and pure endowments purchased  
28 on or after January 1, 1980, under group annuity and pure  
29 endowment contracts, excluding any disability and accidental  
30 death benefits purchased under such contracts, both of the  
31 following:

32 ~~(1)~~ (a) One of the following tables:

33 ~~(a)~~ (i) The 1971 group annuity mortality table.

34 ~~(b)~~ (ii) A group annuity mortality table adopted after  
35 1980 by the national association of insurance commissioners

1 and approved by rule adopted by the commissioner for use  
 2 in determining the minimum standard of valuation for such  
 3 annuities and pure endowments.

4 ~~(c)~~ (iii) A modification of the tables identified in  
 5 subparagraph ~~divisions (a)~~ subdivisions (i) and ~~(b)~~ (ii)  
 6 approved by the commissioner.

7 ~~(2)~~ (b) Seven and one-half percent interest.

8 b. After July 1, 1973, a company may file with the  
 9 commissioner a written notice of its election to comply with  
 10 the provisions of this subsection after a specified date before  
 11 January 1, 1979, which shall be the operative date of this  
 12 section for such company, provided, if a company makes no  
 13 election, the effective date of this section for a company is  
 14 January 1, 1979.

15 Sec. 122. Section 508.36, subsection 5, paragraph c,  
 16 subparagraph (1), subparagraph division (a), Code 2013, is  
 17 amended to read as follows:

18 (a) (i) Weighting Factors for Life Insurance:

19 Guarantee Duration (Years)	Weighting Factors
20 10 or less	.50
21 More than 10,	
22 but not more than 20	.45
23 More than 20	.35

24 (ii) For life insurance, the guarantee duration is the  
 25 maximum number of years the life insurance can remain in force  
 26 on a basis guaranteed in the policy or under options to convert  
 27 to plans of life insurance with premium rates or nonforfeiture  
 28 values or both which are guaranteed in the original policy.

29 Sec. 123. Section 508.36, subsection 5, paragraph c,  
 30 subparagraph (1), subparagraph division (c), subparagraph  
 31 subdivision (vi), Code 2013, is amended to read as follows:

32 (vi) A company may elect to value guaranteed interest  
 33 contracts with cash settlement options and annuities with  
 34 cash settlement options on either an issue-year basis or on  
 35 a change-in-fund basis. Guaranteed interest contracts with

1 no cash settlement options and other annuities with no cash  
2 settlement options must be valued on an issue-year basis.

3     (2) As used in this section, an issue-year basis of  
4 valuation refers to a valuation basis under which the interest  
5 rate used to determine the minimum valuation standard for the  
6 entire duration of the annuity or guaranteed interest contract  
7 is the calendar year valuation interest rate for the year of  
8 issue or year of purchase of the annuity or guaranteed interest  
9 contract, and the change-in-fund basis of valuation refers to a  
10 valuation basis under which the interest rate used to determine  
11 the minimum valuation standard applicable to each change in the  
12 fund held under the annuity or guaranteed interest contract is  
13 the calendar year valuation interest rate for the year of the  
14 change in the fund.

15     Sec. 124. Section 508.36, subsection 6, paragraph b, Code  
16 2013, is amended to read as follows:

17     b. (1) However, for a life insurance policy issued on or  
18 after January 1, 1998, for which the contract premium in the  
19 first policy year exceeds that of the second year and for which  
20 no comparable additional benefit is provided in the first year  
21 for such additional premium and which provides an endowment  
22 benefit or a cash surrender value or a combination of such  
23 benefit or value in an amount greater than the additional  
24 premium, the reserve according to the commissioner's reserve  
25 valuation method as of any policy anniversary occurring on or  
26 before the assumed ending date defined as the first policy  
27 anniversary on which the sum of any endowment benefit and  
28 any cash surrender value then available is greater than such  
29 additional premium shall be, except as otherwise provided in  
30 subsection 10, the greater of the reserve as of such policy  
31 anniversary calculated as described in paragraph "a" and the  
32 reserve as of such policy anniversary calculated as described  
33 in paragraph "a", but with the following modifications:

34     ~~(1)~~ (a) The value defined in paragraph "a" being reduced  
35 by fifteen percent of the amount of such excess first year

1 premium.

2 ~~(2)~~ (b) All present values of benefits and premiums being  
3 determined without reference to premiums or benefits provided  
4 for by the policy after the assumed ending date.

5 ~~(3)~~ (c) The policy being assumed to mature on such date as  
6 an endowment.

7 ~~(4)~~ (d) The cash surrender value provided on such date  
8 being considered as an endowment benefit.

9 (2) In making the above comparison the mortality and  
10 interest bases stated in subsections 4 and 5 shall be used.

11 Sec. 125. Section 510.5, subsection 1, paragraph e, Code  
12 2013, is amended to read as follows:

13 e. Appropriate underwriting guidelines including but not  
14 limited to the following:

15 (1) The maximum annual premium volume.

16 (2) The basis of the rates to be charged.

17 (3) The types of risks which may be written.

18 (4) Maximum limits of liability.

19 (5) Applicable exclusions.

20 (6) Territorial limitations.

21 (7) Policy cancellation provisions.

22 (8) The maximum length or duration of the policy period.

23 f. The insurer may cancel or refuse to renew any policy  
24 of insurance produced or underwritten by a managing general  
25 agent, subject to the applicable laws and rules concerning the  
26 cancellation and nonrenewal of insurance policies.

27 Sec. 126. Section 511.8, subsection 22, paragraph a,  
28 subparagraph (4), Code 2013, is amended to read as follows:

29 (4) "*United States government-sponsored enterprise*" means the  
30 federal national mortgage corporation under 12 U.S.C. § 1716 -  
31 ~~23i~~ 1723i of the National Housing Act and the federal home loan  
32 marketing association under the Federal Home Loan Mortgage Act,  
33 12 U.S.C. § 1451 - ~~59~~ 1459.

34 Sec. 127. Section 515.13, Code 2013, is amended to read as  
35 follows:

1     **515.13 Reservation.**

2     None of the provisions of ~~subsection 5~~ of section 515.12,  
3 subsection 5, shall apply to any company heretofore organized  
4 and approved by the commissioner of insurance, but which had  
5 not completed its organization on May 28, 1937, nor shall ~~said~~  
6 section 515.12, subsection 5, apply to any company already  
7 licensed to issue policies.

8     Sec. 128. Section 518C.7, subsection 4, Code 2013, is  
9 amended to read as follows:

10     4. The plan of operation may delegate any or all duties and  
11 powers of the association, except those under section 518C.6,  
12 subsection 1, paragraph "c", and section 518C.6, subsection  
13 2, paragraph "c", to a person with the approval of both the  
14 board of directors and the commissioner. Such delegation  
15 shall only be made to a person extending protection which  
16 is not substantially less favorable and effective than that  
17 provided by this chapter. Such person shall be reimbursed as a  
18 servicing facility and shall be paid for the performance of any  
19 other functions of the association.

20     Sec. 129. Section 524.544, subsection 3, Code 2013, is  
21 amended to read as follows:

22     3. The reports required by subsections 1 and 2 of this  
23 section shall contain information, ~~(to the extent known by~~  
24 ~~the person making the report)~~, relative to the number of  
25 shares involved, the names of the sellers and purchasers ~~(or~~  
26 ~~transferors and transferees)~~, the purchase price, the name of  
27 the borrower, the amount, source, and terms of the loan, or  
28 other transaction, the name of the bank issuing the shares used  
29 as security, and the number of shares used as security.

30     Sec. 130. Section 524.904, subsection 5, paragraph b,  
31 subparagraphs (2) through (4), Code 2013, are amended to read  
32 as follows:

33     (2) One or more persons ~~owns~~ own or ~~controls~~ control  
34 fifty percent or more of the voting securities or membership  
35 interests of the borrowing entity or a member of the group.

1 (3) One or more persons ~~controls~~ control, in any manner, the  
2 election of a majority of the directors, managers, trustees,  
3 or other persons exercising similar functions of the borrowing  
4 entity or a member of the group.

5 (4) One or more persons ~~has~~ have the power to vote fifty  
6 percent or more of any class of voting securities or membership  
7 interests of the borrowing entity or a member of the group.

8 Sec. 131. Section 524.904, subsection 7, paragraph g, Code  
9 2013, is amended to read as follows:

10 *g.* Loans and extensions of credit to a federal reserve  
11 bank or to the United States, or of any department, bureau,  
12 board, commission, agency, or establishment of the United  
13 States, or to any corporation owned directly or indirectly by  
14 the United States, or loans and extensions of credit to one  
15 borrower to the extent that such loans and extensions of credit  
16 are fully secured or guaranteed or covered by unconditional  
17 commitments or agreements to purchase by a federal reserve bank  
18 or by the United States, or any department, bureau, board,  
19 commission, agency, or establishment of the United States, or  
20 any corporation owned directly or indirectly by the United  
21 States. Loans and extensions of credit to one borrower secured  
22 by a lease on property under the terms of which the United  
23 States, or any department, bureau, board, commission, agency,  
24 or establishment of the United States, or any corporation owned  
25 directly or indirectly by the United States, or the state of  
26 Iowa, or any political subdivision of the state, is lessee and  
27 under the terms of which the aggregate rentals payable to the  
28 borrower will be sufficient to satisfy the amount loaned ~~is~~  
29 are considered to be loans and extensions of credit secured or  
30 guaranteed as provided for in this paragraph.

31 Sec. 132. Section 524.1411, subsection 5, Code 2013, is  
32 amended to read as follows:

33 5. The provisions required in the articles of incorporation  
34 by section 524.302, subsection 1, paragraphs "c" and "d", and  
35 section 524.302, subsection 2, paragraph "b".

1     Sec. 133. Section 535B.1, subsection 11, Code 2013, is  
2 amended to read as follows:

3     11. *“Real estate closing services”* means the administrative  
4 and clerical services required to carry out the conveyance or  
5 transfer of real estate or an interest in real estate located  
6 in this state to a purchaser or lender. *“Real estate closing*  
7 *services”* ~~include~~ includes but ~~are~~ is not limited to preparing  
8 settlement statements, determining that all closing documents  
9 conform to the parties’ contract requirements, ascertaining  
10 that the lender’s instructions have been satisfied, conducting  
11 a closing conference, receiving and disbursing funds, and  
12 completing form documents and instruments selected by and in  
13 accordance with instructions of the parties to the transaction.  
14 *“Real estate closing services”* ~~do~~ does not include performing  
15 solely notarial acts as provided in chapter 9B.

16     Sec. 134. Section 536.13, subsection 7, paragraph c, Code  
17 2013, is amended to read as follows:

18     c. ~~Article Chapter 537, article 2, parts 3, 5, and 6 of~~  
19 ~~chapter 537, and chapter 537, article 3 of chapter 537, and~~  
20 sections 537.3203, 537.3206, 537.3209, 537.3304, 537.3305,  
21 and 537.3306, apply to any credit transaction, as defined in  
22 section 537.1301, in which a licensee participates or engages,  
23 and any violation of those parts or sections is a violation of  
24 this chapter. For the purpose of applying the Iowa consumer  
25 credit code, chapter 537, to those credit transactions,  
26 *“consumer loan”* includes a loan for a business purpose.

27     Sec. 135. Section 536A.31, subsection 2, Code 2013, is  
28 amended to read as follows:

29     2. ~~Article Chapter 537, article 2, parts 3, 5, and 6,~~  
30 ~~and chapter 537, article 3, and sections 537.3203, 537.3206,~~  
31 537.3209, 537.3210, 537.3304, 537.3305 and 537.3306 shall apply  
32 to any credit transaction, as defined in section 537.1301, in  
33 which a licensee participates or engages, and any violation of  
34 those parts or sections shall be violations of this chapter.  
35 For the purpose of applying the provisions of the Iowa consumer

1 credit code, chapter 537, to those credit transactions,  
2 "*consumer loan*" shall include a loan for a business purpose.

3 Sec. 136. Section 542B.35, subsection 2, paragraph c, Code  
4 2013, is amended to read as follows:

5 ~~e.~~ 3. A person who completes the real property inspection  
6 report shall not claim to be a licensed professional land  
7 surveyor or a licensed professional engineer for purposes of  
8 the report.

9 Sec. 137. Section 543B.5, subsection 15, Code 2013, is  
10 amended to read as follows:

11 15. a. "*Material adverse fact*" means an adverse fact  
12 that a party indicates is of such significance, or that is  
13 generally recognized by a competent licensee as being of  
14 such significance to a reasonable party, that it affects or  
15 would affect the party's decision to enter into a contract  
16 or agreement concerning a transaction, or affects or would  
17 affect the party's decision about the terms of the contract or  
18 agreement.

19 b. For purposes of this subsection, "*adverse fact*" means  
20 a condition or occurrence that is generally recognized by a  
21 competent licensee as resulting in any of the following:

22 ~~a.~~ (1) Significantly and adversely affecting the value of  
23 the property.

24 ~~b.~~ (2) Significantly reducing the structural integrity of  
25 improvement to real estate.

26 ~~c.~~ (3) Presenting a significant health risk to occupants of  
27 the property.

28 Sec. 138. Section 543B.29, subsection 3, Code 2013, is  
29 amended to read as follows:

30 3. A real estate broker or salesperson who is an owner or  
31 lessor of property or an employee of an owner or lessor may  
32 have the broker's or salesperson's license revoked or suspended  
33 for violations of this section or section 543B.34, except  
34 section 543B.34, subsection 1, paragraphs "*d*", "*e*", "*f*", and  
35 "*i*", with respect to that property.

1     Sec. 139. Section 543B.46, subsection 1, Code 2013, is  
2 amended to read as follows:

3     1. Each real estate broker shall maintain a common trust  
4 account in a bank, a savings association, or credit union for  
5 the deposit of all down payments, earnest money deposits,  
6 or other trust funds received by the broker or the broker's  
7 salespersons on behalf of the broker's principal, except that a  
8 broker acting as a salesperson shall deposit these funds in the  
9 common trust account of the broker for whom the broker acts as  
10 salesperson. The account shall be an interest-bearing account.  
11 The interest on the account shall be transferred quarterly to  
12 the treasurer of state and transferred to the Iowa finance  
13 authority for deposit in the housing trust fund established in  
14 section 16.181 unless there is a written agreement between the  
15 buyer and seller to the contrary. The broker shall not benefit  
16 from interest received on funds of others in the broker's  
17 possession.

18     Sec. 140. Section 551.10, Code 2013, is amended to read as  
19 follows:

20     **551.10 Cumulative remedies.**

21     Nothing in this chapter shall be construed as repealing any  
22 other Act, or part of an Act, but the remedies herein provided  
23 shall be cumulative to all other remedies provided by law.

24     Sec. 141. Section 554.2311, subsection 2, Code 2013, is  
25 amended to read as follows:

26     2. Unless otherwise agreed specifications relating to  
27 assortment of the goods are at the buyer's option and except as  
28 otherwise provided in subsections section 554.2319, subsection  
29 1, paragraph "c" and section 554.2319, subsection 3 of section  
30 554.2319 specifications or arrangements relating to shipment  
31 are at the seller's option.

32     Sec. 142. Section 554.2319, subsection 1, paragraph c, Code  
33 2013, is amended to read as follows:

34     c. when under either paragraph "a" or "b" the term is  
35 also F.O.B. vessel, car or other vehicle, the seller must in

1 addition at the seller's own expense and risk load the goods  
2 on board. If the term is F.O.B. vessel the buyer must name the  
3 vessel and in an appropriate case the seller must comply with  
4 the provisions of this Article on the form of bill of lading  
5 (section 554.2323).

6 Sec. 143. Section 554.2319, subsection 3, Code 2013, is  
7 amended to read as follows:

8 3. Unless otherwise agreed in any case falling within  
9 subsection 1, paragraph "a" or "c" or subsection 2 the buyer  
10 must seasonably give any needed instructions for making  
11 delivery, including when the term is F.A.S. or F.O.B. the  
12 loading berth of the vessel and in an appropriate case its name  
13 and sailing date. The seller may treat the failure of needed  
14 instructions as a failure of cooperation under this Article  
15 (section 554.2311). The seller may also at the seller's option  
16 move the goods in any reasonable manner preparatory to delivery  
17 or shipment.

18 Sec. 144. Section 554.3202, subsection 1, Code 2013, is  
19 amended to read as follows:

20 1. Negotiation is effective even if obtained ~~(i)~~ from an  
21 infant, a corporation exceeding its powers, or a person without  
22 capacity, ~~(ii)~~; by fraud, duress, or mistake, ~~(iii)~~ in  
23 breach of duty or as part of an illegal transaction.

24 Sec. 145. Section 554.3305, subsection 1, paragraph a, Code  
25 2013, is amended to read as follows:

26 a. a defense of the obligor based on ~~(i)~~ infancy of the  
27 obligor to the extent it is a defense to a simple contract,  
28 ~~(ii)~~; duress, lack of legal capacity, or illegality of the  
29 transaction which, under other law, nullifies the obligation of  
30 the obligor, ~~(iii)~~; fraud that induced the obligor to sign the  
31 instrument with neither knowledge nor reasonable opportunity  
32 to learn of its character or its essential terms, ~~(iv)~~  
33 discharge of the obligor in insolvency proceedings;

34 Sec. 146. Section 554.3311, subsections 1 and 3, Code 2013,  
35 are amended to read as follows:

1 1. If a person against whom a claim is asserted proves that  
2 ~~(i)~~ that person in good faith tendered an instrument to the  
3 claimant as full satisfaction of the claim, ~~(ii)~~ the amount of  
4 the claim was unliquidated or subject to a bona fide dispute,  
5 and ~~(iii)~~ the claimant obtained payment of the instrument, the  
6 following subsections apply.

7 3. Subject to subsection 4, a claim is not discharged under  
8 subsection 2 if either of the following applies:

9 a. The claimant, if an organization, proves that ~~(i)~~ i:

10 (1) within a reasonable time before the tender, the claimant  
11 sent a conspicuous statement to the person against whom the  
12 claim is asserted that communications concerning disputed  
13 debts, including an instrument tendered as full satisfaction  
14 of a debt, are to be sent to a designated person, office, or  
15 place; i; and ~~(ii)~~

16 (2) the instrument or accompanying communication was not  
17 received by that designated person, office, or place.

18 b. The claimant, whether or not an organization, proves  
19 that within ninety days after payment of the instrument, the  
20 claimant tendered repayment of the amount of the instrument to  
21 the person against whom the claim is asserted. This paragraph  
22 does not apply if the claimant is an organization that sent a  
23 statement complying with paragraph "a", ~~part (i)~~ subparagraph  
24 (1).

25 Sec. 147. Section 554.3312, subsection 1, paragraph c, Code  
26 2013, is amended to read as follows:

27 c. "Declaration of loss" means a written statement, made  
28 under penalty of perjury, to the effect that ~~(i)~~ the declarer  
29 lost possession of a check, ~~(ii)~~ i; the declarer is the drawer  
30 or payee of the check, in the case of a certified check, or  
31 the remitter or payee of the check, in the case of a cashier's  
32 check or teller's check, ~~(iii)~~ i; the loss of possession was not  
33 the result of a transfer by the declarer or a lawful seizure; i;  
34 and ~~(iv)~~ the declarer cannot reasonably obtain possession of  
35 the check because the check was destroyed, its whereabouts

1 cannot be determined, or it is in the wrongful possession of  
2 an unknown person or a person that cannot be found or is not  
3 amenable to service of process.

4 Sec. 148. Section 554.3405, subsection 1, paragraphs b and  
5 c, Code 2013, are amended to read as follows:

6 *b. "Fraudulent endorsement" means (i) one of the following:*

7 *(1) in the case of an instrument payable to the employer, a*  
8 *forged endorsement purporting to be that of the employer, ~~or~~*  
9 *(ii);*

10 *(2) in the case of an instrument with respect to which the*  
11 *employer is the issuer, a forged endorsement purporting to be*  
12 *that of the person identified as payee.*

13 *c. "Responsibility" with respect to instruments means*  
14 *authority (i) to sign or endorse instruments on behalf of the*  
15 *employer, ~~(ii);~~ to process instruments received by the employer*  
16 *for bookkeeping purposes, for deposit to an account, or for*  
17 *other disposition, ~~(iii);~~ to prepare or process instruments for*  
18 *issue in the name of the employer, ~~(iv);~~ to supply information*  
19 *determining the names or addresses of payees of instruments*  
20 *to be issued in the name of the employer, ~~(v);~~ to control the*  
21 *disposition of instruments to be issued in the name of the*  
22 *employer, ~~(vi);~~ or (vi) to act otherwise with respect to instruments*  
23 *in a responsible capacity. "Responsibility" does not include*  
24 *authority that merely allows an employee to have access to*  
25 *instruments or blank or incomplete instrument forms that are*  
26 *being stored or transported or are part of incoming or outgoing*  
27 *mail, or similar access.*

28 Sec. 149. Section 554.3501, subsection 1, Code 2013, is  
29 amended to read as follows:

30 1. *"Presentment" means a demand made by or on behalf of a*  
31 *person entitled to enforce an instrument (i):*

32 *a. to pay the instrument made to the drawee or a party*  
33 *obliged to pay the instrument or, in the case of a note or*  
34 *accepted draft payable at a bank, to the bank, ~~or~~ (ii)*

35 *b. to accept a draft made to the drawee.*

1     Sec. 150. Section 554.3501, subsection 2, paragraphs b and  
2 c, Code 2013, are amended to read as follows:

3     *b.* Upon demand of the person to whom presentment is made,  
4 the person making presentment must ~~(i)~~ exhibit the instrument,  
5 ~~(ii)~~; give reasonable identification and, if presentment is  
6 made on behalf of another person, reasonable evidence of  
7 authority to do so~~;~~ and ~~(iii)~~ sign a receipt on the instrument  
8 for any payment made or surrender the instrument if full  
9 payment is made.

10    *c.* Without dishonoring the instrument, the party to whom  
11 presentment is made may ~~(i)~~ return the instrument for lack of  
12 a necessary endorsement, or ~~(ii)~~ refuse payment or acceptance  
13 for failure of the presentment to comply with the terms of the  
14 instrument, an agreement of the parties, or other applicable  
15 law or rule.

16     Sec. 151. Section 554.3604, subsection 1, Code 2013, is  
17 amended to read as follows:

18     1. A person entitled to enforce an instrument, with or  
19 without consideration, may discharge the obligation of a party  
20 to pay the instrument ~~(i)~~ by an intentional voluntary act,  
21 such as surrender of the instrument to the party, destruction,  
22 mutilation, or cancellation of the instrument, cancellation or  
23 striking out of the party's signature, or the addition of words  
24 to the instrument indicating discharge~~;~~ or ~~(ii)~~ by agreeing  
25 not to sue or otherwise renouncing rights against the party by  
26 a signed writing.

27     Sec. 152. Section 554.3605, subsections 5, 7, and 9, Code  
28 2013, are amended to read as follows:

29     5. If the obligation of a party to pay an instrument is  
30 secured by an interest in collateral and a person entitled to  
31 enforce the instrument impairs the value of the interest in  
32 collateral, the obligation of an endorser or accommodation  
33 party having a right of recourse against the obligor is  
34 discharged to the extent of the impairment. The value of an  
35 interest in collateral is impaired to the extent ~~(i)~~ the value

1 of the interest is reduced to an amount less than the amount of  
2 the right of recourse of the party asserting discharge, or ~~(ii)~~  
3 the reduction in value of the interest causes an increase in  
4 the amount by which the amount of the right of recourse exceeds  
5 the value of the interest. The burden of proving impairment is  
6 on the party asserting discharge.

7 7. Under subsection 5 or 6, impairing value of an interest  
8 in collateral includes ~~(i)~~ failure to obtain or maintain  
9 perfection or recordation of the interest in collateral, ~~(ii)~~;  
10 release of collateral without substitution of collateral of  
11 equal value, ~~(iii)~~; failure to perform a duty to preserve the  
12 value of collateral owed, under Article 9 or other law, to  
13 a debtor or surety or other person secondarily liable, ~~i~~; or  
14 ~~(iv)~~ failure to comply with applicable law in disposing of  
15 collateral.

16 9. A party is not discharged under this section if ~~(i)~~ the  
17 party asserting discharge consents to the event or conduct  
18 that is the basis of the discharge, or ~~(ii)~~ the instrument  
19 or a separate agreement of the party provides for waiver of  
20 discharge under this section either specifically or by general  
21 language indicating that parties waive defenses based on  
22 suretyship or impairment of collateral.

23 Sec. 153. Section 554.9102, subsection 1, paragraphs b,  
24 k, z, ar, au, be, and bg, Code 2013, are amended to read as  
25 follows:

26 *b.* "Account", except as used in "account for", means a right  
27 to payment of a monetary obligation, whether or not earned by  
28 performance, ~~(i)~~ for property that has been or is to be sold,  
29 leased, licensed, assigned, or otherwise disposed of, ~~(ii)~~;  
30 for services rendered or to be rendered, ~~(iii)~~; for a policy  
31 of insurance issued or to be issued, ~~(iv)~~; for a secondary  
32 obligation incurred or to be incurred, ~~(v)~~; for energy provided  
33 or to be provided, ~~(vi)~~; for the use or hire of a vessel under  
34 a charter or other contract, ~~(vii)~~; arising out of the use of a  
35 credit or charge card or information contained on or for use

1 with the card~~;~~ or ~~(viii)~~ as winnings in a lottery or other  
 2 game of chance operated or sponsored by a state, governmental  
 3 unit of a state, or person licensed or authorized to operate  
 4 the game by a state or governmental unit of a state. The term  
 5 includes health care insurance receivables. The term does  
 6 not include ~~(i)~~ rights to payment evidenced by chattel paper  
 7 or an instrument, ~~(ii)~~ commercial tort claims, ~~(iii)~~ deposit  
 8 accounts, ~~(iv)~~ investment property, ~~(v)~~ letter-of-credit rights  
 9 or letters of credit, or ~~(vi)~~ rights to payment for money or  
 10 funds advanced or sold, other than rights arising out of the  
 11 use of a credit or charge card or information contained on or  
 12 for use with the card.

13 *k.* "*Chattel paper*" means a record or records that evidence  
 14 both a monetary obligation and a security interest in specific  
 15 goods, a security interest in specific goods and software used  
 16 in the goods, a security interest in specific goods and license  
 17 of software used in the goods, a lease of specific goods, or  
 18 a lease of specific goods and license of software used in  
 19 the goods. In this paragraph, "*monetary obligation*" means a  
 20 monetary obligation secured by the goods or owed under a lease  
 21 of the goods and includes a monetary obligation with respect  
 22 to software used in the goods. The term does not include ~~(i)~~  
 23 charters or other contracts involving the use or hire of a  
 24 vessel or ~~(ii)~~ records that evidence a right to payment arising  
 25 out of the use of a credit or charge card or information  
 26 contained on or for use with the card. If a transaction is  
 27 evidenced by records that include an instrument or series of  
 28 instruments, the group of records taken together constitutes  
 29 chattel paper.

30 *z.* "*Consumer transaction*" means a transaction in which ~~(i)~~  
 31 an individual incurs an obligation primarily for personal,  
 32 family, or household purposes~~;~~ ~~(ii)~~; a security interest  
 33 secures the obligation~~;~~ and ~~(iii)~~ the collateral is held or  
 34 acquired primarily for personal, family, or household purposes.  
 35 The term includes consumer-goods transactions.

1     *ar.* "Goods" means all things that are movable when a  
2 security interest attaches. The term includes ~~(i)~~ fixtures,  
3 ~~(ii)~~; standing timber that is to be cut and removed under a  
4 conveyance or contract for sale, ~~(iii)~~; the unborn young of  
5 animals, ~~(iv)~~; crops grown, growing, or to be grown, even if  
6 the crops are produced on trees, vines, or bushes; and ~~(v)~~  
7 manufactured homes. The term also includes a computer program  
8 embedded in goods and any supporting information provided in  
9 connection with a transaction relating to the program if ~~(i)~~  
10 the program is associated with the goods in such a manner that  
11 it customarily is considered part of the goods, or ~~(ii)~~ by  
12 becoming the owner of the goods, a person acquires a right to  
13 use the program in connection with the goods. The term does  
14 not include a computer program embedded in goods that consist  
15 solely of the medium in which the program is embedded. The  
16 term also does not include accounts, chattel paper, commercial  
17 tort claims, deposit accounts, documents, general intangibles,  
18 instruments, investment property, letter-of-credit rights,  
19 letters of credit, money, or oil, gas, or other minerals before  
20 extraction.

21     *au.* "Instrument" means a negotiable instrument or any  
22 other writing that evidences a right to the payment of a  
23 monetary obligation, is not itself a security agreement or  
24 lease, and is of a type that in ordinary course of business  
25 is transferred by delivery with any necessary indorsement or  
26 assignment. The term does not include ~~(i)~~ investment property,  
27 ~~(ii)~~ letters of credit, or ~~(iii)~~ writings that evidence a right  
28 to payment arising out of the use of a credit or charge card or  
29 information contained on or for use with the card.

30     *be.* "New value" means ~~(i)~~ money, ~~(ii)~~; money's worth in  
31 property, services, or new credit; or ~~(iii)~~ release by a  
32 transferee of an interest in property previously transferred  
33 to the transferee. The term does not include an obligation  
34 substituted for another obligation.

35     *bg.* "Obligor" means a person that, with respect to an

1 obligation secured by a security interest in or an agricultural  
 2 lien on the collateral, ~~(i)~~ owes payment or other performance  
 3 of the obligation, ~~(ii)~~ has provided property other than the  
 4 collateral to secure payment or other performance of the  
 5 obligation, or ~~(iii)~~ is otherwise accountable in whole or in  
 6 part for payment or other performance of the obligation. The  
 7 term does not include issuers or nominated persons under a  
 8 letter of credit.

9 Sec. 154. Section 554.12507, subsection 3, Code 2013, is  
 10 amended to read as follows:

11 3. a. A funds-transfer system rule may select the law of a  
 12 particular jurisdiction to govern ~~(i)~~:

13 (1) the rights and obligations between participating banks  
 14 with respect to payment orders transmitted or processed through  
 15 the system, or ~~(ii)~~

16 (2) the rights and obligations of some or all parties to a  
 17 funds transfer any part of which is carried out by means of the  
 18 system.

19 b. A choice of law made pursuant to ~~elause (i) paragraph~~  
 20 "a", subparagraph (1), is binding on participating banks. A  
 21 choice of law made pursuant to ~~elause (ii) paragraph "a",~~  
 22 subparagraph (2), is binding on the originator, other sender,  
 23 or a receiving bank having notice that the funds-transfer  
 24 system might be used in the funds transfer and of the choice  
 25 of law by the system when the originator, other sender,  
 26 or receiving bank issued or accepted a payment order. The  
 27 beneficiary of a funds transfer is bound by the choice of law  
 28 if, when the funds transfer is initiated, the beneficiary has  
 29 notice that the funds-transfer system might be used in the  
 30 funds transfer and of the choice of law by the system. The  
 31 law of a jurisdiction selected pursuant to this subsection may  
 32 govern, whether or not that law bears a reasonable relation to  
 33 the matter in issue.

34 Sec. 155. Section 554.13103, subsection 1, paragraph g,  
 35 subparagraph (3), subparagraph division (d), Code 2013, is

1 amended to read as follows:

2 (d) if the lease is not a consumer lease, the lessor, before  
3 the lessee signs the lease contract, informs the lessee in  
4 writing ~~(i)~~ of the identity of the person supplying the goods  
5 to the lessor, unless the lessee has selected that person  
6 and directed the lessor to acquire the goods or the right to  
7 possession and use of the goods from that person, ~~(ii)~~; i that  
8 the lessee is entitled under this Article to the promises and  
9 warranties, including those of any third party, provided to the  
10 lessor by the person supplying the goods in connection with  
11 or as part of the contract by which the lessor acquired the  
12 goods or the right to possession and use of the goods, i and  
13 ~~(iii)~~ that the lessee may communicate with the person supplying  
14 the goods to the lessor and receive an accurate and complete  
15 statement of those promises and warranties, including any  
16 disclaimers and limitations of them or of remedies.

17 Sec. 156. Section 554.13209, subsection 2, Code 2013, is  
18 amended to read as follows:

19 2. The extension of the benefit of a supplier's promises and  
20 of warranties to the lessee under subsection 1 does not: ~~(i)~~  
21 a. modify the rights and obligations of the parties to the  
22 supply contract, whether arising therefrom or otherwise, or  
23 ~~(ii)~~  
24 b. impose any duty or liability under the supply contract  
25 on the lessee.

26 Sec. 157. Section 554.13527, subsection 2, Code 2013, is  
27 amended to read as follows:

28 2. Except as otherwise provided with respect to damages  
29 liquidated in the lease agreement (section 554.13504) or  
30 otherwise determined pursuant to agreement of the parties  
31 (sections 554.1302 and 554.13503), if the disposition is by  
32 lease agreement substantially similar to the original lease  
33 agreement and the new lease agreement is made in good faith and  
34 in a commercially reasonable manner, the lessor may recover  
35 from the lessee as damages ~~(i)~~ accrued and unpaid rent as of

1 the date of the commencement of the term of the new lease  
2 agreement, ~~(ii)~~; the present value, as of the same date, of the  
3 total rent for the remaining lease term of the original lease  
4 agreement minus the present value, as of the same date, of the  
5 rent under the new lease agreement applicable to that period of  
6 the new lease term which is comparable to the then remaining  
7 term of the original lease agreement, ~~i~~; and ~~(iii)~~ any incidental  
8 damages allowed under section 554.13530, less expenses saved in  
9 consequence of the lessee's default.

10 Sec. 158. Section 554.13528, subsection 1, Code 2013, is  
11 amended to read as follows:

12 1. Except as otherwise provided with respect to damages  
13 liquidated in the lease agreement (section 554.13504) or  
14 otherwise determined pursuant to agreement of the parties  
15 (sections 554.1302 and 554.13503), if a lessor elects to retain  
16 the goods or a lessor elects to dispose of the goods and the  
17 disposition is by lease agreement that for any reason does not  
18 qualify for treatment under section 554.13527, subsection 2, or  
19 is by sale or otherwise, the lessor may recover from the lessee  
20 as damages for a default of the type described in section  
21 554.13523, subsection 1, or section 554.13523, subsection 3,  
22 paragraph "a", or, if agreed, for other default of the lessee,  
23 ~~(i)~~

24 a. accrued and unpaid rent as of the date of default if  
25 the lessee has never taken possession of the goods, or, if the  
26 lessee has taken possession of the goods, as of the date the  
27 lessor repossesses the goods or an earlier date on which the  
28 lessee makes a tender of the goods to the lessor, ~~(ii)~~

29 b. the present value as of the date determined under clause  
30 ~~(i)~~ paragraph "a" of the total rent for the then remaining lease  
31 term of the original lease agreement minus the present value as  
32 of the same date of the market rent at the place where the goods  
33 are located computed for the same lease term, and ~~(iii)~~

34 c. any incidental damages allowed under section 554.13530,  
35 less expenses saved in consequence of the lessee's default.

1     Sec. 159. Section 554D.104, subsection 2, paragraph b, Code  
2 2013, is amended to read as follows:

3     b. Chapter 554 other than chapter 554, articles 2 and 13,  
4 and section 554.1306.

5     Sec. 160. Section 559.2, Code 2013, is amended to read as  
6 follows:

7     **559.2 Definition — scope of power.**

8     The term "*power to appoint*" as used in section 559.1, shall  
9 mean and include all powers which are in substance and effect  
10 powers of appointment, regardless of the language used in  
11 creating them and whether they are ~~(1) general~~:

12     1. General, special or otherwise, ~~(2) vested~~.

13     2. Vested, contingent or conditional, ~~(3) in~~.

14     3. In gross, appendant, simply collateral, in trust or in  
15 the nature of a trust or otherwise, ~~(4) exercisable~~.

16     4. Exercisable by an instrument amending, revoking,  
17 altering, or terminating a trust or an estate, or an interest  
18 thereunder or otherwise, ~~(5) exercisable~~.

19     5. Exercisable presently or in the future, ~~(6) exercisable~~.

20     6. Exercisable in an individual or a fiduciary capacity  
21 whether alone or in conjunction with one or more other persons  
22 or corporations, ~~(7) powers~~.

23     7. Powers to invade or consume property, ~~or (8) powers~~.

24     8. Powers remaining after one or more partial releases have  
25 heretofore or hereafter been made with respect to a power to  
26 appoint.

27     Sec. 161. Section 559.6, Code 2013, is amended to read as  
28 follows:

29     **559.6 Delivery.**

30     A release or disclaimer may be delivered to any of the  
31 following: ~~(1)~~

32     1. Any person who could be adversely affected by the  
33 exercise of the power; ~~or (2) any~~.

34     2. Any trustee of the property to which the power relates;  
35 ~~or (3) any~~.

1     3. Any person specified for such purpose in the instrument  
2 creating the power; ~~or (4) the.~~

3     4. The county recorder as provided in section 559.1.

4     Sec. 162. Section 600A.4, subsection 2, paragraph f, Code  
5 2013, is amended to read as follows:

6     *f.* Shall be accompanied by a report which includes,  
7 to the extent available, the complete family medical and  
8 social history of the person to be adopted including any  
9 known genetic, metabolic, or familial disorders and the  
10 complete medical and developmental history of the person to  
11 be adopted, and a social history of the minor child and the  
12 minor child's family but which does not disclose the identity  
13 of the biological parents of the person to be adopted. The  
14 social history may include but is not limited to the minor  
15 child's racial, ethnic, and religious background and a general  
16 description of the minor child's biological parents and an  
17 account of the minor child's prior and existing relationship  
18 with any relative, foster parent, or other individual with whom  
19 the minor child regularly lives or whom the child regularly  
20 visits.

21     (1) A biological parent may also provide ongoing  
22 information to the adoptive parents, as additional medical  
23 or social history information becomes known, by providing  
24 information to the clerk of court, the department of human  
25 services, or the agency which made the placement, and may  
26 provide the current address of the biological parent. The  
27 clerk of court, the department of human services, or the agency  
28 which made the placement shall transmit the information to the  
29 adoptive parents if the address of the adoptive parents is  
30 known.

31     (2) A person who furnishes a report required under this  
32 paragraph "f" and the court shall not disclose any information  
33 upon which the report is based except as otherwise provided  
34 in this section and such a person is subject to the penalties  
35 provided in section 600.16, as applicable. A person who is the

1 subject of any report may bring a civil action against a person  
2 who discloses the information in violation of this section.

3 (3) Information provided under this paragraph "f" shall not  
4 be used as evidence in any civil or criminal proceeding against  
5 a person who is the subject of the information.

6 (4) The department shall prescribe forms designed to obtain  
7 the family medical and social history and shall provide the  
8 forms at no charge to any agency or person who executes a  
9 release of custody of the minor child or who files a petition  
10 for termination of parental rights. The existence of this  
11 report does not limit a person's ability to petition the court  
12 for release of records in accordance with other provisions of  
13 law.

14 Sec. 163. Section 631.8, subsection 2, paragraph b, Code  
15 2013, is amended to read as follows:

16 b. As to parties who have appeared or are existing parties,  
17 either ~~(1)~~ order the small claim to be heard under this chapter  
18 and the other claim to be tried by regular procedure or ~~(2)~~  
19 order both claims to be tried by regular procedure.

20 Sec. 164. Section 633.224, Code 2013, is amended to read as  
21 follows:

22 **633.224 Advancements — in general.**

23 When the owner of property transfers it as an advancement  
24 to a person who would be an heir of such transferor were the  
25 latter to die at that time, and the transferor dies intestate,  
26 then the property thus advanced shall be counted toward the  
27 share of the transferee in the estate, ~~{which for this purpose~~  
28 ~~only shall be increased by the value of the advancement at~~  
29 ~~the time the advancement was made}~~. The transferee shall  
30 have no liability to the estate for such part, if any, of the  
31 advancement as may be in excess of the transferee's share  
32 in the estate as thus determined. Every gratuitous inter  
33 vivos transfer is presumed to be an absolute gift, and not an  
34 advancement. Such presumption is rebuttable.

35 Sec. 165. Section 633.352, Code 2013, is amended to read as

1 follows:

2 **633.352 Collection of rents and payment of taxes and charges.**

3 Unless otherwise provided by the will, the provisions of  
4 chapter 637 that conflict with this division VII, part 3, shall  
5 not apply to the allocation and distribution of estate income.

6 Sec. 166. Section 648.3, subsection 1, Code 2013, is amended  
7 to read as follows:

8 1. Before action can be brought under any ground specified  
9 in section 648.1, except section 648.1, subsection 1, three  
10 days' notice to quit must be given to the defendant in writing.  
11 However, a landlord who has given a tenant three days' notice  
12 to pay rent and has terminated the tenancy as provided in  
13 section 562A.27, subsection 2, or section 562B.25, subsection  
14 2, if the tenant is renting the manufactured or mobile home or  
15 the land from the landlord, may commence the action without  
16 giving a three-day notice to quit.

17 Sec. 167. Section 724.10, subsection 2, Code 2013, is  
18 amended to read as follows:

19 2. The issuing officer, upon receipt of an initial or  
20 renewal application under this section, shall immediately  
21 conduct a background check concerning each applicant by  
22 obtaining criminal history data from the department of public  
23 safety which shall include an inquiry of the national instant  
24 criminal background check system maintained by the federal  
25 bureau of investigation or any successor agency.

26 Sec. 168. Section 724.17, Code 2013, is amended to read as  
27 follows:

28 **724.17 Application for annual permit to acquire — criminal**  
29 **history check required.**

30 The application for an annual permit to acquire pistols  
31 or revolvers may be made to the sheriff of the county of  
32 the applicant's residence and shall be on a form prescribed  
33 and published by the commissioner of public safety. The  
34 application shall require only the full name of the applicant,  
35 the driver's license or nonoperator's identification card

1 number of the applicant, the residence of the applicant,  
2 and the date and place of birth of the applicant. The  
3 applicant shall also display an identification card that  
4 bears a distinguishing number assigned to the cardholder, the  
5 full name, date of birth, sex, residence address, and brief  
6 description and colored photograph of the cardholder, or other  
7 identification as specified by rule of the department of public  
8 safety. The sheriff shall conduct a criminal history check  
9 concerning each applicant by obtaining criminal history data  
10 from the department of public safety which shall include an  
11 inquiry of the national instant criminal background check  
12 system maintained by the federal bureau of investigation or any  
13 successor agency. A person who makes what the person knows  
14 to be a false statement of material fact on an application  
15 submitted under this section or who submits what the person  
16 knows to be any materially falsified or forged documentation in  
17 connection with such an application commits a class "D" felony.

18 Sec. 169. Section 805.6, subsection 3, paragraph a, Code  
19 2013, is amended to read as follows:

20 a. (1) The uniform citation and complaint shall contain  
21 spaces for the following:

22 (a) The parties' names; ~~the~~.

23 (b) The address of the alleged offender; ~~the~~.

24 (c) The registration number of the offender's vehicle; ~~the~~.

25 (d) The information required by section 805.2; ~~a~~.

26 (e) A warning which states:

27 "I hereby swear and affirm that the information provided by  
28 me on this citation is true under penalty of providing false  
29 information"; ~~and a information.~~

30 (f) A statement that providing false identification  
31 information is a violation of section 719.1A; ~~a~~.

32 (g) A list of the scheduled fines prescribed by sections  
33 805.8A, 805.8B, and 805.8C, either separately or by group, and  
34 a statement of the court costs payable in scheduled violation  
35 cases, whether or not a court appearance is required or is

1 demanded;~~a.~~

2 (h) A brief explanation of sections 805.9 and 805.10;~~and a.~~

3 (i) A space where the defendant may sign an admission of the  
4 violation when permitted by section 805.9;~~and the.~~

5 (2) The uniform citation and complaint shall require that  
6 the defendant appear before a court at a specified time and  
7 place.

8 (3) The uniform citation and complaint also may contain a  
9 space for the imprint of a credit card, and may contain any  
10 other information which the commissioner of public safety, the  
11 director of transportation, and the director of the department  
12 of natural resources may determine.

13 Sec. 170. Section 805.8B, subsection 2, paragraph b,  
14 subparagraph (3), Code 2013, is amended to read as follows:

15 (3) For operating violations under section 321G.13,  
16 subsection 1, paragraphs "a", "b", "e", "f", "g", "h", and "i",  
17 and section 321G.13, subsections 2 and 3, the scheduled fine  
18 is one hundred dollars.

19 Sec. 171. Section 805.8B, subsection 2A, paragraph b,  
20 subparagraph (3), Code 2013, is amended to read as follows:

21 (3) For operating violations under section 321I.14,  
22 subsection 1, paragraphs "a", "e", "f", "g", and "h", and  
23 section 321I.14, subsections 2, 3, 4, and 5, the scheduled fine  
24 is one hundred dollars.

25 Sec. 172. Section 809A.3, Code 2013, is amended to read as  
26 follows:

27 **809A.3 Conduct giving rise to forfeiture.**

28 1. The following conduct may give rise to forfeiture:

29 ~~1-~~ a. An act or omission which is a public offense and  
30 which is a serious or aggravated misdemeanor or felony.

31 ~~2-~~ b. An act or omission occurring outside of this state,  
32 that would be punishable by confinement of one year or more in  
33 the place of occurrence and would be a serious or aggravated  
34 misdemeanor or felony if the act or omission occurred in this  
35 state.

1     ~~3.~~ c. An act or omission committed in furtherance of any  
2 act or omission described in ~~subsection 1~~ paragraph "a", which  
3 is a serious or aggravated misdemeanor or felony, including any  
4 inchoate or preparatory offense.

5     ~~4.~~ 2. Notwithstanding ~~subsections~~ subsection 1 through  
6 ~~3~~, violations of chapter 321 or 321J shall not be considered  
7 conduct giving rise to forfeiture, except for violations of the  
8 following:

9     a. Section 321.232.

10    b. A second or subsequent violation of section 321J.4B,  
11 subsection 2, paragraph "a", subparagraph (2).

12    c. Section 321J.4B, subsection 9.

13    Sec. 173. Section 904.312, Code 2013, is amended to read as  
14 follows:

15    **904.312 Purchase of supplies.**

16    1. The director shall adopt rules governing the purchase of  
17 all articles and supplies needed at the various institutions  
18 and the form and verification of vouchers for the purchases.  
19 When purchases are made by sample, the sample shall be properly  
20 marked and retained until after an award or delivery of the  
21 items is made. The director may purchase supplies from any  
22 institution under the director's control, for use in any other  
23 institution, and reasonable reimbursement shall be made for  
24 these purchases.

25    2. The director shall, whenever technically feasible,  
26 purchase and use degradable loose foam packing material  
27 manufactured from grain starches or other renewable resources,  
28 unless the cost of the packing material is more than ten  
29 percent greater than the cost of packing material made from  
30 nonrenewable resources. For the purposes of this subsection,  
31 "*packing material*" means material, other than an exterior  
32 packing shell, that is used to stabilize, protect, cushion, or  
33 brace the contents of a package.

34    Sec. 174. Section 915.82, subsection 1, Code 2013, is  
35 amended to read as follows:

1 1. a. A crime victim assistance board is established, and  
2 shall consist of the following members to be appointed pursuant  
3 to rules adopted by the department:

4 ~~a.~~ (1) A county attorney or assistant county attorney.

5 ~~b.~~ (2) Two persons engaged full-time in law enforcement.

6 ~~c.~~ (3) A public defender or an attorney practicing  
7 primarily in criminal defense.

8 ~~d.~~ (4) A hospital medical staff person involved with  
9 emergency services.

10 ~~e.~~ (5) Two public members who have received victim  
11 services.

12 ~~f.~~ (6) A victim service provider.

13 ~~g.~~ (7) A person licensed pursuant to chapter 154B or 154C.

14 ~~h.~~ (8) A person representing the elderly.

15 b. Board members shall be reimbursed for expenses actually  
16 and necessarily incurred in the discharge of their duties.

17 DIVISION II

18 VOLUME VI RENUMBERING

19 Sec. 175. Section 556.2, subsection 5, Code 2013, is amended  
20 to read as follows:

21 5. a. A banking organization or financial organization  
22 shall send to the owner of each account, to which none of the  
23 actions specified in subsection 2, paragraphs "a" through "e"  
24 ~~of subsection 1~~ or subsection 2, paragraphs "a" through "e" ~~of~~  
25 ~~subsection 2~~ have occurred during the preceding three calendar  
26 years, a notice by certified mail stating in substance the  
27 following:

28 According to our records, we have had no contact with you  
29 regarding (describe account) for more than three years. Under  
30 Iowa law, if there is a period of three years without contact,  
31 we may be required to transfer this account to the custody of  
32 the treasurer of state of Iowa as unclaimed property. You  
33 may prevent this by taking some action, such as a deposit or  
34 withdrawal, which indicates your interest in this account or by  
35 signing this form and returning it to us.

1 I desire to keep the above account open and active.

2 .....

3 Your signature

4 b. The notice required under this section shall be mailed  
5 within thirty days of the lapse of the three-year period in  
6 which there is no activity. The cost of the certified mail of  
7 the notice required in this section may be deducted from the  
8 account by the banking or financial organization.

9 Sec. 176. Section 557B.3, subsection 2, unnumbered  
10 paragraphs 2, 3, 4, and 5, Code 2013, are amended to read as  
11 follows:

12 3. The application shall be signed by the membership camping  
13 operator or an officer or a general partner of the membership  
14 camping operator, or by another person holding a power of  
15 attorney for this purpose from the membership camping operator.  
16 If the application is signed pursuant to a power of attorney,  
17 a copy of the power of attorney must be included with the  
18 application.

19 4. An application for registration shall be amended within  
20 twenty-five days of any material change in the information  
21 included in the application. A material change includes any  
22 change which significantly reduces or terminates either the  
23 applicant's or the purchaser's right to use the campground  
24 or any of the facilities described in the membership camping  
25 contract, but does not include minor changes covering the use  
26 of the campground, its facilities, or the reciprocal program.

27 5. The registration of the membership camping operator  
28 must be renewed annually by filing an application for renewal  
29 with the required fee not later than thirty days prior to the  
30 anniversary of the current registration. The application shall  
31 include all changes which have occurred in the information  
32 included in the application previously filed.

33 6. Registration with the attorney general does not  
34 constitute approval or endorsement by the attorney general  
35 of the membership camping operator, the membership camping

1 contract, or the campground, and any attempt by the membership  
2 camping operator to indicate that registration constitutes such  
3 approval or endorsement is unlawful.

4 Sec. 177. Section 557B.8, Code 2013, is amended to read as  
5 follows:

6 **557B.8 Disclosures to purchasers.**

7 1. A membership camping operator who is subject to the  
8 registration requirements of section 557B.3 shall provide a  
9 disclosure statement to a purchaser or prospective purchaser  
10 before the person signs a membership camping contract or gives  
11 any money or thing of value for the purchase of a membership  
12 camping contract.

13 ~~1.~~ 2. The front cover or first page of the disclosure  
14 statement shall contain only the following, in the order  
15 stated:

16 *a.* "MEMBERSHIP CAMPING OPERATOR'S DISCLOSURE STATEMENT"  
17 printed at the top in boldface type of a minimum size of ten  
18 points.

19 *b.* The name and principal business address of the membership  
20 camping operator and any material affiliate of the membership  
21 camping operator.

22 *c.* A statement that the membership camping operator is in  
23 the business of offering for sale membership camping contracts.

24 *d.* A statement, printed in boldface type of a minimum size  
25 of ten points, which reads as follows:

26 THIS DISCLOSURE STATEMENT CONTAINS IMPORTANT MATTERS TO BE  
27 CONSIDERED IN THE EXECUTION OF A MEMBERSHIP CAMPING CONTRACT.  
28 THE MEMBERSHIP CAMPING OPERATOR IS REQUIRED BY LAW TO DELIVER  
29 TO YOU A COPY OF THIS DISCLOSURE STATEMENT BEFORE YOU EXECUTE  
30 A MEMBERSHIP CAMPING CONTRACT. THE STATEMENTS CONTAINED IN  
31 THIS DOCUMENT ARE ONLY SUMMARY IN NATURE. YOU AS A PROSPECTIVE  
32 PURCHASER SHOULD REVIEW ALL REFERENCES, EXHIBITS, CONTRACT  
33 DOCUMENTS, AND SALES MATERIALS. YOU SHOULD NOT RELY UPON ANY  
34 ORAL REPRESENTATIONS AS BEING CORRECT. REFER TO THIS DOCUMENT  
35 AND TO THE ACCOMPANYING EXHIBITS FOR CORRECT REPRESENTATIONS.

1 THE MEMBERSHIP CAMPING OPERATOR IS PROHIBITED FROM MAKING ANY  
2 REPRESENTATIONS WHICH CONFLICT WITH THOSE CONTAINED IN THE  
3 CONTRACT AND THIS DISCLOSURE STATEMENT.

4 *e.* A statement, printed in boldface type of a minimum size  
5 of ten points, which reads as follows:

6 IF YOU EXECUTE A MEMBERSHIP CAMPING CONTRACT, YOU HAVE  
7 THE UNQUALIFIED RIGHT TO CANCEL THE CONTRACT. THIS RIGHT OF  
8 CANCELLATION CANNOT BE WAIVED. THE RIGHT TO CANCEL EXPIRES  
9 AT MIDNIGHT ON THE THIRD BUSINESS DAY FOLLOWING THE DATE ON  
10 WHICH THE CONTRACT WAS EXECUTED OR THE DATE OF RECEIPT OF  
11 THIS DISCLOSURE STATEMENT, WHICHEVER EVENT OCCURS LATER. TO  
12 CANCEL THE MEMBERSHIP CAMPING CONTRACT, YOU AS THE PURCHASER  
13 MUST HAND DELIVER OR MAIL NOTICE OF YOUR INTENT TO CANCEL TO  
14 THE MEMBERSHIP CAMPING OPERATOR AT THE ADDRESS SHOWN IN THE  
15 MEMBERSHIP CAMPING CONTRACT, POSTAGE PREPAID. THE MEMBERSHIP  
16 CAMPING OPERATOR IS REQUIRED BY LAW TO RETURN ALL MONEYS PAID  
17 BY YOU IN CONNECTION WITH THE EXECUTION OF THE MEMBERSHIP  
18 CAMPING CONTRACT, UPON YOUR PROPER AND TIMELY CANCELLATION OF  
19 THE CONTRACT AND RETURN OF ALL MEMBERSHIP AND RECIPROCAL USE  
20 PROGRAM MATERIALS FURNISHED AT THE TIME OF PURCHASE.

21 ~~2.~~ 3. The following pages of the disclosure statement shall  
22 contain all of the following in the order stated:

23 *a.* The name, principal occupation, and address of every  
24 director, partner, or controlling person of the membership  
25 camping operator.

26 *b.* A brief description of the nature of the purchaser's  
27 right or license to use the campground and the facilities which  
28 are to be available for use by purchasers.

29 *c.* A brief description of the membership camping operator's  
30 experience in the membership camping business, including the  
31 length of time the operator has been in the membership camping  
32 business.

33 *d.* The location of each of the campgrounds which is to be  
34 available for use by purchasers and a brief description of the  
35 facilities at each campground which are currently available for

1 use by purchasers. Facilities which are planned, incomplete,  
2 or not yet available for use shall be clearly identified  
3 as incomplete or unavailable. A brief description of any  
4 facilities that are or will be available to nonpurchasers shall  
5 also be provided. The description shall include, but need  
6 not be limited to, the number of campsites in each park, the  
7 number of campsites in each park with full or partial hookups,  
8 swimming pools, tennis courts, recreation buildings, restrooms  
9 and showers, laundry rooms, trading posts, and grocery stores.

10 *e.* The fees and charges that purchasers are or may  
11 be required to pay for the use of the campground or any  
12 facilities.

13 *f.* Any initial or special fee due from the purchaser,  
14 together with a description of the purpose and method of  
15 calculating the fee.

16 *g.* The extent to which financial arrangements, if any, have  
17 been provided for the completion of facilities, together with  
18 a statement of the membership camping operator's obligation  
19 to complete planned facilities. The statement shall include  
20 a description of any restrictions or limitations on the  
21 membership camping operator's obligation to begin or to  
22 complete the facilities.

23 *h.* The names of the managing entity, if any, and the  
24 significant terms of any management contract, including but  
25 not limited to, the circumstances under which the membership  
26 camping operator may terminate the management contract.

27 *i.* A summary or copy, whether by way of supplement or  
28 otherwise, of the rules, restrictions, or covenants regulating  
29 the purchaser's use of the campground and the facilities  
30 which are to be available for use by the purchaser, including  
31 a statement of whether and how the rules, restrictions, or  
32 covenants may be changed.

33 *j.* A brief description of the policies covering the  
34 availability of camping sites, the availability of reservations  
35 and the conditions under which they are made.

1     *k.* A brief description of any grounds for forfeiture of a  
2 purchaser's membership camping contract.

3     *l.* A statement of whether the membership camping operator  
4 has the right to withdraw permanently from use, all or any  
5 portion of any campground devoted to membership camping and,  
6 if so, the conditions under which the withdrawal is to be  
7 permitted.

8     *m.* A statement describing the material terms and conditions  
9 of any reciprocal program to be available to the purchaser,  
10 including a statement concerning whether the purchaser's  
11 participation in any reciprocal program is dependent on the  
12 continued affiliation of the membership camping operator with  
13 that reciprocal program and whether the membership camping  
14 operator reserves the right to terminate such affiliation.

15     *n.* As to all memberships offered by the membership camping  
16 operator at each campground, all of the following:

17         (1) The form of membership offered.

18         (2) The types of duration of membership along with a  
19 summary of the major privileges, restrictions, and limitations  
20 applicable to each type.

21         (3) Provisions that have been made for public utilities  
22 at each campsite including water, electricity, telephone, and  
23 sewage facilities.

24     *o.* A statement of the assistance, if any, that the  
25 membership camping operator will provide to the purchaser in  
26 the resale of membership camping contracts and a detailed  
27 description of how any such resale program is operated.

28     *p.* The following statement, printed in boldface type of a  
29 minimum size of ten points:

30     **REGISTRATION OF THE MEMBERSHIP CAMPING OPERATOR WITH THE IOWA**  
31 **ATTORNEY GENERAL DOES NOT CONSTITUTE AN APPROVAL OR ENDORSEMENT**  
32 **BY THE ATTORNEY GENERAL OF THE MEMBERSHIP CAMPING OPERATOR, THE**  
33 **MEMBERSHIP CAMPING CONTRACT, OR THE CAMPGROUND.**

34     4. The membership camping operator shall promptly amend the  
35 disclosure statement to reflect any material change and shall

1 promptly file any such amendments with the attorney general.

2 Sec. 178. Section 562A.15, subsections 1 and 2, Code 2013,  
3 are amended to read as follows:

4 1. a. The landlord shall:

5 ~~a.~~ (1) Comply with the requirements of applicable building  
6 and housing codes materially affecting health and safety.

7 ~~b.~~ (2) Make all repairs and do whatever is necessary to put  
8 and keep the premises in a fit and habitable condition.

9 ~~c.~~ (3) Keep all common areas of the premises in a clean  
10 and safe condition. The landlord shall not be liable for any  
11 injury caused by any objects or materials which belong to or  
12 which have been placed by a tenant in the common areas of the  
13 premises used by the tenant.

14 ~~d.~~ (4) Maintain in good and safe working order and  
15 condition all electrical, plumbing, sanitary, heating,  
16 ventilating, air-conditioning, and other facilities and  
17 appliances, including elevators, supplied or required to be  
18 supplied by the landlord.

19 ~~e.~~ (5) Provide and maintain appropriate receptacles and  
20 conveniences, accessible to all tenants, for the central  
21 collection and removal of ashes, garbage, rubbish, and other  
22 waste incidental to the occupancy of the dwelling unit and  
23 arrange for their removal.

24 ~~f.~~ (6) Supply running water and reasonable amounts of  
25 hot water at all times and reasonable heat, except where the  
26 building that includes the dwelling unit is not required by  
27 law to be equipped for that purpose, or the dwelling unit  
28 is so constructed that heat or hot water is generated by an  
29 installation within the exclusive control of the tenant and  
30 supplied by a direct public utility connection.

31 b. If the duty imposed by paragraph "a", subparagraph  
32 (1), ~~of this subsection~~ is greater than a duty imposed by  
33 another subparagraph of paragraph "a" of this subsection, the  
34 landlord's duty shall be determined by reference to paragraph  
35 "a", subparagraph (1) of this subsection.

1 2. The landlord and tenant of a single family residence may  
2 agree in writing that the tenant perform the landlord's duties  
3 specified in ~~paragraphs "e" and "f"~~ of subsection 1, paragraph  
4 "a", subparagraphs (5) and (6), and also specified repairs,  
5 maintenance tasks, alterations, and remodeling, but only if the  
6 transaction is entered into in good faith.

7 Sec. 179. Section 562A.27A, subsection 3, Code 2013, is  
8 amended to read as follows:

9 3. a. This section shall not apply to a tenant if the  
10 activities causing the clear and present danger, as defined  
11 in subsection 2, are conducted by a person on the premises  
12 other than the tenant and the tenant takes at least one of  
13 the following measures against the person conducting the  
14 activities:

15 ~~a.~~ (1) The tenant seeks a protective order, restraining  
16 order, order to vacate the homestead, or other similar relief  
17 pursuant to chapter 236, 598, 664A, or 915, or any other  
18 applicable provision which would apply to the person conducting  
19 the activities causing the clear and present danger.

20 ~~b.~~ (2) The tenant reports the activities causing the clear  
21 and present danger to a law enforcement agency or the county  
22 attorney in an effort to initiate a criminal action against the  
23 person conducting the activities.

24 ~~c.~~ (3) The tenant writes a letter to the person conducting  
25 the activities causing the clear and present danger, telling  
26 the person not to return to the premises and that a return to  
27 the premises may result in a trespass or other action against  
28 the person, and the tenant sends a copy of the letter to a law  
29 enforcement agency whose jurisdiction includes the premises.  
30 If the tenant has previously written a letter to the person  
31 as provided in this ~~paragraph~~ subparagraph, without taking an  
32 action specified in ~~paragraph "a"~~ subparagraph (1) or ~~"b"~~ (2)  
33 or filing a trespass or other action, and the person to whom  
34 the letter was sent conducts further activities causing a clear  
35 and present danger, the tenant must take one of the actions

1 specified in ~~paragraph "a"~~ subparagraph (1) or ~~"b"~~ (2) to be  
2 exempt from proceedings pursuant to subsection 1.

3 b. However, in order to fall within the exemptions provided  
4 within this subsection, the tenant must provide written proof  
5 to the landlord, prior to the commencement of a suit against  
6 the tenant, that the tenant has taken one of the measures  
7 specified in ~~paragraphs~~ paragraph "a", subparagraphs (1)  
8 through ~~"c"~~ (3).

9 Sec. 180. Section 562B.11, subsection 2, Code 2013, is  
10 amended to read as follows:

11 2. A provision prohibited by subsection 1 ~~of this section~~  
12 included in a rental agreement is unenforceable. If a landlord  
13 or tenant knowingly uses a rental agreement containing  
14 provisions known to be prohibited by this chapter, the other  
15 party may recover actual damages sustained.

16 3. Nothing in this chapter shall prohibit a rental agreement  
17 from requiring a tenant to maintain liability insurance which  
18 names the landlord as an insured as relates to the mobile home  
19 space rented by the tenant.

20 Sec. 181. Section 562B.25A, subsection 3, Code 2013, is  
21 amended to read as follows:

22 3. a. This section shall not apply to a tenant if the  
23 activities causing the clear and present danger, as defined  
24 in subsection 2, are conducted by a person on the premises  
25 other than the tenant and the tenant takes at least one of  
26 the following measures against the person conducting the  
27 activities:

28 ~~a.~~ (1) The tenant seeks a protective order, restraining  
29 order, order to vacate the homestead, or other similar relief  
30 pursuant to chapter 236, 598, 664A, or 915, or any other  
31 applicable provision which would apply to the person conducting  
32 the activities causing the clear and present danger.

33 ~~b.~~ (2) The tenant reports the activities causing the clear  
34 and present danger to a law enforcement agency or the county  
35 attorney in an effort to initiate a criminal action against the

1 person conducting the activities.

2 ~~c.~~ (3) The tenant writes a letter to the person conducting  
3 the activities causing the clear and present danger, telling  
4 the person not to return to the premises and that a return to  
5 the premises may result in a trespass or other action against  
6 the person, and the tenant sends a copy of the letter to a law  
7 enforcement agency whose jurisdiction includes the premises.  
8 If the tenant has previously written a letter to the person  
9 as provided in this ~~paragraph~~ subparagraph, without taking an  
10 action specified in ~~paragraph~~ "a" subparagraph (1) or "b" (2)  
11 or filing a trespass or other action, and the person to whom  
12 the letter was sent conducts further activities causing a clear  
13 and present danger, the tenant must take one of the actions  
14 specified in ~~paragraph~~ "a" subparagraph (1) or "b" (2) to be  
15 exempt from proceedings pursuant to subsection 1.

16 b. However, in order to fall within the exemptions provided  
17 within this subsection, the tenant must provide written proof  
18 to the landlord, prior to the commencement of a suit against  
19 the tenant, that the tenant has taken one of the measures  
20 specified in ~~paragraphs~~ paragraph "a", subparagraphs (1)  
21 through "c" (3).

22 Sec. 182. Section 585.3, Code 2013, is amended to read as  
23 follows:

24 **585.3 Caption of publication.**

25 1. The publication required by this chapter shall be made  
26 under the following caption or heading, to wit:

27 Proposed bill for the legalization of the proceedings of  
28 (name of official body).

29 2. If the proposed bill be for the legalization of the bonds  
30 or warrants of the public corporation, the caption shall be  
31 modified accordingly.

32 Sec. 183. Section 600.16A, subsection 3, Code 2013, is  
33 amended to read as follows:

34 3. a. In addition to other procedures by which adoption  
35 records may be opened under this section, if both of the

1 following conditions are met, the department, the clerk of  
2 court, or the agency which made the placement shall open the  
3 adoption record for inspection and shall reveal the identity  
4 of the biological parents to the adult adopted child or the  
5 identity of the adult adopted child to the biological parents:

6 ~~a.~~ (1) A biological parent has placed in the adoption  
7 record written consent to revelation of the biological parent's  
8 identity to the adopted child at an age specified by the  
9 biological parent, upon request of the adopted child.

10 ~~b.~~ (2) An adult adopted child has placed in the adoption  
11 record written consent to revelation of the identity of the  
12 adult adopted child to a biological parent.

13 b. A person who has placed in the adoption record written  
14 consent pursuant to paragraph "a", subparagraph (1) or "~~b~~"  
15 ~~of this subsection (2)~~ may withdraw the consent at any time  
16 by placing a written withdrawal of consent statement in the  
17 adoption record.

18 c. Notwithstanding the provisions of this subsection, if  
19 the adult adopted person has a sibling who is a minor and who  
20 has also been adopted by the same parents, the department, the  
21 clerk of court, or the agency which made the placement may  
22 deny the request of either the adult adopted person or the  
23 biological parent to open the adoption records and to reveal  
24 the identities of the parties pending determination by the  
25 juvenile court or court that there is good cause to open the  
26 records pursuant to subsection 2.

27 Sec. 184. Section 602.1606, Code 2013, is amended to read  
28 as follows:

29 **602.1606 Judicial officer disqualified.**

30 1. A judicial officer is disqualified from acting in a  
31 proceeding, except upon the consent of all of the parties, if  
32 any of the following circumstances exists:

33 ~~±.~~ a. The judicial officer has a personal bias or  
34 prejudice concerning a party, or personal knowledge of disputed  
35 evidentiary facts concerning the proceeding.

1     2. b. The judicial officer served as a lawyer in the matter  
2 in controversy, or a lawyer with whom the judicial officer  
3 previously practiced law served during that association as a  
4 lawyer concerning the matter, or the judicial officer or such  
5 lawyer has been a material witness concerning the matter.

6     3. c. The judicial officer knows that the officer,  
7 individually or as a fiduciary, or the officer's spouse or a  
8 person related to either of them by consanguinity or affinity  
9 within the third degree or the spouse of such a person has a  
10 financial interest in the subject matter in controversy or in a  
11 party to the proceeding, or has any other interest that could  
12 be substantially affected by the outcome of the proceeding.

13     4. d. The judicial officer or the officer's spouse, or a  
14 person related to either of them by consanguinity or affinity  
15 within the third degree or the spouse of such a person, is a  
16 party to the proceeding, or an officer, director, or trustee  
17 of a party, or is acting as a lawyer in the proceeding, or is  
18 known by the judicial officer to have an interest that could be  
19 substantially affected by the outcome of the proceeding, or is,  
20 to the judicial officer's knowledge, likely to be a material  
21 witness in the proceeding.

22     2. A judicial officer shall disclose to all parties in a  
23 proceeding any existing circumstances in ~~subsections~~ subsection  
24 1, paragraphs "a" through 4 "d", before the parties consent to  
25 the judicial officer's presiding in the proceeding.

26     Sec. 185. Section 607A.22, Code 2013, is amended to read as  
27 follows:

28     **607A.22 Use of source lists — information provided.**

29     1. The appointive jury commission or the jury manager shall  
30 use both of the following source lists in preparing grand and  
31 petit jury lists:

32     1. a. The current voter registration list.

33     2. b. The current motor vehicle operators list.

34     2. The appointive jury commission or the jury manager may  
35 use any other current comprehensive list of persons residing in

1 the county, including but not limited to the lists of public  
2 utility customers, which the appointive jury commission or  
3 jury manager determines are useable for the purpose of a juror  
4 source list.

5 3. The applicable state and local government officials  
6 shall furnish, upon request, the appointive jury commission or  
7 jury manager with copies of lists necessary for the formulation  
8 of source lists at no cost to the commission, manager, or  
9 county.

10 4. The jury manager or jury commission may request  
11 a consolidated source list. A consolidated source list  
12 contains all the names and addresses found in either the voter  
13 registration list or the motor vehicle operators list, but does  
14 not duplicate an individual's name within the consolidated  
15 list. State officials shall cooperate with one another  
16 to prepare consolidated lists. The jury manager or jury  
17 commission may further request that only a randomly chosen  
18 portion of the consolidated list be prepared which may consist  
19 of either a certain number of names or a certain percentage of  
20 all the names in the consolidated list, as specified by the  
21 jury manager or jury commission.

22 Sec. 186. Section 607A.27, Code 2013, is amended to read as  
23 follows:

24 **607A.27 Preparation for drawing of panels.**

25 1. The names entered upon the appointive jury commission's  
26 or jury manager's lists and deposited in the office of the  
27 clerk or jury manager constitute the grand and petit master  
28 lists, from which grand and petit jurors shall be drawn.

29 2. Within ten days after the lists are deposited in the  
30 office of the clerk or jury manager, the clerk or jury manager  
31 shall do either of the following:

32 ~~1.~~ a. Prepare from the lists separate ballots, uniform in  
33 size, shape, and appearance, and folded to conceal information  
34 on the ballot. The ballots for grand and petit jurors shall be  
35 kept separate and each ballot shall contain the name and place

1 of residence of each prospective juror.

2 ~~2.~~ b. Use electronic data processing equipment for the  
3 storage of names of the grand and petit jurors. The numerical  
4 division required in section 607A.21 need not be used when a  
5 jury wheel is used for the preparation of the lists.

6 Sec. 187. Section 619.19, Code 2013, is amended to read as  
7 follows:

8 **619.19 Verification not required — affidavits.**

9 1. Pleadings need not be verified unless otherwise required  
10 by statute. Where a pleading is verified, it is not necessary  
11 that subsequent pleadings be verified unless otherwise required  
12 by statute.

13 2. The signature of a party, the party's legal counsel, or  
14 any other person representing the party, to a motion, pleading,  
15 or other paper is a certificate that:

16 ~~1.~~ a. The person has read the motion, pleading, or other  
17 paper.

18 ~~2.~~ b. To the best of the person's knowledge, information,  
19 and belief, formed after reasonable inquiry, it is grounded in  
20 fact and is warranted by existing law or a good faith argument  
21 for the extension, modification, or reversal of existing law.

22 ~~3.~~ c. It is not interposed for any improper purpose, such  
23 as to harass or cause an unnecessary delay or needless increase  
24 in the cost of litigation.

25 3. If a motion, pleading, or other paper is not signed,  
26 it shall be stricken unless it is signed promptly after the  
27 omission is called to the attention of the pleader or movant.

28 4. If a motion, pleading, or other paper is signed in  
29 violation of this section, the court, upon motion or upon its  
30 own initiative, shall impose upon the person signing, the  
31 represented party, or both, an appropriate sanction, which may  
32 include an order to pay the other party or parties the amount  
33 of the reasonable expenses incurred because of the filing of  
34 the motion, pleading, or other paper, including a reasonable  
35 attorney fee.

1     Sec. 188. Section 625A.9, subsection 2, paragraph a, Code  
2 2013, is amended to read as follows:

3     a. (1) Except as provided in paragraph "b", if the judgment  
4 or order appealed from is for money, such bond shall not exceed  
5 one hundred ten percent of the amount of the money judgment.

6     (2) The court may set a bond in an amount in excess of  
7 one hundred ten percent of the amount of the money judgment  
8 upon making specific findings justifying such an amount, and  
9 in doing so, shall consider, but shall not be limited to  
10 consideration of, the following criteria:

11     ~~(1)~~ (a) The availability and cost of the bond or other form  
12 of adequate security.

13     ~~(2)~~ (b) The assets of the judgment debtor and of the  
14 judgment debtor's insurer or indemnitor, if any.

15     ~~(3)~~ (c) The potential adverse effects of the bond on the  
16 judgment debtor, including, but not limited to, the potential  
17 adverse effects on the judgment debtor's employees, financial  
18 stability, and business operations.

19     ~~(4)~~ (d) The potential adverse effects of the bond on the  
20 judgment creditor and third parties, including public entities.

21     ~~(5)~~ (e) In a class action suit, the adequacy of the bond to  
22 compensate all members of the class.

23     Sec. 189. Section 627.6, subsection 6, Code 2013, is amended  
24 to read as follows:

25     6. The interest of an individual in any accrued dividend  
26 or interest, loan or cash surrender value of, or any other  
27 interest in a life insurance policy owned by the individual  
28 if the beneficiary of the policy is the individual's spouse,  
29 child, or dependent. However, the amount of the exemption  
30 shall not exceed ten thousand dollars in the aggregate of any  
31 interest or value in insurance acquired within two years of  
32 the date execution is issued or exemptions are claimed, or  
33 for additions within the same time period to a prior existing  
34 policy which additions are in excess of the amount necessary to  
35 fund the amount of face value coverage of the policies for the

1 two-year period. For purposes of this unnumbered paragraph,  
2 acquisitions shall not include such interest in new policies  
3 used to replace prior policies to the extent of any accrued  
4 dividend or interest, loan or cash surrender value of, or any  
5 other interest in the prior policies at the time of their  
6 cancellation.

7 a. In the absence of a written agreement or assignment to  
8 the contrary, upon the death of the insured any benefit payable  
9 to the spouse, child, or dependent of the individual under a  
10 life insurance policy shall inure to the separate use of the  
11 beneficiary independently of the insured's creditors.

12 b. A benefit or indemnity paid under an accident, health, or  
13 disability insurance policy is exempt to the insured or in case  
14 of the insured's death to the spouse, child, or dependent of  
15 the insured, from the insured's debts.

16 c. In case of an insured's death the avails of all matured  
17 policies of life, accident, health, or disability insurance  
18 payable to the surviving spouse, child, or dependent are exempt  
19 from liability for all debts of the beneficiary contracted  
20 prior to death of the insured, but the amount thus exempted  
21 shall not exceed fifteen thousand dollars in the aggregate.

22 Sec. 190. Section 627.6, subsection 8, paragraph f, Code  
23 2013, is amended to read as follows:

24 f. (1) Contributions and assets, including the accumulated  
25 earnings and market increases in value, in any of the plans or  
26 contracts as follows:

27 ~~(1)~~ (a) All transfers, in any amount, from a trust forming  
28 part of a stock, bonus, pension, or profit-sharing plan of an  
29 employer defined in section 401(a) of the Internal Revenue Code  
30 and of which the trust assets are exempt from taxation under  
31 section 501(a) of the Internal Revenue Code and covered by  
32 the Employee Retirement Income Security Act of 1974 (ERISA),  
33 as codified at 29 U.S.C. § 1001 et seq., to either of the  
34 following:

35 ~~(a)~~ (i) A succeeding trust authorized under federal law on

1 or after April 25, 2001.

2 ~~(b)~~ (ii) An individual retirement account or individual  
3 retirement annuity established under section 408(d)(3) of the  
4 Internal Revenue Code, from which the total value, including  
5 accumulated earnings and market increases in value, may be  
6 contributed to a succeeding trust authorized under federal law  
7 on or after April 25, 2001. For purposes of this subparagraph  
8 division, transfers, in any amount, from an individual  
9 retirement account or individual retirement annuity established  
10 under section 408(d)(3) of the Internal Revenue Code to an  
11 individual retirement account or individual retirement annuity  
12 established under section 408(d)(3) of the Internal Revenue  
13 Code, or an individual retirement account established under  
14 section 408(a) of the Internal Revenue Code, or an individual  
15 retirement annuity established under section 408(b) of the  
16 Internal Revenue Code, or a Roth individual retirement account,  
17 or a Roth individual retirement annuity established under  
18 section 408A of the Internal Revenue Code are exempt.

19 ~~(2)~~ (b) (i) All transfers, in any amount, from an  
20 eligible retirement plan to an individual retirement account,  
21 an individual retirement annuity, a Roth individual retirement  
22 account, or a Roth individual retirement annuity established  
23 under section 408A of the Internal Revenue Code shall be exempt  
24 from execution and from the claims of creditors.

25 (ii) As used in this subparagraph division, "*eligible*  
26 *retirement plan*" means the funds or assets in any retirement  
27 plan established under state or federal law that meet all of  
28 the following requirements:

29 ~~(a)~~ (A) Can be transferred to an individual retirement  
30 account or individual retirement annuity established under  
31 sections 408(a) and 408(b) of the Internal Revenue Code or Roth  
32 individual retirement accounts and Roth individual retirement  
33 annuities established under section 408A of the Internal  
34 Revenue Code.

35 ~~(b)~~ (B) Are either exempt from execution under state or

1 federal law or are excluded from a bankruptcy estate under 11  
2 U.S.C. § 541(c)(2) et seq.

3 ~~(3)~~ (c) Retirement plans established pursuant to qualified  
4 domestic relations orders, as defined in 26 U.S.C. § 414.  
5 However, nothing in this section shall be construed as making  
6 any retirement plan exempt from the claims of the beneficiary  
7 of a qualified domestic relations order or from claims for  
8 child support or alimony.

9 ~~(4)~~ (d) For simplified employee pension plans,  
10 self-employed pension plans (also known as Keogh plans or  
11 H.R. 10 plans), individual retirement accounts established  
12 under section 408(a) of the Internal Revenue Code, individual  
13 retirement annuities established under section 408(b) of the  
14 Internal Revenue Code, savings incentive matched plans for  
15 employees, salary reduction simplified employee pension plans  
16 (also known as SARSEPs), and similar plans for retirement  
17 investments authorized in the future under federal law, the  
18 exemption for contributions shall not exceed, for each tax  
19 year of contributions, the actual amount of the contribution  
20 deducted on the debtor's tax return or the maximum amount  
21 which could be contributed to an individual retirement account  
22 established under section 408(a) of the Internal Revenue Code  
23 and deducted in the tax year of the contribution, whichever  
24 is less. The exemption for accumulated earnings and market  
25 increases in value of plans under this subparagraph division  
26 shall be limited to an amount determined by multiplying all  
27 the accumulated earnings and market increases in value by a  
28 fraction, the numerator of which is the total amount of exempt  
29 contributions as determined by this subparagraph division, and  
30 the denominator of which is the total of exempt and nonexempt  
31 contributions to the plan.

32 ~~(5)~~ (e) For Roth individual retirement accounts and Roth  
33 individual retirement annuities established under section 408A  
34 of the Internal Revenue Code and similar plans for retirement  
35 investments authorized in the future under federal law, the

1 exemption for contributions shall not exceed, for each tax year  
 2 of contributions, the actual amount of the contribution or the  
 3 maximum amount which federal law allows to be contributed to  
 4 such plans. The exemption for accumulated earnings and market  
 5 increases in value of plans under this subparagraph division  
 6 shall be limited to an amount determined by multiplying all of  
 7 the accumulated earnings and market increases in value by a  
 8 fraction, the numerator of which is the total amount of exempt  
 9 contributions as determined by this subparagraph division, and  
 10 the denominator of which is the total of exempt and nonexempt  
 11 contributions to the plan.

12 ~~(6)~~ (f) For all contributions to plans described in  
 13 ~~subparagraphs (4)~~ subparagraph divisions (d) and ~~(5)~~ (e), the  
 14 maximum contribution in each of the two tax years preceding  
 15 the claim of exemption or filing of a bankruptcy shall be  
 16 limited to the maximum deductible contribution to an individual  
 17 retirement account established under section 408(a) of the  
 18 Internal Revenue Code, regardless of which plan for retirement  
 19 investment has been chosen by the debtor.

20 ~~(7)~~ (g) Exempt assets transferred from any individual  
 21 retirement account, individual retirement annuity, Roth  
 22 individual retirement account, or Roth individual retirement  
 23 annuity to any other individual retirement account, individual  
 24 retirement annuity, Roth individual retirement annuity,  
 25 or Roth individual retirement account established under  
 26 section 408A of the Internal Revenue Code shall continue  
 27 to be exempt regardless of the number of times transferred  
 28 between individual retirement accounts, individual retirement  
 29 annuities, Roth individual retirement annuities, or Roth  
 30 individual retirement accounts.

31 (2) For purposes of this paragraph "f", "market increases in  
 32 value" shall include, but shall not be limited to, dividends,  
 33 stock splits, interest, and appreciation. "Contributions" means  
 34 contributions by the debtor and by the debtor's employer.

35 Sec. 191. Section 633.197, Code 2013, is amended to read as

1 follows:

2 **633.197 Compensation.**

3 1. Personal representatives shall be allowed such  
4 reasonable fees as may be determined by the court for services  
5 rendered, but not in excess of the following commissions upon  
6 the gross assets of the estate listed in the probate inventory,  
7 which shall be received as full compensation for all ordinary  
8 services:

9 a. For the first one thousand dollars, six percent~~+~~.

10 b. For the overplus between one and five thousand dollars,  
11 four percent~~+~~.

12 c. For all sums over five thousand dollars, two percent.

13 2. For purposes of this section, the gross assets of the  
14 estate shall not include life insurance proceeds, unless  
15 payable to the decedent's estate.

16 Sec. 192. Section 633.228, Code 2013, is amended to read as  
17 follows:

18 **633.228 Time allowed.**

19 1. To file such petition, there shall be allowed, commencing  
20 with the death of the decedent:

21 ~~1-~~ a. To the surviving spouse, a period of twenty days~~+~~.

22 ~~2-~~ b. To each other class in succession, a period of ten  
23 days.

24 2. The period allowed each class shall be advanced to the  
25 period allowed the preceding class if there is no member of  
26 such preceding class. Any member of any class may file such  
27 petition after the expiration of the period allowed to the  
28 member if letters have not been issued prior thereto.

29 Sec. 193. Section 633.290, Code 2013, is amended to read as  
30 follows:

31 **633.290 Petition for probate of will.**

32 1. At the time the will of a decedent is filed with the  
33 clerk, or thereafter, any interested person may file a verified  
34 petition in the district court of the proper county:

35 ~~1-~~ a. To have the will admitted to probate~~+~~.

1     ~~2.~~ b. For the appointment of the executor.

2     2. A petition for probate may be combined with a petition  
3 for appointment of the executor, and any person interested  
4 in either the probate of a will or in the appointment of the  
5 executor, may petition for both.

6     Sec. 194. Section 633A.3107, subsection 2, unnumbered  
7 paragraph 2, Code 2013, is amended to read as follows:

8     3. For the purposes of this section, "*relative of the*  
9 *settlor's spouse*" means a person who is related to the divorced  
10 settlor's former spouse by blood, adoption, or affinity, and  
11 who, subsequent to the divorce or dissolution of marriage,  
12 ceased to be related to the settlor by blood, adoption, or  
13 affinity.

14     Sec. 195. Section 654.12A, Code 2013, is amended to read as  
15 follows:

16     **654.12A Priority of advances under mortgages.**

17     1. Subject to section 572.18, if a prior recorded mortgage  
18 contains the notice prescribed in this section and identifies  
19 the maximum credit available to the borrower, then loans and  
20 advances made under the mortgage, up to the maximum amount  
21 of credit together with interest thereon, are senior to  
22 indebtedness to other creditors under subsequently recorded  
23 mortgages and other subsequently recorded or filed liens even  
24 though the holder of the prior recorded mortgage has actual  
25 notice of indebtedness under a subsequently recorded mortgage  
26 or other subsequently recorded or filed lien. So long as  
27 credit is available to the borrower, payment of the outstanding  
28 mortgage balance to zero shall not extinguish the prior  
29 recorded mortgage if it contains the notice prescribed by this  
30 section. The notice prescribed by this section for the prior  
31 recorded mortgage is as follows:

32     NOTICE: This mortgage secures credit in the amount of  
33 ..... Loans and advances up to this amount, together with  
34 interest, are senior to indebtedness to other creditors under  
35 subsequently recorded or filed mortgages and liens.



1 THE MORTGAGED PROPERTY IS YOUR RESIDENCE AND IS A ONE-FAMILY  
2 OR TWO-FAMILY DWELLING, THEN A DEFICIENCY JUDGMENT WILL NOT BE  
3 ENTERED AGAINST YOU. IF YOU DO FILE A WRITTEN DEMAND TO DELAY  
4 THE SALE, THEN A DEFICIENCY JUDGMENT MAY BE ENTERED AGAINST YOU  
5 IF THE PROCEEDS FROM THE SALE OF THE MORTGAGED PROPERTY ARE  
6 INSUFFICIENT TO SATISFY THE AMOUNT OF THE MORTGAGE DEBT AND  
7 COSTS.

8 IF THE MORTGAGED PROPERTY IS NOT YOUR RESIDENCE OR IS NOT A  
9 ONE-FAMILY OR TWO-FAMILY DWELLING, THEN A DEFICIENCY JUDGMENT  
10 MAY BE ENTERED AGAINST YOU WHETHER OR NOT YOU FILE A WRITTEN  
11 DEMAND TO DELAY THE SALE.

12 3. If the election for foreclosure without redemption is  
13 made, then sections 654.21 through 654.26 apply.

14 Sec. 197. Section 670.4, Code 2013, is amended to read as  
15 follows:

16 **670.4 Claims exempted.**

17 1. The liability imposed by section 670.2 shall have no  
18 application to any claim enumerated in this section. As to any  
19 such claim, a municipality shall be liable only to the extent  
20 liability may be imposed by the express statute dealing with  
21 such claims and, in the absence of such express statute, the  
22 municipality shall be immune from liability.

23 ~~1-~~ a. Any claim by an employee of the municipality which is  
24 covered by the Iowa workers' compensation law.

25 ~~2-~~ b. Any claim in connection with the assessment or  
26 collection of taxes.

27 ~~3-~~ c. Any claim based upon an act or omission of an officer  
28 or employee of the municipality, exercising due care, in the  
29 execution of a statute, ordinance, or regulation whether the  
30 statute, ordinance or regulation is valid, or based upon the  
31 exercise or performance or the failure to exercise or perform a  
32 discretionary function or duty on the part of the municipality  
33 or an officer or employee of the municipality, whether or not  
34 the discretion is abused.

35 ~~4-~~ d. Any claim against a municipality as to which the

1 municipality is immune from liability by the provisions of any  
2 other statute or where the action based upon such claim has  
3 been barred or abated by operation of statute or rule of civil  
4 procedure.

5 ~~5.~~ e. Any claim for punitive damages.

6 ~~6.~~ f. Any claim for damages caused by a municipality's  
7 failure to discover a latent defect in the course of an  
8 inspection.

9 ~~7.~~ g. Any claim based upon or arising out of a claim  
10 of negligent design or specification, negligent adoption  
11 of design or specification, or negligent construction or  
12 reconstruction of a highway, secondary road, or street as  
13 defined in section 321.1, subsection 78, that was constructed  
14 or reconstructed in accordance with a generally recognized  
15 engineering or safety standard, criteria, or design theory in  
16 existence at the time of the construction or reconstruction. A  
17 claim under this chapter shall not be allowed for failure to  
18 upgrade, improve, or alter any aspect of an existing highway,  
19 secondary road, or street, to new, changed, or altered design  
20 standards. In respect to highways and roads, sealcoating,  
21 asphaltting, patching, resurfacing, ditching, draining,  
22 repairing, graveling, rocking, blading, or maintaining an  
23 existing highway or road does not constitute reconstruction.  
24 This ~~subsection~~ paragraph shall not apply to claims based upon  
25 gross negligence.

26 ~~8.~~ h. Any claim based upon or arising out of a claim of  
27 negligent design or specification, negligent adoption of design  
28 or specification, or negligent construction or reconstruction  
29 of a public improvement as defined in section 384.37,  
30 subsection 19, or other public facility that was constructed  
31 or reconstructed in accordance with a generally recognized  
32 engineering or safety standard, criteria, or design theory in  
33 existence at the time of the construction or reconstruction. A  
34 claim under this chapter shall not be allowed for failure to  
35 upgrade, improve, or alter any aspect of an existing public

1 improvement or other public facility to new, changed, or  
2 altered design standards. This ~~subsection~~ paragraph shall not  
3 apply to claims based upon gross negligence. This ~~subsection~~  
4 paragraph takes effect July 1, 1984, and applies to all cases  
5 tried or retried on or after July 1, 1984.

6 ~~9.~~ i. Any claim based upon an act or omission by an officer  
7 or employee of the municipality or the municipality's governing  
8 body, in the granting, suspension, or revocation of a license  
9 or permit, where the damage was caused by the person to whom  
10 the license or permit was issued, unless the act of the officer  
11 or employee constitutes actual malice or a criminal offense.

12 ~~10.~~ j. Any claim based upon an act or omission of an  
13 officer or employee of the municipality, whether by issuance of  
14 permit, inspection, investigation, or otherwise, and whether  
15 the statute, ordinance, or regulation is valid, if the damage  
16 was caused by a third party, event, or property not under the  
17 supervision or control of the municipality, unless the act or  
18 omission of the officer or employee constitutes actual malice  
19 or a criminal offense.

20 ~~11.~~ k. A claim based upon or arising out of an act or  
21 omission in connection with an emergency response including but  
22 not limited to acts or omissions in connection with emergency  
23 response communications services.

24 ~~12.~~ l. A claim relating to a swimming pool or spa as  
25 defined in section 135I.1 which has been inspected by a  
26 municipality or the state in accordance with chapter 135I,  
27 or a swimming pool or spa inspection program which has been  
28 certified by the state in accordance with that chapter, whether  
29 or not owned or operated by a municipality, unless the claim is  
30 based upon an act or omission of an officer or employee of the  
31 municipality and the act or omission constitutes actual malice  
32 or a criminal offense.

33 ~~13.~~ m. A claim based on an act or omission by a county or  
34 city pursuant to section 717.2A or chapter 717B relating to  
35 either of the following:

1 ~~a-~~ (1) Rescuing neglected livestock or another animal by a  
2 law enforcement officer.

3 ~~b-~~ (2) Maintaining or disposing of neglected livestock or  
4 another animal by a county or city.

5 ~~14.~~ n. Any claim based upon or arising out of a claim of  
6 negligent design or specification, negligent adoption of design  
7 or specification, or negligent construction or reconstruction  
8 of a public facility designed for purposes of skateboarding,  
9 in-line skating, bicycling, unicycling, scootering, river  
10 rafting, canoeing, or kayaking that was constructed or  
11 reconstructed, reasonably and in good faith, in accordance  
12 with generally recognized engineering or safety standards or  
13 design theories in existence at the time of the construction  
14 or reconstruction.

15 ~~15.~~ o. Any claim based upon or arising out of an act or  
16 omission of an officer or employee of the municipality or  
17 the municipality's governing body by a person skateboarding,  
18 in-line skating, bicycling, unicycling, scootering, river  
19 rafting, canoeing, or kayaking on public property when  
20 the person knew or reasonably should have known that the  
21 skateboarding, in-line skating, bicycling, unicycling,  
22 scootering, river rafting, canoeing, or kayaking created a  
23 substantial risk of injury to the person and was voluntarily  
24 in the place of risk. The exemption from liability contained  
25 in this ~~subsection~~ paragraph shall only apply to claims for  
26 injuries or damage resulting from the risks inherent in the  
27 activities of skateboarding, in-line skating, bicycling,  
28 unicycling, scootering, river rafting, canoeing, or kayaking.

29 2. The remedy against the municipality provided by section  
30 670.2 shall hereafter be exclusive of any other civil action  
31 or proceeding by reason of the same subject matter against the  
32 officer, employee or agent whose act or omission gave rise to  
33 the claim, or the officer's, employee's, or agent's estate.

34 3. This section does not expand any existing cause of action  
35 or create any new cause of action against a municipality.

1     Sec. 198. Section 704.2, Code 2013, is amended to read as  
2 follows:

3     **704.2 Deadly force.**

4     1. The term "*deadly force*" means any of the following:

5     ~~1.~~ a. Force used for the purpose of causing serious injury.

6     ~~2.~~ b. Force which the actor knows or reasonably should  
7 know will create a strong probability that serious injury will  
8 result.

9     ~~3.~~ c. The discharge of a firearm, other than a firearm  
10 loaded with less lethal munitions and discharged by a peace  
11 officer, corrections officer, or corrections official in  
12 the line of duty, in the direction of some person with the  
13 knowledge of the person's presence there, even though no intent  
14 to inflict serious physical injury can be shown.

15     ~~4.~~ d. The discharge of a firearm, other than a firearm  
16 loaded with less lethal munitions and discharged by a peace  
17 officer, corrections officer, or corrections official in the  
18 line of duty, at a vehicle in which a person is known to be.

19     2. As used in this section, "*less lethal munitions*"  
20 means projectiles which are designed to stun, temporarily  
21 incapacitate, or cause temporary discomfort to a person without  
22 penetrating the person's body.

23     Sec. 199. Section 706.3, Code 2013, is amended to read as  
24 follows:

25     **706.3 Penalties.**

26     1. A person who commits a conspiracy to commit a forcible  
27 felony is guilty of a class "C" felony.

28     2. A person who commits a conspiracy to commit a felony,  
29 other than a forcible felony, is guilty of a class "D" felony.

30     3. A person who commits a conspiracy to commit a misdemeanor  
31 is guilty of a misdemeanor of the same class.

32     Sec. 200. Section 707.2, Code 2013, is amended to read as  
33 follows:

34     **707.2 Murder in the first degree.**

35     1. A person commits murder in the first degree when the

1 person commits murder under any of the following circumstances:

2 ~~1.~~ a. The person willfully, deliberately, and with  
3 premeditation kills another person.

4 ~~2.~~ b. The person kills another person while participating  
5 in a forcible felony.

6 ~~3.~~ c. The person kills another person while escaping or  
7 attempting to escape from lawful custody.

8 ~~4.~~ d. The person intentionally kills a peace officer,  
9 correctional officer, public employee, or hostage while the  
10 person is imprisoned in a correctional institution under the  
11 jurisdiction of the Iowa department of corrections, or in a  
12 city or county jail.

13 ~~5.~~ e. The person kills a child while committing child  
14 endangerment under section 726.6, subsection 1, paragraph "b",  
15 or while committing assault under section 708.1 upon the child,  
16 and the death occurs under circumstances manifesting an extreme  
17 indifference to human life.

18 ~~6.~~ f. The person kills another person while participating  
19 in an act of terrorism as defined in section 708A.1.

20 2. Murder in the first degree is a class "A" felony.

21 3. For purposes of determining whether a person should  
22 register as a sex offender pursuant to the provisions of  
23 chapter 692A, the fact finder shall make a determination as  
24 provided in section 692A.126.

25 Sec. 201. Section 707.3, Code 2013, is amended to read as  
26 follows:

27 **707.3 Murder in the second degree.**

28 1. A person commits murder in the second degree when the  
29 person commits murder which is not murder in the first degree.

30 2. Murder in the second degree is a class "B" felony.  
31 However, notwithstanding section 902.9, subsection 2 1,  
32 paragraph "b", the maximum sentence for a person convicted under  
33 this section shall be a period of confinement of not more than  
34 fifty years.

35 3. For purposes of determining whether a person should

1 register as a sex offender pursuant to the provisions of  
2 chapter 692A, the fact finder shall make a determination as  
3 provided in section 692A.126.

4 Sec. 202. Section 709.4, Code 2013, is amended to read as  
5 follows:

6 **709.4 Sexual abuse in the third degree.**

7 1. A person commits sexual abuse in the third degree when  
8 the person performs a sex act under any of the following  
9 circumstances:

10 ~~1.~~ a. The act is done by force or against the will of the  
11 other person, whether or not the other person is the person's  
12 spouse or is cohabiting with the person.

13 ~~2.~~ b. The act is between persons who are not at the time  
14 cohabiting as husband and wife and if any of the following are  
15 true:

16 ~~a.~~ (1) The other person is suffering from a mental defect  
17 or incapacity which precludes giving consent.

18 ~~b.~~ (2) The other person is twelve or thirteen years of age.

19 ~~c.~~ (3) The other person is fourteen or fifteen years of age  
20 and any of the following are true:

21 ~~(1)~~ (a) The person is a member of the same household as the  
22 other person.

23 ~~(2)~~ (b) The person is related to the other person by blood  
24 or affinity to the fourth degree.

25 ~~(3)~~ (c) The person is in a position of authority over the  
26 other person and uses that authority to coerce the other person  
27 to submit.

28 ~~(4)~~ (d) The person is four or more years older than the  
29 other person.

30 ~~3.~~ c. The act is performed while the other person is under  
31 the influence of a controlled substance, which may include but  
32 is not limited to flunitrazepam, and all of the following are  
33 true:

34 ~~a.~~ (1) The controlled substance, which may include but is  
35 not limited to flunitrazepam, prevents the other person from

1 consenting to the act.

2 ~~b.~~ (2) The person performing the act knows or reasonably  
3 should have known that the other person was under the influence  
4 of the controlled substance, which may include but is not  
5 limited to flunitrazepam.

6 ~~4.~~ d. The act is performed while the other person is  
7 mentally incapacitated, physically incapacitated, or physically  
8 helpless.

9 2. Sexual abuse in the third degree is a class "C" felony.  
10 Sec. 203. Section 709.8, Code 2013, is amended to read as  
11 follows:

12 **709.8 Lascivious acts with a child.**

13 1. It is unlawful for any person sixteen years of age or  
14 older to perform any of the following acts with a child with  
15 or without the child's consent unless married to each other,  
16 for the purpose of arousing or satisfying the sexual desires  
17 of either of them:

18 ~~1.~~ a. Fondle or touch the pubes or genitals of a child.

19 ~~2.~~ b. Permit or cause a child to fondle or touch the  
20 person's genitals or pubes.

21 ~~3.~~ c. Solicit a child to engage in a sex act or solicit a  
22 person to arrange a sex act with a child.

23 ~~4.~~ d. Inflict pain or discomfort upon a child or permit a  
24 child to inflict pain or discomfort on the person.

25 2. a. Any person who violates a provision of this section  
26 involving an act included in subsection 1, paragraph "a" or 2  
27 "b", shall, upon conviction, be guilty of a class "C" felony.

28 b. Any person who violates a provision of this section  
29 involving an act included in subsection 3 1, paragraph "c" or 4  
30 "d", shall, upon conviction, be guilty of a class "D" felony.

31 Sec. 204. Section 709.12, Code 2013, is amended to read as  
32 follows:

33 **709.12 Indecent contact with a child.**

34 1. A person eighteen years of age or older is upon  
35 conviction guilty of an aggravated misdemeanor if the person

1 commits any of the following acts with a child, not the  
2 person's spouse, with or without the child's consent, for the  
3 purpose of arousing or satisfying the sexual desires of either  
4 of them:

5 ~~1.~~ a. Fondle or touch the inner thigh, groin, buttock,  
6 anus, or breast of the child.

7 ~~2.~~ b. Touch the clothing covering the immediate area of the  
8 inner thigh, groin, buttock, anus, or breast of the child.

9 ~~3.~~ c. Solicit or permit a child to fondle or touch the  
10 inner thigh, groin, buttock, anus, or breast of the person.

11 ~~4.~~ d. Solicit a child to engage in any act prohibited under  
12 section 709.8, subsection 1, ~~2~~ paragraph "a", "b", or 4 "d".

13 2. The provisions of this section shall also apply to a  
14 person sixteen or seventeen years of age who commits any of the  
15 enumerated acts with a child who is at least five years the  
16 person's junior, in which case the juvenile court shall have  
17 jurisdiction under chapter 232.

18 Sec. 205. Section 709.16, subsection 2, Code 2013, is  
19 amended to read as follows:

20 2. a. An officer, employee, contractor, vendor, volunteer,  
21 or agent of a juvenile placement facility who engages in a  
22 sex act with a juvenile placed at such facility commits an  
23 aggravated misdemeanor.

24 b. For purposes of this subsection, a "*juvenile placement*  
25 *facility*" means any of the following:

26 ~~a.~~ (1) A child foster care facility licensed under section  
27 237.4.

28 ~~b.~~ (2) Institutions controlled by the department of human  
29 services listed in section 218.1.

30 ~~c.~~ (3) Juvenile detention and juvenile shelter care homes  
31 approved under section 232.142.

32 ~~d.~~ (4) Psychiatric medical institutions for children  
33 licensed under chapter 135H.

34 ~~e.~~ (5) Substance abuse facilities as defined in section  
35 125.2.

1     Sec. 206. Section 711.1, Code 2013, is amended to read as  
2 follows:

3     **711.1 Robbery defined.**

4     1. A person commits a robbery when, having the intent to  
5 commit a theft, the person does any of the following acts to  
6 assist or further the commission of the intended theft or the  
7 person's escape from the scene thereof with or without the  
8 stolen property:

9     ~~1.~~ a. Commits an assault upon another.

10    ~~2.~~ b. Threatens another with or purposely puts another in  
11 fear of immediate serious injury.

12    ~~3.~~ c. Threatens to commit immediately any forcible felony.

13    2. It is immaterial to the question of guilt or innocence of  
14 robbery that property was or was not actually stolen.

15     Sec. 207. Section 714.1, subsection 6, Code 2013, is amended  
16 to read as follows:

17     6. Makes, utters, draws, delivers, or gives any check,  
18 share draft, draft, or written order on any bank, credit  
19 union, person, or corporation, and obtains property, the use  
20 of property, including rental property, or service in exchange  
21 for such instrument, if the person knows that such check, share  
22 draft, draft, or written order will not be paid when presented.

23     a. Whenever the drawee of such instrument has refused  
24 payment because of insufficient funds, and the maker has not  
25 paid the holder of the instrument the amount due thereon within  
26 ten days of the maker's receipt of notice from the holder that  
27 payment has been refused by the drawee, the court or jury may  
28 infer from such facts that the maker knew that the instrument  
29 would not be paid on presentation. Notice of refusal of  
30 payment shall be by certified mail, or by personal service in  
31 the manner prescribed for serving original notices.

32     b. Whenever the drawee of such instrument has refused  
33 payment because the maker has no account with the drawee, the  
34 court or jury may infer from such fact that the maker knew that  
35 the instrument would not be paid on presentation.

1     Sec. 208. Section 714.10, Code 2013, is amended to read as  
2 follows:

3     **714.10 Fraudulent practice in the second degree.**

4     1. Fraudulent practice in the second degree is the  
5 following:

6     ~~1.~~ a. A fraudulent practice where the amount of money or  
7 value of property or services involved exceeds one thousand  
8 dollars but does not exceed ten thousand dollars.

9     ~~2.~~ b. A fraudulent practice where the amount of money or  
10 value of property or services involved does not exceed one  
11 thousand dollars by one who has been convicted of a fraudulent  
12 practice twice before.

13     2. Fraudulent practice in the second degree is a class "D"  
14 felony.

15     Sec. 209. Section 714.11, Code 2013, is amended to read as  
16 follows:

17     **714.11 Fraudulent practice in the third degree.**

18     1. Fraudulent practice in the third degree is the following:

19     ~~1.~~ a. A fraudulent practice where the amount of money or  
20 value of property or service involved exceeds five hundred  
21 dollars but does not exceed one thousand dollars.

22     ~~2.~~ b. A fraudulent practice as set forth in section 714.8,  
23 subsections 2, 8, and 9.

24     ~~3.~~ c. A fraudulent practice where it is not possible to  
25 determine an amount of money or value of property and service  
26 involved.

27     2. Fraudulent practice in the third degree is an aggravated  
28 misdemeanor.

29     Sec. 210. Section 714.16B, Code 2013, is amended to read as  
30 follows:

31     **714.16B Identity theft — civil cause of action.**

32     1. In addition to any other remedies provided by law, a  
33 person as defined under section 714.16, subsection 1, suffering  
34 a pecuniary loss as a result of an identity theft by another  
35 person under section 715A.8, or a financial institution on

1 behalf of an account holder suffering a pecuniary loss as a  
2 result of an identity theft by another person under section  
3 715A.8, may bring an action against such other person to  
4 recover all of the following:

5 ~~1.~~ a. Five thousand dollars or three times the actual  
6 damages, whichever is greater.

7 ~~2.~~ b. Reasonable costs incurred due to the violation of  
8 section 715A.8, including all of the following:

9 ~~a.~~ (1) Costs for repairing the victim's credit history or  
10 credit rating.

11 ~~b.~~ (2) Costs incurred for bringing a civil or  
12 administrative proceeding to satisfy a debt, lien, judgment, or  
13 other obligation of the victim.

14 ~~c.~~ (3) Punitive damages, attorney fees, and court costs.

15 2. For purposes of this section, "*financial institution*"  
16 means the same as defined in section 527.2, and includes an  
17 insurer organized under Title XIII, subtitle 1, of this Code,  
18 or under the laws of any other state or the United States.

19 Sec. 211. Section 714.26, subsection 2, paragraphs a and b,  
20 Code 2013, are amended to read as follows:

21 a. (1) A person commits intellectual property  
22 counterfeiting in the first degree if any of the following  
23 apply:

24 ~~(1)~~ (a) The person is manufacturing or producing an item  
25 bearing or identified by a counterfeit mark.

26 ~~(2)~~ (b) The offense involves more than one thousand items  
27 bearing or identified by a counterfeit mark or the total retail  
28 value of such items is equal to or greater than ten thousand  
29 dollars.

30 ~~(3)~~ (c) The offense is a third or subsequent violation of  
31 this section.

32 (2) Intellectual property counterfeiting in the first  
33 degree is a class "C" felony.

34 b. (1) A person commits intellectual property  
35 counterfeiting in the second degree if any of the following

1 apply:

2 ~~(1)~~ (a) The offense involves more than one hundred items  
3 but does not involve more than one thousand items bearing or  
4 identified by a counterfeit mark or the total retail value of  
5 such items is equal to or greater than one thousand dollars but  
6 less than ten thousand dollars.

7 ~~(2)~~ (b) The offense is a second violation of this section.

8 (2) Intellectual property counterfeiting in the second  
9 degree is a class "D" felony.

10 Sec. 212. Section 715A.6, subsection 1, Code 2013, is  
11 amended to read as follows:

12 1. a. A person commits a public offense by using a credit  
13 card for the purpose of obtaining property or services with  
14 knowledge of any of the following:

15 ~~a.~~ (1) The credit card is stolen or forged.

16 ~~b.~~ (2) The credit card has been revoked or canceled.

17 ~~c.~~ (3) For any other reason the use of the credit card is  
18 unauthorized.

19 b. It is an affirmative defense to prosecution under  
20 paragraph ~~"c"~~ "a", subparagraph (3), if the person proves by a  
21 preponderance of the evidence that the person had the intent  
22 and ability to meet all obligations to the issuer arising out  
23 of the use of the credit card.

24 Sec. 213. Section 717A.2, subsection 1, paragraph c, Code  
25 2013, is amended to read as follows:

26 c. (1) Enter onto or into an animal facility, or remain  
27 on or in an animal facility, if the person has notice that the  
28 facility is not open to the public, if the person has an intent  
29 to do one of the following:

30 ~~(1)~~ (a) Disrupt operations conducted at the animal  
31 facility, if the operations directly relate to agricultural  
32 production, animal maintenance, educational or scientific  
33 purposes, or veterinary care.

34 ~~(2)~~ (b) Kill or injure an animal maintained at the animal  
35 facility.

1     (2) A person has notice that an animal facility is not  
2 open to the public if the person is provided notice before  
3 entering onto or into the facility, or the person refuses to  
4 immediately depart from the facility after being informed to  
5 leave. The notice may be in the form of a written or verbal  
6 communication by the owner, a fence or other enclosure designed  
7 to exclude intruders or contain animals, or a sign posted which  
8 is reasonably likely to come to the attention of an intruder  
9 and which indicates that entry is forbidden.

10     Sec. 214. Section 717A.3, subsection 1, paragraph c, Code  
11 2013, is amended to read as follows:

12     c. (1) Enter onto or remain on crop operation property  
13 if the person has notice that the property is not open to  
14 the public, and the person has an intent to do one of the  
15 following:

16     ~~(1)~~ (a) Disrupt agricultural production conducted on the  
17 crop operation property if the agricultural production directly  
18 relates to the maintenance of crops. A person is presumed to  
19 intend disruption if the person moves, removes, or defaces any  
20 sign posted on the crop operation property or label used by the  
21 owner and the sign or label identifies a crop maintained on the  
22 crop operation property.

23     ~~(2)~~ (b) Destroy or damage a crop or any portion of a crop  
24 maintained on the crop operation property.

25     (2) A person has notice that a crop operation property  
26 is not open to the public if the person is provided notice  
27 prohibiting entry before the person enters onto the crop  
28 operation property, or the person refuses to immediately  
29 depart from the crop operation property after being notified  
30 to leave. The notice may be in the form of a written or verbal  
31 communication by the owner, a fence or other enclosure designed  
32 to exclude intruders, or a sign posted which is reasonably  
33 likely to come to the attention of an intruder and which  
34 indicates that entry is prohibited.

35     Sec. 215. Section 730.4, subsection 5, Code 2013, is amended

1 to read as follows:

2 5. a. This section may be enforced through a civil action.

3 ~~a.~~ (1) A person who violates this section or who aids  
4 in the violation of this section is liable to an aggrieved  
5 employee or applicant for employment for affirmative relief  
6 including reinstatement or hiring, with or without back pay,  
7 or any other equitable relief as the court deems appropriate  
8 including attorney fees and court costs.

9 ~~b.~~ (2) When a person commits, is committing, or proposes to  
10 commit, an act in violation of this section, an injunction may  
11 be granted through an action in district court to prohibit the  
12 person from continuing such acts. The action for injunctive  
13 relief may be brought by an aggrieved employee or applicant for  
14 employment, the county attorney, or the attorney general.

15 b. A person who in good faith brings an action under  
16 this subsection alleging that an employer has required or  
17 requested a polygraph examination in violation of this section  
18 shall establish that sufficient evidence exists upon which a  
19 reasonable person could find that a violation has occurred.  
20 Upon proof that sufficient evidence exists upon which a finding  
21 could be made that a violation has occurred as required under  
22 this paragraph, the employer has the burden of proving that the  
23 requirements of this section were met.

24 Sec. 216. Section 730.5, subsection 9, paragraph g, Code  
25 2013, is amended to read as follows:

26 g. (1) Upon receipt of a confirmed positive alcohol test  
27 which indicates an alcohol concentration greater than the  
28 concentration level established by the employer pursuant to  
29 this section, and if the employer has at least fifty employees,  
30 and if the employee has been employed by the employer for  
31 at least twelve of the preceding eighteen months, and if  
32 rehabilitation is agreed upon by the employee, and if the  
33 employee has not previously violated the employer's substance  
34 abuse prevention policy pursuant to this section, the written  
35 policy shall provide for the rehabilitation of the employee

1 pursuant to subsection 10, paragraph "a", subparagraph (1), and  
2 the apportionment of the costs of rehabilitation as provided  
3 by this paragraph "g".

4 ~~(1)~~ (a) If the employer has an employee benefit plan, the  
5 costs of rehabilitation shall be apportioned as provided under  
6 the employee benefit plan.

7 ~~(2)~~ (b) If no employee benefit plan exists and the employee  
8 has coverage for any portion of the costs of rehabilitation  
9 under any health care plan of the employee, the costs of  
10 rehabilitation shall be apportioned as provided by the health  
11 care plan with any costs not covered by the plan apportioned  
12 equally between the employee and the employer. However, the  
13 employer shall not be required to pay more than two thousand  
14 dollars toward the costs not covered by the employee's health  
15 care plan.

16 ~~(3)~~ (c) If no employee benefit plan exists and the  
17 employee does not have coverage for any portion of the costs of  
18 rehabilitation under any health care plan of the employee, the  
19 costs of rehabilitation shall be apportioned equally between  
20 the employee and the employer. However, the employer shall not  
21 be required to pay more than two thousand dollars towards the  
22 cost of rehabilitation under this subparagraph division.

23 (2) Rehabilitation required pursuant to this paragraph  
24 "g" shall not preclude an employer from taking any  
25 adverse employment action against the employee during the  
26 rehabilitation based on the employee's failure to comply with  
27 any requirements of the rehabilitation, including any action  
28 by the employee to invalidate a test sample provided by the  
29 employee pursuant to the rehabilitation.

30 Sec. 217. Section 730.5, subsection 13, paragraph d, Code  
31 2013, is amended to read as follows:

32 d. (1) An employer may use and disclose information  
33 concerning the results of a drug or alcohol test conducted  
34 pursuant to this section under any of the following  
35 circumstances:

1     ~~(1)~~ (a) In an arbitration proceeding pursuant to a  
2 collective bargaining agreement, or an administrative agency  
3 proceeding or judicial proceeding under workers' compensation  
4 laws or unemployment compensation laws or under common or  
5 statutory laws where action taken by the employer based on the  
6 test is relevant or is challenged.

7     ~~(2)~~ (b) To any federal agency or other unit of the federal  
8 government as required under federal law, regulation or order,  
9 or in accordance with compliance requirements of a federal  
10 government contract.

11     ~~(3)~~ (c) To any agency of this state authorized to license  
12 individuals if the employee tested is licensed by that agency  
13 and the rules of that agency require such disclosure.

14     ~~(4)~~ (d) To a union representing the employee if such  
15 disclosure would be required by federal labor laws.

16     ~~(5)~~ (e) To a substance abuse evaluation or treatment  
17 facility or professional for the purpose of evaluation or  
18 treatment of the employee.

19     (2) However, positive test results from an employer drug or  
20 alcohol testing program shall not be used as evidence in any  
21 criminal action against the employee or prospective employee  
22 tested.

23     Sec. 218. Section 730.5, subsection 15, Code 2013, is  
24 amended to read as follows:

25     15. *Civil remedies.*

26     a. This section may be enforced through a civil action.

27     ~~a.~~ (1) A person who violates this section or who aids  
28 in the violation of this section, is liable to an aggrieved  
29 employee or prospective employee for affirmative relief  
30 including reinstatement or hiring, with or without back pay,  
31 or any other equitable relief as the court deems appropriate  
32 including attorney fees and court costs.

33     ~~b.~~ (2) When a person commits, is committing, or proposes to  
34 commit, an act in violation of this section, an injunction may  
35 be granted through an action in district court to prohibit the

1 person from continuing such acts. The action for injunctive  
2 relief may be brought by an aggrieved employee or prospective  
3 employee, the county attorney, or the attorney general.

4 b. In an action brought under this subsection alleging that  
5 an employer has required or requested a drug or alcohol test  
6 in violation of this section, the employer has the burden of  
7 proving that the requirements of this section were met.

8 Sec. 219. Section 804.22, Code 2013, is amended to read as  
9 follows:

10 **804.22 Initial appearance before magistrate — arrest without**  
11 **warrant.**

12 1. When an arrest is made without a warrant, the person  
13 arrested shall, without unnecessary delay, be taken before  
14 the nearest or most accessible magistrate in the judicial  
15 district in which such arrest was made or before a magistrate  
16 in an approved judicial district, and the grounds on which the  
17 arrest was made shall be stated to the magistrate by complaint,  
18 subscribed and sworn to by the complainant, or supported by the  
19 complainant's affirmation, and such magistrate shall proceed  
20 as follows:

21 ~~1-~~ a. If the magistrate believes from such complaint that  
22 the offense charged is triable in the magistrate's court, the  
23 magistrate shall proceed with the case.

24 ~~2-~~ b. If the magistrate believes from such complaint that  
25 the offense charged is triable in another court, the magistrate  
26 shall by written order, commit the person arrested to a peace  
27 officer, to be taken before the appropriate magistrate in the  
28 district in which the offense is triable, and shall fix the  
29 amount of bail or other conditions of release which the person  
30 arrested may give for the person's appearance at the other  
31 court.

32 2. This section and the rules of criminal procedure do  
33 not affect the provisions of chapter 805 authorizing the  
34 release of a person on citation or bail prior to initial  
35 appearance, unless the person is charged with manufacture,

1 delivery, possession with intent to manufacture or deliver, or  
2 distribution of methamphetamine. The initial appearance of a  
3 person so released shall be scheduled for a time not more than  
4 thirty days after the date of release.

5 3. For purposes of this section, an "*approved judicial*  
6 *district*" means, as to any particular arrest of a person made  
7 without a warrant, any judicial district in this state in  
8 which the chief judge of that judicial district and the chief  
9 judge of the judicial district in which the arrest was made  
10 have previously entered an order permitting a person arrested  
11 without warrant to be taken to a magistrate from any judicial  
12 district subject to the order.

13 Sec. 220. Section 804.30, Code 2013, is amended to read as  
14 follows:

15 **804.30 Strip searches.**

16 1. A person arrested for a scheduled violation or a simple  
17 misdemeanor shall not be subjected to a strip search unless  
18 there is probable cause to believe the person is concealing a  
19 weapon or contraband. A strip search pursuant to this section  
20 shall not be conducted except under all of the following  
21 conditions:

22 ~~1.~~ a. Written authorization of the supervisor on duty is  
23 obtained.

24 ~~2.~~ b. A search warrant is obtained for the probing of any  
25 body cavity other than the mouth, ears or nose.

26 ~~3.~~ c. A visual search or probing of any body cavity shall  
27 be performed under sanitary conditions. A physical probe of  
28 a body cavity other than the mouth, ears or nose shall be  
29 performed only by a licensed physician unless voluntarily  
30 waived in writing by the arrested person.

31 ~~4.~~ d. The search is conducted in a place where it cannot be  
32 observed by persons not conducting the search.

33 ~~5.~~ e. The search is conducted by a person of the same sex  
34 as the arrested person, unless conducted by a physician.

35 2. Subsequent to a strip search, a written report shall be

1 prepared which includes the written authorization required by  
2 subsection 1, paragraph "a", the name of the person subjected  
3 to the search, the names of the persons conducting the search,  
4 the time, date and place of the search and, if required by  
5 subsection 2 1, paragraph "b", a copy of the search warrant  
6 authorizing the search. A copy of the report shall be provided  
7 to the person searched.

8 Sec. 221. Section 805.16, subsection 3, Code 2013, is  
9 amended to read as follows:

10 3. a. A person arrested pursuant to subsection 2 shall only  
11 be arrested for the limited purpose of holding the person in  
12 nonsecure custody in an area not intended for secure detention  
13 while awaiting transfer to an appropriate juvenile facility  
14 or to court, for booking, for implied consent testing, for  
15 contacting and release to the person's parents, or for other  
16 administrative purposes.

17 b. For purposes of this subsection, "*nonsecure custody*"  
18 means custody in an unlocked multipurpose area, such as a  
19 lobby, office, or interrogation room which is not designed,  
20 set aside, or used as a secure detention area, and the person  
21 arrested is not physically secured during the period of custody  
22 in the area, the person is physically accompanied by a peace  
23 officer or a person employed by the facility where the person  
24 arrested is being held, and the use of the area is limited to  
25 providing nonsecure custody only long enough for the purposes  
26 stated in ~~the preceding~~ paragraph "a" and not for a period of  
27 time in excess of six hours without the oral or written order  
28 of a judge or magistrate authorizing the detention. A judge  
29 shall not extend the period of time in excess of six hours  
30 beyond the initial six-hour period.

31 Sec. 222. Section 811.2, subsection 1, Code 2013, is amended  
32 to read as follows:

33 1. *Conditions for release of defendant.*

34 a. All bailable defendants shall be ordered released from  
35 custody pending judgment or entry of deferred judgment on their

1 personal recognizance, or upon the execution of an unsecured  
2 appearance bond in an amount specified by the magistrate unless  
3 the magistrate determines in the exercise of the magistrate's  
4 discretion, that such a release will not reasonably assure the  
5 appearance of the defendant as required or that release will  
6 jeopardize the personal safety of another person or persons.  
7 When such determination is made, the magistrate shall, either  
8 in lieu of or in addition to the above methods of release,  
9 impose the first of the following conditions of release which  
10 will reasonably assure the appearance of the person for trial  
11 or deferral of judgment and the safety of other persons, or, if  
12 no single condition gives that assurance, any combination of  
13 the following conditions:

14 ~~a.~~ (1) Place the defendant in the custody of a designated  
15 person or organization agreeing to supervise the defendant.

16 ~~b.~~ (2) Place restrictions on the travel, association or  
17 place of abode of the defendant during the period of release.

18 ~~c.~~ (3) Require the execution of an appearance bond in a  
19 specified amount and the deposit with the clerk of the district  
20 court or a public officer designated under section 602.1211,  
21 subsection 4, in cash or other qualified security, of a sum not  
22 to exceed ten percent of the amount of the bond, the deposit to  
23 be returned to the person who deposited the specified amount  
24 with the clerk upon the performance of the appearances as  
25 required in section 811.6.

26 ~~d.~~ (4) Require the execution of a bail bond with sufficient  
27 surety, or the deposit of cash in lieu of bond. However,  
28 except as provided in section 811.1, bail initially given  
29 remains valid until final disposition of the offense or entry  
30 of an order deferring judgment. If the amount of bail is  
31 deemed insufficient by the court before whom the offense is  
32 pending, the court may order an increase of bail and the  
33 defendant must provide the additional undertaking, written or  
34 in cash, to secure release.

35 ~~e.~~ (5) Impose any other condition deemed reasonably

1 necessary to assure appearance as required, or the safety of  
2 another person or persons including a condition requiring that  
3 the defendant return to custody after specified hours, or a  
4 condition that the defendant have no contact with the victim or  
5 other persons specified by the court.

6 b. Any bailable defendant who is charged with unlawful  
7 possession, manufacture, delivery, or distribution of a  
8 controlled substance or other drug under chapter 124 and is  
9 ordered released shall be required, as a condition of that  
10 release, to submit to a substance abuse evaluation and follow  
11 any recommendations proposed in the evaluation for appropriate  
12 substance abuse treatment. However, if a bailable defendant is  
13 charged with manufacture, delivery, possession with the intent  
14 to manufacture or deliver, or distribution of methamphetamine,  
15 its salts, optical isomers, and salts of its optical isomers,  
16 the defendant shall, in addition to a substance abuse  
17 evaluation, remain under supervision and be required to undergo  
18 random drug tests as a condition of release.

19 Sec. 223. Section 901.3, Code 2013, is amended to read as  
20 follows:

21 **901.3 Presentence investigation report.**

22 1. If a presentence investigation is ordered by the court,  
23 the investigator shall promptly inquire into all of the  
24 following:

25 ~~1-~~ a. The defendant's characteristics, family and financial  
26 circumstances, needs, and potentialities.

27 ~~2-~~ b. The defendant's criminal record and social history.

28 ~~3-~~ c. The circumstances of the offense.

29 ~~4-~~ d. The time the defendant has been in detention.

30 ~~5-~~ e. The harm to the victim, the victim's immediate  
31 family, and the community. Additionally, the presentence  
32 investigator shall provide a victim impact statement form to  
33 each victim, if one has not already been provided, and shall  
34 file the completed statement or statements with the presentence  
35 investigation report.

1     ~~6.~~ f. The defendant's potential as a candidate for the  
2 community service sentence program established pursuant to  
3 section 907.13.

4     ~~7.~~ g. Any mitigating circumstances relating to the offense  
5 and the defendant's potential as a candidate for deferred  
6 judgment, deferred sentencing, a suspended sentence, or  
7 probation, if the defendant is charged with or convicted of  
8 assisting suicide pursuant to section 707A.2.

9     ~~8.~~ h. Whether the defendant has a history of mental  
10 health or substance abuse problems. If so, the investigator  
11 shall inquire into the treatment options available in both the  
12 community of the defendant and the correctional system.

13     2. All local and state mental and correctional  
14 institutions, courts, and police agencies shall furnish to  
15 the investigator on request the defendant's criminal record  
16 and other relevant information. The originating source of  
17 specific mental health or substance abuse information including  
18 the histories, treatment, and use of medications shall  
19 not be released to the presentence investigator unless the  
20 defendant authorizes the release of such information. If the  
21 defendant refuses to release the information, the presentence  
22 investigator may note the defendant's refusal to release mental  
23 health or substance abuse information in the presentence  
24 investigation report and rely upon other mental health or  
25 substance abuse information available to the presentence  
26 investigator. With the approval of the court, a physical  
27 examination or psychiatric evaluation of the defendant may be  
28 ordered, or the defendant may be committed to an inpatient  
29 or outpatient psychiatric facility for an evaluation of the  
30 defendant's personality and mental health. The results of any  
31 such examination or evaluation shall be included in the report  
32 of the investigator.

33     Sec. 224. Section 901.5, unnumbered paragraphs 1 and 2, Code  
34 2013, are amended to read as follows:

35     After receiving and examining all pertinent information,

1 including the presentence investigation report and victim  
2 impact statements, if any, the court shall consider the  
3 following sentencing options. The court shall determine  
4 which of them is authorized by law for the offense, and of  
5 the authorized sentences, which of them or which combination  
6 of them, in the discretion of the court, will provide maximum  
7 opportunity for the rehabilitation of the defendant, and for  
8 the protection of the community from further offenses by the  
9 defendant and others. At the time fixed by the court for  
10 pronouncement of judgment and sentence, the court shall act  
11 accordingly:

12 ~~At the time fixed by the court for pronouncement of judgment~~  
13 ~~and sentence, the court shall act accordingly:~~

14 Sec. 225. Section 902.9, Code 2013, is amended to read as  
15 follows:

16 **902.9 Maximum sentence for felons.**

17 1. The maximum sentence for any person convicted of a felony  
18 shall be that prescribed by statute or, if not prescribed by  
19 statute, if other than a class "A" felony shall be determined  
20 as follows:

21 ~~1-~~ a. A felon sentenced for a first conviction for a  
22 violation of section 124.401D, shall be confined for no more  
23 than ninety-nine years.

24 ~~2-~~ b. A class "B" felon shall be confined for no more than  
25 twenty-five years.

26 ~~3-~~ c. An habitual offender shall be confined for no more  
27 than fifteen years.

28 ~~4-~~ d. A class "C" felon, not an habitual offender, shall  
29 be confined for no more than ten years, and in addition shall  
30 be sentenced to a fine of at least one thousand dollars but not  
31 more than ten thousand dollars.

32 ~~5-~~ e. A class "D" felon, not an habitual offender, shall be  
33 confined for no more than five years, and in addition shall be  
34 sentenced to a fine of at least seven hundred fifty dollars but  
35 not more than seven thousand five hundred dollars.

1     2. The surcharges required by sections 911.1, 911.2, and  
2 911.3 shall be added to a fine imposed on a class "C" or class  
3 "D" felon, as provided by those sections, and are not a part of  
4 or subject to the maximums set in this section.

5     Sec. 226. Section 904.403, Code 2013, is amended to read as  
6 follows:

7     **904.403 Investigatory powers — witnesses.**

8     1. The director may exercise the following powers in an  
9 investigation:

10     ~~1.~~ a. Summon and compel the attendance of witnesses.

11     ~~2.~~ b. Examine the witnesses under oath, which the director  
12 may administer.

13     ~~3.~~ c. Have access to all books, papers, and property  
14 material to the investigation.

15     ~~4.~~ d. Order the production of books or papers material to  
16 the investigation.

17     2. Witnesses other than those in the employ of the state  
18 are entitled to the same fees as in civil cases in the district  
19 court.

20     Sec. 227. Section 904.813, subsection 2, Code 2013, is  
21 amended to read as follows:

22     2. a. The Iowa state industries revolving fund shall be  
23 used only for the following purposes:

24     ~~a.~~ (1) Establishment, maintenance, transfer, or closure of  
25 industrial operations, or vocational, technical, and related  
26 training facilities and services for inmates as authorized by  
27 the state director in consultation with the industries board.

28     ~~b.~~ (2) Payment of all costs incurred by the industries  
29 board, including but not limited to per diem and expenses  
30 of its members, and of salaries, allowances, support, and  
31 maintenance of Iowa state industries.

32     ~~c.~~ (3) Direct purchases from vendors of raw materials and  
33 capital items used for the manufacturing processes of Iowa  
34 state industries, in accordance with rules which meet state  
35 bidding requirements. The rules shall be adopted by the state

1 director in consultation with the industries board.

2 b. Payments from the revolving fund, other than salary  
3 payments, shall be made directly to the vendors.

4 Sec. 228. Section 904.905, Code 2013, is amended to read as  
5 follows:

6 **904.905 Surrender of earnings.**

7 1. An inmate employed in the community under a work release  
8 plan shall surrender to the judicial district department of  
9 correctional services the inmate's total earnings less payroll  
10 deductions required by law. The judicial district department  
11 of correctional services shall deduct from the earnings in the  
12 following order of priority:

13 ~~1.~~ a. An amount the inmate may be legally obligated to pay  
14 for the support of the inmate's dependents, the amount of which  
15 shall be paid to the dependents through the department of human  
16 services located in the county or city in which the dependents  
17 reside.

18 ~~2.~~ b. Restitution as ordered by the court pursuant to  
19 chapter 910.

20 ~~3.~~ c. An amount determined to be the cost to the judicial  
21 district department of correctional services for providing  
22 food, lodging, and clothing for the inmate while under the  
23 program.

24 ~~4.~~ d. Any other financial obligations which are  
25 acknowledged by the inmate or any unsatisfied judgment against  
26 the inmate.

27 2. Any balance remaining after deductions and payments  
28 shall be credited to the inmate's personal account at the  
29 judicial district department of correctional services and shall  
30 be paid to the inmate upon release. An inmate so employed  
31 shall be paid a fair and reasonable wage in accordance with the  
32 prevailing wage scale for such work and shall work at fair and  
33 reasonable hours per day and per week.

34 Sec. 229. Section 905.12, Code 2013, is amended to read as  
35 follows:

1     **905.12 Surrender of earnings.**

2     1. When committing a person to a residential treatment  
3 center operated by a judicial district department of  
4 correctional services, the court shall order the person to  
5 surrender to the district department their total earnings less  
6 payroll deductions required by law. The court shall establish  
7 the person's legal obligations by order and the district  
8 department shall deduct from the earnings to satisfy the court  
9 order in the following order of priority:

10     ~~1.~~ a. An amount the resident may be legally obligated to  
11 pay for the support of dependents, which shall be paid to the  
12 dependents directly or through the department of human services  
13 in the county in which the dependents reside. For the purpose  
14 of this ~~subsection~~ paragraph, "*legally obligated*" means under  
15 a court order.

16     ~~2.~~ b. Restitution ordered by the court under chapter 910.

17     ~~3.~~ c. An amount determined to be the cost to the judicial  
18 district department of correctional services for food, lodging,  
19 and other expenses incurred by or on behalf of the resident.

20     ~~4.~~ d. Any other financial obligations which are admitted  
21 to by the resident or any judgment granted by the court to  
22 another person to whom the resident owes money, but no earnings  
23 of a resident are subject to garnishment while the person is  
24 committed to the center.

25     2. Any balance remaining after deductions and payments  
26 shall be credited to the resident's personal account at the  
27 district department and shall be paid to the resident upon  
28 release. The director shall establish a plan to comply  
29 with the provisions of court orders entered pursuant to this  
30 section.

31     Sec. 230. Section 906.5, subsection 1, Code 2013, is amended  
32 to read as follows:

33     1. a. The board shall establish and implement a plan by  
34 which the board systematically reviews the status of each  
35 person who has been committed to the custody of the director of

1 the Iowa department of corrections and considers the person's  
2 prospects for parole or work release. The board at least  
3 annually shall review the status of a person other than a class  
4 "A" felon, a class "B" felon serving a sentence of more than  
5 twenty-five years, or a felon serving an offense punishable  
6 under section 902.9, subsection 1, paragraph "a", or a felon  
7 serving a mandatory minimum sentence other than a class "A"  
8 felon, and provide the person with notice of the board's parole  
9 or work release decision.

10 b. Not less than twenty days prior to conducting a hearing  
11 at which the board will interview the person, the board  
12 shall notify the department of corrections of the scheduling  
13 of the interview, and the department shall make the person  
14 available to the board at the person's institutional residence  
15 as scheduled in the notice. However, if health, safety, or  
16 security conditions require moving the person to another  
17 institution or facility prior to the scheduled interview, the  
18 department of corrections shall so notify the board.

19 Sec. 231. Section 906.9, Code 2013, is amended to read as  
20 follows:

21 **906.9 Clothing, transportation, and money.**

22 1. When an inmate is discharged, paroled, or placed on work  
23 release, the warden or superintendent shall furnish the inmate,  
24 at state expense, appropriate clothing and transportation  
25 to the place in this state indicated in the inmate's  
26 discharge, parole, or work release plan. When an inmate is  
27 discharged, paroled, or placed on work release, the warden or  
28 superintendent shall provide the inmate, at state expense or  
29 through inmate savings as provided in section 904.508, money in  
30 accordance with the following schedule:

31 ~~1.~~ a. Upon discharge or parole, one hundred dollars.

32 ~~2.~~ b. Upon being placed on work release, fifty dollars.

33 2. Those inmates receiving payment under subsection 2

34 1, paragraph "b", shall not be eligible for payment under

35 subsection 1, paragraph "a", unless they are returned to the

1 institution. An inmate shall only be eligible to receive one  
2 payment under this section during any twelve-month period. The  
3 warden or superintendent shall maintain an account of all funds  
4 expended pursuant to this section.

5 Sec. 232. Section 910.4, subsection 3, Code 2013, is amended  
6 to read as follows:

7 3. a. When there is a transfer of supervision from one  
8 office or individual charged with supervision of the offender  
9 to another, the sending office or individual shall forward to  
10 the receiving office or individual all necessary information  
11 regarding the balance owed against the original amount of  
12 restitution ordered and the balance of public service required.

13 b. When the offender's circumstances and income have  
14 significantly changed, the receiving office or individual  
15 shall submit a new plan of payment to the sentencing court for  
16 approval or modification based on the considerations enumerated  
17 in this section.

18 Sec. 233. Section 915.12, subsection 1, Code 2013, is  
19 amended to read as follows:

20 1. A victim may register by filing a written  
21 request-for-registration form with the county attorney. The  
22 county attorney shall notify the victims in writing and advise  
23 them of their registration and rights under this subchapter.  
24 The county attorney shall provide a registered victim list to  
25 the offices, agencies, and departments required to provide  
26 information under this subchapter for notification purposes.

27 ~~The county attorney shall provide a registered victim list~~  
28 ~~to the offices, agencies, and departments required to provide~~  
29 ~~information under this subchapter for notification purposes.~~

30 Sec. 234. Section 915.29, Code 2013, is amended to read as  
31 follows:

32 **915.29 Notification of victim of juvenile by department of**  
33 **human services.**

34 1. The department of human services shall notify a  
35 registered victim regarding a juvenile adjudicated delinquent

1 for a violent crime, committed to the custody of the department  
2 of human services, and placed at the state training school at  
3 Eldora or Toledo, of the following:

4 ~~1.~~ a. The date on which the juvenile is expected to be  
5 temporarily released from the custody of the department of  
6 human services, and whether the juvenile is expected to return  
7 to the community where the registered victim resides.

8 ~~2.~~ b. The juvenile's escape from custody.

9 ~~3.~~ c. The recommendation by the department to consider the  
10 juvenile for release or placement.

11 ~~4.~~ d. The date on which the juvenile is expected to be  
12 released from a facility pursuant to a plan of placement.

13 2. The notification required pursuant to this section  
14 may occur through the automated victim notification system  
15 referred to in section 915.10A to the extent such information  
16 is available for dissemination through the system.

17 Sec. 235. Section 915.38, subsection 1, Code 2013, is  
18 amended to read as follows:

19 1. a. Upon its own motion or upon motion of any party,  
20 a court may protect a minor, as defined in section 599.1,  
21 from trauma caused by testifying in the physical presence of  
22 the defendant where it would impair the minor's ability to  
23 communicate, by ordering that the testimony of the minor be  
24 taken in a room other than the courtroom and be televised  
25 by closed-circuit equipment for viewing in the courtroom.  
26 However, such an order shall be entered only upon a specific  
27 finding by the court that such measures are necessary to  
28 protect the minor from trauma. Only the judge, prosecuting  
29 attorney, defendant's attorney, persons necessary to operate  
30 the equipment, and any person whose presence, in the opinion of  
31 the court, would contribute to the welfare and well-being of  
32 the minor may be present in the room with the minor during the  
33 minor's testimony. The judge shall inform the minor that the  
34 defendant will not be present in the room in which the minor  
35 will be testifying but that the defendant will be viewing the

1 minor's testimony through closed-circuit television.

2 b. During the minor's testimony the defendant shall remain  
3 in the courtroom and shall be allowed to communicate with the  
4 defendant's counsel in the room where the minor is testifying  
5 by an appropriate electronic method.

6 c. In addition, upon a finding of necessity, the court  
7 may allow the testimony of a victim or witness with a mental  
8 illness, an intellectual disability, or other developmental  
9 disability to be taken as provided in this subsection,  
10 regardless of the age of the victim or witness.

11 DIVISION III

12 CONFORMING CHANGES

13 Sec. 236. Section 48A.11, subsection 2, paragraph b, Code  
14 2013, is amended to read as follows:

15 b. The penalty provided by law for submission of a false  
16 voter registration form, which shall be the penalty for perjury  
17 as provided by section 902.9, subsection 5 1, paragraph "e".

18 Sec. 237. Section 124.401, subsection 1, paragraph a,  
19 unnumbered paragraph 1, Code 2013, is amended to read as  
20 follows:

21 Violation of this subsection, with respect to the  
22 following controlled substances, counterfeit substances, or  
23 simulated controlled substances is a class "B" felony, and  
24 notwithstanding section 902.9, subsection 2 1, paragraph "b",  
25 shall be punished by confinement for no more than fifty years  
26 and a fine of not more than one million dollars:

27 Sec. 238. Section 124.401, subsection 1, paragraph b,  
28 unnumbered paragraph 1, Code 2013, is amended to read as  
29 follows:

30 Violation of this subsection with respect to the following  
31 controlled substances, counterfeit substances, or simulated  
32 controlled substances is a class "B" felony, and in addition  
33 to the provisions of section 902.9, subsection 2 1, paragraph  
34 "b", shall be punished by a fine of not less than five thousand  
35 dollars nor more than one hundred thousand dollars:

1     Sec. 239. Section 124.401, subsection 1, paragraph c,  
2 unnumbered paragraph 1, Code 2013, is amended to read as  
3 follows:

4     Violation of this subsection with respect to the following  
5 controlled substances, counterfeit substances, or simulated  
6 controlled substances is a class "C" felony, and in addition  
7 to the provisions of section 902.9, subsection 4 1, paragraph  
8 "d", shall be punished by a fine of not less than one thousand  
9 dollars nor more than fifty thousand dollars:

10    Sec. 240. Section 124.401D, subsection 1, paragraph b, Code  
11 2013, is amended to read as follows:

12    **b.** A violation of this subsection is a felony punishable  
13 under section 902.9, subsection 1, paragraph "a".

14    Sec. 241. Section 124.401D, subsection 2, paragraph b, Code  
15 2013, is amended to read as follows:

16    **b.** A violation of this subsection is a felony punishable  
17 under section 902.9, subsection 1, paragraph "a".

18    Sec. 242. Section 237A.29, subsection 2, paragraph b, Code  
19 2013, is amended to read as follows:

20    **b.** A child care provider that has been found by the  
21 department of inspections and appeals in an administrative  
22 proceeding or in a judicial proceeding to have obtained, or has  
23 agreed to entry of a civil judgment or judgment by confession  
24 that includes a conclusion of law that the child care provider  
25 has obtained, by fraudulent means, public funding for provision  
26 of child care in an amount equal to or in excess of the minimum  
27 amount for a fraudulent practice in the second degree under  
28 section 714.10, subsection 1, paragraph "a", shall be subject  
29 to sanction in accordance with this subsection. Such child  
30 care provider shall be subject to a period during which receipt  
31 of public funding for provision of child care is conditioned  
32 upon no further violations and to one or more of the following  
33 sanctions as determined by the department of human services:

34    (1) Ineligibility to receive public funding for provision  
35 of child care.

1 (2) Suspension from receipt of public funding for provision  
2 of child care.

3 (3) Special review of the child care provider's claims for  
4 providing publicly funded child care.

5 Sec. 243. Section 692A.101, subsection 1, paragraph a,  
6 subparagraphs (3) and (4), Code 2013, are amended to read as  
7 follows:

8 (3) Sexual abuse in the third degree in violation of section  
9 709.4, subsection 1, paragraph "a".

10 (4) Lascivious acts with a child in violation of section  
11 709.8, subsection 1, paragraph "a" or 2 "b".

12 Sec. 244. Section 692A.101, subsection 2, paragraph a,  
13 subparagraph (3), Code 2013, is amended to read as follows:

14 (3) Sexual abuse in the third degree in violation of section  
15 709.4, except for a violation of section 709.4, subsection 2 1,  
16 paragraph ~~"e"~~ "b", subparagraph ~~(4)~~ (3), subparagraph division  
17 (d).

18 Sec. 245. Section 692A.102, subsection 1, paragraph a,  
19 subparagraphs (2), (3), and (4), Code 2013, are amended to read  
20 as follows:

21 (2) Sexual abuse in the third degree in violation of  
22 section 709.4, subsection 1, 3 paragraph "a", "c", or 4 "d", if  
23 committed by a person under the age of fourteen.

24 (3) Sexual abuse in the third degree in violation of section  
25 709.4, subsection 2 1, paragraph ~~"a" or "b"~~, subparagraph (1) or  
26 (2), if committed by a person under the age of fourteen.

27 (4) Sexual abuse in the third degree in violation of section  
28 709.4, subsection 2 1, paragraph ~~"e"~~ "b", subparagraph (3).

29 Sec. 246. Section 692A.102, subsection 1, paragraph b,  
30 subparagraphs (1) and (3), Code 2013, are amended to read as  
31 follows:

32 (1) Lascivious acts with a child in violation of section  
33 709.8, subsection 3 1, paragraph "c" or 4 "d".

34 (3) Solicitation of a minor to engage in an illegal act  
35 under section 709.8, subsection 3 1, paragraph "c", in violation

1 of section 705.1.

2 Sec. 247. Section 692A.102, subsection 1, paragraph c,  
3 subparagraphs (10), (11), and (12), Code 2013, are amended to  
4 read as follows:

5 (10) Sexual abuse in the third degree in violation of  
6 section 709.4, subsection 1, ~~3~~ paragraph "a", "c", or 4 "d", if  
7 committed by a person fourteen years of age or older.

8 (11) Sexual abuse in the third degree in violation  
9 of section 709.4, subsection ~~2~~ 1, paragraph ~~"a" or "b"~~,  
10 subparagraph (1) or (2), if committed by a person fourteen  
11 years of age or older.

12 (12) Lascivious acts with a child in violation of section  
13 709.8, subsection 1, paragraph "a" or 2 "b".

14 Sec. 248. Section 692A.121, subsection 2, paragraph b,  
15 subparagraph (2), subparagraph division (a), Code 2013, is  
16 amended to read as follows:

17 (a) The relevant information about a sex offender who was  
18 under twenty years of age at the time the offender committed a  
19 violation of section 709.4, subsection ~~2~~ 1, paragraph ~~"e" "b"~~,  
20 subparagraph ~~(4)~~ (3), subparagraph division (d).

21 Sec. 249. Section 702.11, subsection 2, paragraph c, Code  
22 2013, is amended to read as follows:

23 c. Sexual abuse in violation of section 709.4, subsection  
24 ~~2~~ 1, paragraph ~~"e" "b"~~, subparagraph ~~(4)~~ (3), subparagraph  
25 division (d).

26 Sec. 250. Section 708.2A, subsection 7, paragraph b, Code  
27 2013, is amended to read as follows:

28 b. A person convicted of violating subsection 4 shall be  
29 sentenced as provided under section 902.9, subsection ~~5~~ 1,  
30 paragraph "e", and shall be denied parole or work release until  
31 the person has served a minimum of one year of the person's  
32 sentence. Notwithstanding section 901.5, subsections 1, 3, and  
33 5 and section 907.3, the person cannot receive a suspended or  
34 deferred sentence or a deferred judgment; however, the person  
35 sentenced shall receive credit for any time the person was

1 confined in a jail or detention facility following arrest.

2 Sec. 251. Section 708A.2, Code 2013, is amended to read as  
3 follows:

4 **708A.2 Terrorism.**

5 A person who commits or attempts to commit an act of  
6 terrorism commits a class "B" felony. However, notwithstanding  
7 section 902.9, subsection 2 1, paragraph "b", the maximum  
8 sentence for a person convicted under this section shall be a  
9 period of confinement of not more than fifty years.

10 Sec. 252. Section 716.10, subsection 2, paragraph a, Code  
11 2013, is amended to read as follows:

12 a. A person commits railroad vandalism in the first degree  
13 if the person intentionally commits railroad vandalism which  
14 results in the death of any person. Railroad vandalism in the  
15 first degree is a class "B" felony. However, notwithstanding  
16 section 902.9, subsection 2 1, paragraph "b", the maximum  
17 sentence for a person convicted under this section shall be a  
18 period of confinement of not more than fifty years.

19 Sec. 253. Section 726.6, subsection 4, Code 2013, is amended  
20 to read as follows:

21 4. A person who commits child endangerment resulting in  
22 the death of a child or minor is guilty of a class "B" felony.  
23 Notwithstanding section 902.9, subsection 2 1, paragraph "b",  
24 a person convicted of a violation of this subsection shall be  
25 confined for no more than fifty years.

26 Sec. 254. Section 726.6A, Code 2013, is amended to read as  
27 follows:

28 **726.6A Multiple acts of child endangerment — penalty.**

29 A person who engages in a course of conduct including three  
30 or more acts of child endangerment as defined in section 726.6  
31 within a period of twelve months involving the same child or a  
32 minor with a mental or physical disability, where one or more  
33 of the acts results in serious injury to the child or minor  
34 or results in a skeletal injury to a child under the age of  
35 four years, is guilty of a class "B" felony. Notwithstanding

1 section 902.9, subsection 2 1, paragraph "b", a person convicted  
2 of a violation of this section shall be confined for no more  
3 than fifty years.

4 Sec. 255. Section 804.25, Code 2013, is amended to read as  
5 follows:

6 **804.25 Bail — discharge.**

7 Any magistrate who receives bail as provided for in sections  
8 804.21, subsection 2, and 804.22, subsection 2 1, paragraph "b",  
9 shall endorse, on the order of commitment or on the warrant, an  
10 order for the discharge from custody of the arrested person,  
11 who shall forthwith be discharged, and shall transmit by mail,  
12 or otherwise, as soon as it can be conveniently done, to the  
13 court at which the person is bound to appear, the affidavits,  
14 order of commitment or warrant, and discharge, together with  
15 the undertaking of bail.

16 Sec. 256. Section 811.1, subsections 1 and 2, Code 2013, are  
17 amended to read as follows:

18 1. A defendant awaiting judgment of conviction and  
19 sentencing following either a plea or verdict of guilty of a  
20 class "A" felony; forcible felony as defined in section 702.11;  
21 any class "B" felony included in section 462A.14 or 707.6A; any  
22 felony included in section 124.401, subsection 1, paragraph  
23 "a" or "b"; a second or subsequent offense under section  
24 124.401, subsection 1, paragraph "c"; any felony punishable  
25 under section 902.9, subsection 1, paragraph "a"; any public  
26 offense committed while detained pursuant to section 229A.5;  
27 or any public offense committed while subject to an order of  
28 commitment pursuant to chapter 229A.

29 2. A defendant appealing a conviction of a class "A"  
30 felony; forcible felony as defined in section 702.11; any class  
31 "B" or "C" felony included in section 462A.14 or 707.6A; any  
32 felony included in section 124.401, subsection 1, paragraph  
33 "a" or "b"; or a second or subsequent conviction under section  
34 124.401, subsection 1, paragraph "c"; any felony punishable  
35 under section 902.9, subsection 1, paragraph "a"; any public

1 offense committed while detained pursuant to section 229A.5;  
2 or any public offense committed while subject to an order of  
3 commitment pursuant to chapter 229A.

4 Sec. 257. Section 811.10, unnumbered paragraph 1, Code  
5 2013, is amended to read as follows:

6 When a defendant is admitted to bail by means of a surety  
7 bail bond pursuant to section 811.2, subsection 1, paragraph  
8 ~~"d"~~, "a", subparagraph (4), the obligation of surety shall be  
9 discharged, and the surety released, upon any of the following  
10 conditions:

11 Sec. 258. Section 901.2, unnumbered paragraph 2, Code 2013,  
12 is amended to read as follows:

13 The court shall not order a presentence investigation when  
14 the offense is a class "A" felony. If, however, the board of  
15 parole determines that the Iowa medical and classification  
16 center reception report for a class "A" felon is inadequate,  
17 the board may request and shall be provided with additional  
18 information from the appropriate judicial district department  
19 of correctional services. The court shall order a presentence  
20 investigation when the offense is any felony punishable under  
21 section 902.9, subsection 1, paragraph "a", or a class "B",  
22 class "C", or class "D" felony. A presentence investigation  
23 for any felony punishable under section 902.9, subsection 1,  
24 paragraph "a", or a class "B", class "C", or class "D" felony  
25 shall not be waived. The court may order, with the consent of  
26 the defendant, that the presentence investigation begin prior  
27 to the acceptance of a plea of guilty, or prior to a verdict  
28 of guilty. The court may order a presentence investigation  
29 when the offense is an aggravated misdemeanor. The court may  
30 order a presentence investigation when the offense is a serious  
31 misdemeanor only upon a finding of exceptional circumstances  
32 warranting an investigation. Notwithstanding section 901.3, a  
33 presentence investigation ordered by the court for a serious  
34 misdemeanor shall include information concerning only the  
35 following:

1     Sec. 259. Section 901.5A, subsection 1, unnumbered  
2 paragraph 1, Code 2013, is amended to read as follows:

3     A defendant sentenced by the court to the custody of the  
4 director of the department of corrections for an offense  
5 punishable under section 902.9, subsection 1, paragraph "a",  
6 may have the judgment and sentence entered under section 901.5  
7 reopened for resentencing if the following apply:

8     Sec. 260. Section 901.10, subsection 3, Code 2013, is  
9 amended to read as follows:

10     3. A court sentencing a person for the person's first  
11 conviction under section 124.401D may, at its discretion,  
12 sentence the person to a term less than the maximum term  
13 provided under section 902.9, subsection 1, paragraph "a", if  
14 mitigating circumstances exist and those circumstances are  
15 stated specifically in the record. However, the court shall  
16 not grant any reduction of sentence unless the defendant pleads  
17 guilty. If the defendant pleads guilty, the court may, at its  
18 discretion, reduce the maximum sentence by up to one-third. If  
19 the defendant cooperates in the prosecution of other persons  
20 involved in the sale or use of controlled substances, and  
21 if the prosecutor requests an additional reduction in the  
22 defendant's sentence because of such cooperation, the court may  
23 grant a further reduction in the defendant's maximum sentence.

24     Sec. 261. Section 902.14, subsection 1, paragraph c, Code  
25 2013, is amended to read as follows:

26     c. Lascivious acts with a child in violation of section  
27 709.8, subsection 1, paragraph "a" or 2 "b".

28                                   DIVISION IV

29                                   DIRECTIVES

30     Sec. 262. CODE EDITOR DIRECTIVES.

31     1. Sections 554.1201, subsection 2, paragraph "p";  
32 554.2210, subsection 3; 554.3104, subsection 1, paragraph "c";  
33 554.3104, subsections 6, 8, and 9; 554.3106, subsections 1  
34 and 2; 554.3108, subsections 1 and 2; 554.3109, subsection  
35 2; 554.3112, subsection 1; 554.3204, subsection 1; 554.3206,

1 subsection 3, unnumbered paragraph 1; 554.3302, subsection  
 2 1, paragraph "b"; 554.3302, subsections 3 and 5; 554.3307,  
 3 subsection 2; 554.3310, subsection 3; 554.3312, subsection  
 4 2, unnumbered paragraph 1; 554.3312, subsection 3; 554.3402,  
 5 subsection 2, paragraph "b"; 554.3404, subsection 2, unnumbered  
 6 paragraph 1; 554.3404, subsection 3; 554.3405, subsection 3;  
 7 554.3407, subsections 1 and 3; 554.3411, subsections 2 and  
 8 3; 554.3414, subsections 2 and 6; 554.3415, subsection 1;  
 9 554.3417, subsection 1, unnumbered paragraph 1; 554.3417,  
 10 subsection 4, unnumbered paragraph 1; 554.3418, subsections  
 11 1 and 2; 554.3419, subsection 4; 554.3420, subsection 1;  
 12 554.3502, subsection 2, paragraph "c"; 554.3503, subsections 1  
 13 and 3; 554.3504, subsections 1 and 2; 554.3602, subsection 1;  
 14 554.3602, subsection 2, paragraph "a"; 554.4106, subsections  
 15 1 and 2; 554.4109, subsection 2; 554.4207, subsection 2;  
 16 554.4208, subsection 1, unnumbered paragraph 1; 554.4208,  
 17 subsections 2 and 4; 554.4215, subsection 5, unnumbered  
 18 paragraph 1; 554.5102, subsection 1, paragraphs "f" and "k";  
 19 554.5109, subsection 1, paragraph "a"; 554.5116, subsection 3;  
 20 554.8301, subsection 1, paragraph "c"; 554.8403, subsection  
 21 2, unnumbered paragraph 1; 554.13303, subsections 2 and 3;  
 22 554.13303, subsection 4, paragraph "b"; 554.13308, subsection  
 23 2; 554.13309, subsection 8; 554.13310, subsection 5; 554.13518,  
 24 subsection 2; 554.13529, subsection 1, paragraphs "a" and "b";  
 25 and 554.13531, subsection 1, unnumbered paragraph 1, Code  
 26 2013, are amended by striking nonconforming Code subparagraph  
 27 subdivision references from within section text.

28 2. Sections 554.3119, 554.3301, 554.3401, 554.3412,  
 29 554.3413, and 554.13105, Code 2013, are amended by striking  
 30 nonconforming Code subparagraph subdivision references from  
 31 within section text.

32 3. The Code editor is directed to number, renumber,  
 33 designate, or redesignate to eliminate unnumbered paragraphs  
 34 within sections 556D.2, 557B.5, 557B.6, 558.60, 562A.18,  
 35 564A.6, 573.18, 573A.7, 592.3, 596.8, 598.25, 600B.31A,

1 602.10141, 637.606, 654.12B, 703.5, and 704.11, Code 2013, in  
 2 accordance with established Code section hierarchy and correct  
 3 internal references in the Code and in any enacted Iowa Acts,  
 4 as necessary.

5 4. The Code editor is directed to number, renumber,  
 6 designate, or redesignate to eliminate unnumbered paragraphs  
 7 within sections 558.58, subsection 1; 562A.12, subsections 3  
 8 and 5; 562B.13, subsection 6; 573.12, subsection 1; 573.12,  
 9 subsection 2, paragraph "b"; 598.13, subsection 1; 598.22A,  
 10 subsection 1; 600.9, subsection 2; 600A.6, subsection 2;  
 11 602.1401, subsection 3; 602.6105, subsection 3, paragraph "b";  
 12 602.9105, subsection 1, paragraph "b"; 602.9107, subsections 2  
 13 and 3; 614.17A, subsection 2; 614.22, subsection 2; 624.24A,  
 14 subsection 3; 627.6, subsection 15; 631.13, subsection 4,  
 15 paragraph "a"; 631.14, subsection 2; 633.123A, subsection  
 16 1; 633.356, subsections 3, 4, 6, and 7; 633D.10, subsection  
 17 3; 654.15, subsection 1; 657.11, subsection 3, paragraph  
 18 "a"; 657A.10A, subsection 1; 669.14, subsection 11; 692.2,  
 19 subsection 6; 714.16A, subsection 1; 717B.5, subsection 2;  
 20 809A.6, subsection 4; 809A.7, subsection 5; 809A.9, subsection  
 21 1; 809A.12, subsection 3; 904.116, subsection 2; 904.201,  
 22 subsection 3; 904.503, subsection 1; and 904.809, subsection 5,  
 23 paragraph "a", Code 2013, in accordance with established Code  
 24 section hierarchy and correct internal references in the Code  
 25 and in any enacted Iowa Acts, as necessary.

26 5. The Code editor is directed to redesignate within  
 27 section 327F.39, subsection 1, paragraphs "a" through "c" to  
 28 place the definitions in alphabetical order and correct any  
 29 internal references in the Code and in any enacted Iowa Acts,  
 30 as necessary.

31

#### EXPLANATION

32 This bill makes Code changes and corrections that are  
 33 considered to be nonsubstantive and noncontroversial, in  
 34 addition to style changes. Changes made include updating  
 35 or correcting names of and references to public and private

1 entities and funds, correcting internal Code references and  
2 terminology, updating United States Code references, making  
3 various corrections to spelling and grammar, and renumbering  
4 and reorganizing various provisions to eliminate unnumbered  
5 paragraphs and facilitate citation. The Code sections in which  
6 the technical, grammatical, and other nonsubstantive changes  
7 are made include the following:

8       DIVISION I. Code section 8.6: Adds the word "number" after  
9 the words "social security" in language describing the types of  
10 identifiers that may be required to be produced, under rules  
11 adopted by the department of management, by individuals or  
12 entities who make applications to agencies of state government.

13       Code section 8.32: Numbers and letters unnumbered  
14 paragraphs within this provision relating to conditional  
15 availability of appropriations, because of a colon which  
16 appears at the end of the first paragraph of the Code section.

17       Code section 8D.5: Renumbers and reformats language  
18 to more specifically enumerate the provisions describing  
19 the membership, duties, and staffing of the education  
20 telecommunications council.

21       Code section 15.107: Corrects noun-verb agreement within  
22 language describing the oversight duties of the board  
23 of directors and the chief executive officer of the Iowa  
24 innovation corporation.

25       Code section 16.6: Adds a numeric Code subchapter reference  
26 after a reference by name to the state merit system in language  
27 describing the employment classification of employees of the  
28 Iowa finance authority.

29       Code section 16.27: Replaces parentheses with commas in  
30 language describing an annual report submitted by the Iowa  
31 finance authority to the legislative fiscal committee.

32       Code section 24.2: Combines two paragraphs to eliminate an  
33 unanchored unnumbered paragraph within a definition of the term  
34 "fiscal year" in the Code chapter governing local budgets.

35       Code section 28A.24: Moves a reference to Code chapter

1 422 to facilitate electronic hypertext linkage to that Code  
2 chapter in this provision exempting the quad cities interstate  
3 metropolitan authority from taxation.

4 Code section 28E.2: Numbers and alphabetizes definitions  
5 of terms applicable to the Code chapter on joint exercise of  
6 governmental powers.

7 Code section 29A.15: Adds the indefinite article "a" before  
8 the words "national emergency" in this provision relating to  
9 national guard merit or service badges or awards.

10 Code section 29C.17: Strikes an extraneous "the" in  
11 prefatory language describing the funding of a local emergency  
12 management agency's budget.

13 Code section 34A.6: Corrects a reference by name to the  
14 wire-line E911 service surcharge in language describing the  
15 preconditions to imposition of the surcharge.

16 Code section 34A.7A: Changes "communication" to  
17 "communications" in a reference to this type of public or  
18 private service provider in language relating to reimbursement  
19 for transporting information within the enhanced E911 service  
20 system. The term "communications service provider" is defined  
21 in Code section 34A.2.

22 Code section 49.80: Redesignates this Code provision  
23 relating to challenges to an elector to conform the style of  
24 the provision to established Code hierarchy.

25 Code section 50.20: Changes a verbal expression of time  
26 to the numeric expression in this provision relating to the  
27 compilation and availability of a list of and affidavits  
28 pertaining to provisional ballots cast in each precinct.

29 Code sections 53.45, 176A.10, and 422D.1: Strikes the  
30 redundant word "state" to correct a clerical error in language  
31 that refers to the general election described in Code chapter  
32 39.

33 Code section 68A.604: Adds the words "as to" to complete  
34 the sentence in language regarding a political party's central  
35 committee's discretion as to allocation of the funds to

1 candidates.

2 Code section 88.8: Replaces parentheses with commas  
3 to update the style of this provision regarding notice of  
4 violations of occupational safety and health standards or  
5 rules.

6 Code section 88.19: Restructures to enumerate the  
7 subject matters which may be covered in reports by the labor  
8 commissioner of the department of workforce development.

9 Code section 96.13: Corrects references to the name of the  
10 entity responsible for the governance of the federal Social  
11 Security Act in a provision relating to replenishment of lost  
12 unemployment compensation funds.

13 Code section 97C.12: Renumbers and reformats to eliminate  
14 nonconforming Code section hierarchy in this provision  
15 describing the fund which used to be under the original social  
16 security payment system.

17 Code section 123.30: Updates the style and grammar of  
18 language governing requirements for premises of liquor control  
19 licensees.

20 Code sections 123.50, 126.11, 252.27, 258.16, 322.33,  
21 331.362, 331.382, 331.552, 350.4, 422.20, 422.72, 423.6,  
22 455B.474A, 489.110, 502.610, 507A.7, 518C.7, 524.1411, 543B.29,  
23 554D.104, 648.3, and 805.8B: Restructures internal reference  
24 citations, by repeating existing Code section references, to  
25 improve computer tagging of the references and permit automated  
26 electronic hypertext linking within these provisions.

27 Code section 123.145: Updates the term "per centum" to  
28 the term "percent" in this provision relating to labeling on  
29 bottles, kegs, barrels, or other containers in which beer is  
30 offered for sale.

31 Code section 124.401: Adds a missing "or" before a Code  
32 section citation to certain controlled substances in a  
33 nonserial set of references to substances, the manufacture,  
34 possession, or delivery of which is an aggravated misdemeanor.

35 Code section 135.74: Adds the words "all of the following"

1 and strikes punctuation and the word "and" to update the style  
2 of a provision setting out factors to be considered by the  
3 department of public health in establishing uniform methods of  
4 financial reporting.

5 Code section 135.75: Adds the words "all of the following"  
6 and strikes punctuation and the word "and" to update the style  
7 of a provision describing items that each hospital and health  
8 facility must file with the department of public health.

9 Code section 135.83: Updates the name of the former Iowa  
10 association of homes and services for the aging to reflect the  
11 association's current name, "leading age Iowa" in language  
12 relating to pilot programs dealing with prospective rate review  
13 in hospitals or health care facilities, or both.

14 Code section 135.156: Strikes the redundant words  
15 "electronic health information" from a reference to the  
16 advisory council established to promote the adoption and use  
17 of health information technology. The term "advisory council"  
18 is defined in Code section 135.154, subsection 1, to mean the  
19 electronic health information advisory council.

20 Code section 135.156B: Replaces the word "its" with the  
21 words "the department's" to improve the readability of two  
22 provisions describing the duties of the department of public  
23 health.

24 Code sections 135C.2 and 423.3: Updates the name of the  
25 former accreditation council for services for persons with an  
26 intellectual disability and other persons with developmental  
27 disabilities to reflect the council's new name, the "council on  
28 quality and leadership".

29 Code section 135C.6: Replaces the word "licensability"  
30 with the commonly used term "licensure" in language describing  
31 activities of a health care facility which require prior  
32 approval by the department of inspections and appeals in order  
33 for the facility to continue to be licensed by the department.  
34 Also changes "intellectual disabilities" to "an intellectual  
35 disability" to correct the name of the services waiver in

1 language describing residential programs that provide services  
2 to not more than five individuals who have an intellectual  
3 disability.

4 Code section 138.13: Spells out the currently abbreviated  
5 form of the word "Fahrenheit" in this provision governing the  
6 conditions of living quarters and service buildings in migrant  
7 labor camps.

8 Code section 144A.2: Renumbers a definition of the term  
9 "life-sustaining procedure" to eliminate an unanchored  
10 unnumbered paragraph that appears at the end of the definition.

11 Code section 163.26: Spells out the currently abbreviated  
12 form of the word "Fahrenheit" in this definition of the term  
13 "garbage".

14 Code section 189A.11: Renumbers to eliminate unanchored  
15 unnumbered paragraphs and updates the style of this provision  
16 relating to access by meat inspectors to establishments in  
17 which livestock or poultry are slaughtered or livestock or  
18 poultry products are prepared.

19 Code section 190.12: Spells out the currently abbreviated  
20 form of the word "Fahrenheit" in this provision establishing  
21 standards for frozen desserts.

22 Code section 203C.15: Changes the word "to" to "with"  
23 to correct the grammar in a provision relating to insurance  
24 coverage for warehouse operators.

25 Code section 230.15: Numbers and divides the last  
26 unnumbered paragraph of this provision relating to liability  
27 for payment of the cost of care and treatment of a person with  
28 mental illness or a substance-related disorder.

29 Code section 231D.3A: Changes the word "for" to "of"  
30 to correct a reference by name to the federal program of  
31 all-inclusive care for the elderly, known as the PACE program.

32 Code section 235.3: Corrects a reference to the name of the  
33 entity responsible for the governance of the federal social  
34 security program.

35 Code sections 235B.1 and 235B.16A: Corrects the name of the

1 state department charged with oversight of state activities  
2 for older Iowans. The department's name was changed from the  
3 department of elder affairs to the department on aging by 2009  
4 Iowa Acts, chapter 23.

5 Code section 249A.4B: Updates the names of the former Iowa  
6 association of homes and services for the aging and the Iowa  
7 dietetic association to their current names, "leading age  
8 Iowa" and the "Iowa academy of nutrition and dietetics", in  
9 this description of the membership of the medical assistance  
10 advisory council.

11 Code sections 249A.12, 249A.26, and 249A.30: Changes  
12 "intellectual disabilities" to "an intellectual disability" to  
13 correct the name of the services waiver in three provisions  
14 governing the provision of services to persons with an  
15 intellectual disability.

16 Code section 249L.4: Updates the name of the former Iowa  
17 association of homes and services for the aging to reflect the  
18 association's current name, "leading age Iowa", in language  
19 regarding payments to nursing facilities from the quality  
20 assurance trust fund.

21 Code section 252D.17: Renumbers this provision relating  
22 to income withholding for child support to eliminate the  
23 unanchored unnumbered paragraph at the end of the Code section.

24 Code section 256.9: Updates the names of the former Iowa  
25 dietetic association to reflect the association's current  
26 name, the "Iowa academy of nutrition and dietetics", in this  
27 provision enumerating the membership of the department of  
28 education's nutrition advisory panel.

29 Code section 256.18A: Changes an incorrect internal  
30 self-reference to "this paragraph" within this single paragraph  
31 Code section regarding service learning by public and nonpublic  
32 students.

33 Code section 256.42: Strikes a comma and adds an "and" to  
34 correct the grammar of a provision relating to evaluation of  
35 coursework offered through the Iowa learning online initiative.

1 Code section 261B.2: Corrects the grammar of a provision  
2 describing the characteristics of institutions of postsecondary  
3 education which are required to register with the college  
4 student aid commission.

5 Code section 261B.9: Corrects a reference by name to the  
6 state board of education in language describing disclosure  
7 information that must be provided to students attending  
8 postsecondary schools required to register with the college  
9 student aid commission.

10 Code section 261E.5: Reformats to enumerate the amounts  
11 to be remitted by the department of education to the college  
12 board for advanced placement examinations for students properly  
13 registered to take those examinations.

14 Code section 263B.3: Corrects a reference by name to the  
15 federal administrator responsible for highways in a provision  
16 regarding agreements and cooperative efforts between the state  
17 archaeologist and federal agencies.

18 Code section 266.48: Adds the word "odor" to correct the  
19 second reference by name to a cost-share program for livestock  
20 odor research efforts by Iowa state university, the department  
21 of agriculture and land stewardship, and the department of  
22 natural resources.

23 Code section 272.31: Changes "authorization" to  
24 "authorizations" in language relating to the availability and  
25 cost of courses and programs for obtaining any one of the three  
26 authorizations that are described in this Code section.

27 Code section 273.3: Corrects an incorrect self-reference to  
28 facilitate electronic hypertext linkage in language describing  
29 the authority of an area education agency board to receive and  
30 expend funds.

31 Code section 280.10: Strikes a comma to correct a reference  
32 by name to a standard for occupational and educational eye and  
33 face protection.

34 Code section 321.105A: Changes the word "notice" to  
35 "notification" to make consistent language describing the

1 written information that a purchaser must give to a motor  
2 vehicle dealer if the purchaser claims that an excess amount of  
3 fee for new registration has been paid as part of the vehicle  
4 purchase.

5 Code section 322A.1: Adds the definite article "the" in  
6 two places before two nouns to correct the grammar of language  
7 describing the meaning of the term "franchise".

8 Code section 326.2: Changes the word "to" to "for" to  
9 correct the grammar in language describing one-way movement  
10 that constitutes a "trip" for purposes of commercial vehicle  
11 registration reciprocity.

12 Code section 331.390: Changes "regions" to "region" in  
13 language describing the governing board of each mental health  
14 and disability services region. The grammar of language  
15 specifying the qualifications of a person who may serve as a  
16 coordinator of disability services is also corrected.

17 Code section 341A.2: Numbers and letters unnumbered  
18 paragraphs within this provision relating to civil service  
19 commissions due to the presence of a colon at the end of the  
20 first paragraph of the Code section.

21 Code section 354.9: Strikes an extraneous "of" to improve  
22 the readability of language relating to review of subdivisions  
23 by cities.

24 Code sections 355.7 and 355.8: Letters paragraphs and  
25 reformats language that describes the contents of the note that  
26 must be placed along the lines of a plat, if the boundary lines  
27 of the plat vary from those recorded in deeds, abutting plats,  
28 or other instruments of record.

29 Code section 384.6: Corrects the name of the international  
30 city management association retirement corporation, by  
31 replacing "association/retirement" with "association  
32 retirement", in language describing the action to be taken if  
33 a police or fire chief opts to be exempt from the Code chapter  
34 411 retirement system.

35 Code section 419.4: Strikes a comma and the word "and"

1 to correct the syntax of an item in a numbered list and  
2 redesignates and corrects punctuation in another enumerated  
3 list to eliminate an unanchored unnumbered paragraph in this  
4 provision governing the pledge of revenues to secure bonds  
5 issued by a municipality.

6 Code section 421.24: Redesignates to eliminate an  
7 unanchored unnumbered paragraph in this provision that defines  
8 the terms "tax" and "taxes" and prohibits the enforcement of  
9 interest rates or penalties on out-of-state taxes that exceed  
10 the rates or penalties applicable to in-state taxes.

11 Code section 422.16: Replaces parentheses with commas in  
12 this provision describing sanctions which may be imposed upon  
13 domestic or foreign corporations that fail to properly withhold  
14 tax from wages or other taxable Iowa income.

15 Code section 422.32: Strikes a redundant "division II," in  
16 language citing the subsections within Code section 422.4 that  
17 contain definitions which apply within division III of Code  
18 chapter 422.

19 Code section 422.33: Renumbers this provision that  
20 describes the calculation of a research activities tax credit  
21 that may be applied against corporate income tax to eliminate  
22 an unanchored unnumbered paragraph and reuse a previously  
23 reserved paragraph letter.

24 Code section 422.70: Enumerates the powers possessed by  
25 the director of revenue when ascertaining the correctness of  
26 a taxpayer's return or estimating a taxpayer's taxable income  
27 or receipts by separating the components of the series into a  
28 lettered list.

29 Code section 423.5: Renumbers this provision to anchor an  
30 initial unnumbered paragraph that imposes an excise tax on the  
31 purchase price or installed purchase price paid on the use of  
32 certain property and to subsections which describe that type of  
33 property, and to renumber the balance of the subsections that  
34 relate to the administration of the tax.

35 Code section 426A.8: Changes the word "to" to "for" to

1 correct the grammar of language describing the military service  
2 tax exemption.

3 Code section 426A.11: Changes a reference to "the First  
4 World War" to a reference to "World War I" in language  
5 describing a property tax credit for veterans of that world war  
6 to conform the reference to other references to that world war  
7 throughout the Code.

8 Code section 441.16: Corrects the punctuation in a series  
9 describing the contents that must be listed within the combined  
10 proposed budgets of the county assessor, the examining board,  
11 and the board of review.

12 Code section 452A.2: Updates the term "per centum" to the  
13 term "percent" in this definition of the term "motor fuel".

14 Code section 455B.105: Combines two paragraphs to eliminate  
15 an unanchored unnumbered paragraph within this subparagraph  
16 relating to permits, conditional permits, and general permits  
17 issued by the department of natural resources.

18 Code section 455B.516: Redesignates within this definition  
19 of "toxics pollution prevention" to eliminate an unanchored  
20 unnumbered paragraph after the first paragraph and to anchor  
21 the succeeding list of items to what was the second unnumbered  
22 paragraph.

23 Code section 456A.19: Numbers and letters paragraphs within  
24 this provision relating to expenditures from the fish and game  
25 protection fund by the department of natural resources.

26 Code section 459.202: Letters, to eliminate unanchored  
27 unnumbered paragraphs within subsections and to anchor  
28 the forms within these subsections to the paragraphs that  
29 immediately precede the forms.

30 Code section 459.401: Corrects the punctuation in a  
31 sentence describing the accounts that make up the animal  
32 agriculture compliance fund administered by the department of  
33 natural resources, by replacing a comma with a colon.

34 Code section 468.202: Replaces a dash with a colon to update  
35 the punctuation in this provision regarding agreements between

1 the federal government and levee and drainage districts boards  
2 to undertake repairs or alterations of existing levee and  
3 drainage improvements for flood control.

4 Code section 468.309: Strikes a set of parentheses and adds  
5 a comma in language regarding appeals by trustees or boards  
6 of supervisors of existing levee and drainage districts from  
7 actions taken by joint boards to establish a new intercounty  
8 district.

9 Code section 476.6: Adds a subsection headnote to a  
10 subsection concerning the possible construction of nuclear  
11 generating facilities to this Code section relating to rate  
12 regulation of public utilities. All other subsections within  
13 the Code section have headnotes that reflect subsection  
14 content.

15 Code section 476.53: Adds the word "this" before a citation  
16 to Title XI of the Iowa Code in this provision describing  
17 legislative intent regarding development of electric power  
18 generating and transmission facilities. Code chapter 476 is  
19 contained within Title XI of the Iowa Code.

20 Code section 490.850: Redesignates to eliminate an  
21 unanchored unnumbered paragraph within a definition of  
22 "official capacity" in the Code chapter regulating business  
23 corporations.

24 Code section 493.9: Moves a modifying phrase that currently  
25 appears in parentheses to a location which precedes the word  
26 "stock" to eliminate the need for the parenthetical in this  
27 provision regarding changes in stock from stock that have a par  
28 value to stock that have no par value.

29 Code section 507C.28: Updates the term "per centum" to the  
30 term "percent" in language describing one of the conditions  
31 under which a preference, that would otherwise be deemed a  
32 transfer of property for an antecedent debt by an insurer who  
33 has filed a petition for liquidation or rehabilitation, may be  
34 avoided by the liquidator.

35 Code section 508.36: Renumbers to eliminate unanchored

1 unnumbered paragraphs that appear in several provisions and to  
2 complete Code section hierarchy in one provision within this  
3 Code section concerning standard valuation of reserves of life  
4 insurance policies and annuity and pure endowment contracts of  
5 life insurance companies and certification of those reserves.

6 Code section 510.5: Letters an unanchored unnumbered  
7 paragraph concerning canceling or refusing to renew policies  
8 of insurance that appears at the end of an existing lettered  
9 paragraph regarding appropriate underwriting guidelines for  
10 contracts between managing general agents and insurers to  
11 separate the two concepts.

12 Code section 511.8: Revises to provide complete citations  
13 to two federal Acts in this definition of the term "United  
14 States government-sponsored enterprise" in a Code chapter  
15 pertaining to life insurance companies and associations.

16 Code section 515.13: Restructures a citation to Code  
17 section 515.12, subsection 5, to facilitate electronic  
18 hypertext linkage in this provision regarding an exception for  
19 certain nonlife insurance companies from the requirements of  
20 that Code subsection.

21 Code section 524.544: Replaces the parentheses with commas  
22 in language describing reports required when purchases or  
23 acquisitions of stock would result in a change in control of a  
24 state bank or when 25 percent or more of the outstanding voting  
25 shares of a state bank is used as security for any transaction.

26 Code section 524.904: Corrects noun-verb agreement in four  
27 places in this provision relating to loans and extensions of  
28 credit by a state bank to one borrower.

29 Code section 535B.1: Corrects noun-verb agreement to  
30 conform to the style of definitions elsewhere in the Code in  
31 this definition of the term "real estate closing services".

32 Code sections 536.13 and 536A.31: Rewrites a series of  
33 citations to portions of Code chapter 537, which contains the  
34 consumer credit code, to improve readability and facilitate  
35 electronic hypertext linkage to those provisions.

1 Code section 542B.35: Numbers as a subsection a former  
2 lettered paragraph of subsection 2 which prohibits a person  
3 who completes a real property inspection report from claiming  
4 to be a licensed professional land surveyor or a licensed  
5 professional engineer. The other paragraphs of subsection  
6 2 describe statements that must be included within the real  
7 property inspection report.

8 Code section 543B.5: Renumbers within a definition of  
9 the term "material adverse fact" to eliminate the unanchored  
10 paragraph which commences a subdefinition within the main  
11 definition.

12 Code section 543B.46: Strikes the word "a" that appears  
13 before the words "savings association" to correct the grammar  
14 of the series that describes where a real estate broker is to  
15 maintain the broker's common trust account.

16 Code section 551.10: Supplies a missing indefinite article  
17 before the word "Act" to correct the grammar of a provision  
18 describing the remedies provided within the Code chapter  
19 governing unfair discrimination as cumulative to other remedies  
20 provided by law.

21 Code sections 554.2311 and 554.2319: Adds the word  
22 "paragraph" before references to Code section lettered  
23 paragraphs in these two provisions in the article pertaining to  
24 sales of the uniform commercial code.

25 Code sections 554.3202, 554.3305, 554.3312, 554.3501,  
26 554.3604, 554.3605, 554.9102, 554.13103, and 554.13527:  
27 Strikes nonconforming Code subparagraph subdivision references  
28 from within Code section text to conform these sections of the  
29 uniform commercial code to regular Code section hierarchy and  
30 inserts semicolons within series, where needed, to preserve the  
31 separate elements of the series.

32 Code section 554.3311: In subsection 1 of this Code section,  
33 strikes nonconforming Code subparagraph subdivision references  
34 from Code section text to conform the provisions to regular  
35 Code section hierarchy and in subsection 3, replaces the

1 nonconforming Code hierarchy with subparagraph designations,  
2 and corrects an internal reference to what is redesignated as a  
3 subparagraph.

4 Code section 554.3405: Enumerates, in accordance with  
5 standard Code hierarchy, the possible types of transactions  
6 that would constitute a "fraudulent endorsement" and strikes,  
7 within the definition of "responsibility", nonconforming Code  
8 subparagraph subdivision references from within Code section  
9 text.

10 Code section 554.12507: In subsection 3 of this Code  
11 section, strikes nonconforming Code subparagraph subdivision  
12 references from Code section text, redesignates the entire  
13 subsection, and corrects internal references to provisions  
14 that have been redesignated as subparagraphs to conform the  
15 provision to regular Code section hierarchy.

16 Code section 554.13209: In subsection 2 of this Code  
17 section, replaces nonconforming Code subparagraph subdivision  
18 references with paragraph designations to conform the Code  
19 subsection to regular Code section hierarchy.

20 Code section 554.13528: In subsection 1 of this Code  
21 section, strikes nonconforming Code subparagraph subdivision  
22 references from Code section text, reformats and redesignates  
23 the subsection, and corrects an internal reference to a  
24 provision that has been redesignated as a paragraph to conform  
25 the provision to regular Code section hierarchy.

26 Code section 559.2: Replaces nonconforming Code  
27 hierarchical elements with standard Code hierarchical elements  
28 and reformats this provision defining what constitutes a "power  
29 to appoint".

30 Code section 559.6: Replaces nonconforming Code  
31 hierarchical elements with standard Code hierarchical elements  
32 and reformats this provision describing the persons to whom  
33 a release or disclaimer of a power of appointment may be  
34 delivered.

35 Code section 600A.4: Designates subparagraphs to eliminate

1 unanchored unnumbered paragraphs within this provision  
2 regarding reports that shall and other information that may be  
3 provided regarding the medical and social history of a person  
4 to be adopted to the adoptive parents.

5 Code section 631.8: Strikes extraneous nonconforming Code  
6 subparagraph references from within Code section text to  
7 conform this provision pertaining to small claims to regular  
8 Code section style and format.

9 Code section 633.224: Strikes an extraneous set of  
10 parentheses within language regarding transfers of property as  
11 an advancement.

12 Code section 633.352: Completes an internal reference to a  
13 Code chapter division part by supplying the missing division  
14 information in this provision that specifies that the uniform  
15 principal and income Act does not apply to the allocation and  
16 distribution of estate income unless otherwise provided in a  
17 will.

18 Code sections 724.10 and 724.17: Corrects the name of the  
19 national system used to perform criminal background checks  
20 in these two provisions relating to permit applications for  
21 firearms. The name of the system appears correctly in Code  
22 sections 724.21A and 724.31.

23 Code section 805.6: Enumerates, in a formatted list, the  
24 items for which spaces must or should be included on the  
25 uniform citation and complaint form.

26 Code section 809A.3: Renumbers to conform the numbering  
27 of this provision regarding conduct that will give rise to  
28 forfeiture to the content of the Code section and corrects an  
29 internal reference to renumbered provisions.

30 Code section 904.312: Numbers two unnumbered paragraphs as  
31 subsections in this provision relating to purchases of supplies  
32 by the director of the department of corrections. The current  
33 second paragraph of this Code section contains a definition  
34 which begins with the language "For the purposes of this  
35 subsection...".

1 Code section 915.82: Renumbers to eliminate an unanchored  
2 unnumbered paragraph at the end of this provision describing  
3 the membership of and member expense reimbursement for the  
4 crime victim assistance board.

5 DIVISION II. The Code sections in this division are amended  
6 by numbering, renumbering, designating, or redesignating  
7 provisions within volume VI of the Code, and by changing  
8 textual references as necessary. The purposes of the Code  
9 changes are to conform the Code provisions to existing Code  
10 section hierarchy by eliminating "unanchored" unnumbered  
11 paragraphs within the Code sections to facilitate citation to  
12 those Code sections.

13 DIVISION III. This division contains corrections to  
14 internal references to Code sections that are numbered,  
15 renumbered, designated, or redesignated in division II of this  
16 bill.

17 DIVISION IV. This division contains a series of five Code  
18 editor directives. The first two directives amend various  
19 provisions within the uniform commercial code to strike  
20 nonconforming Code subparagraph subdivision references from  
21 within Code section text. The third and fourth directives  
22 require the Code editor to number, renumber, designate, or  
23 redesignate to eliminate unanchored unnumbered paragraphs  
24 within Code sections that are scattered throughout volume VI of  
25 the Code. Unlike the provisions in division II of this bill,  
26 these provisions do not require textual reference or additional  
27 internal reference corrections to perform the redesignations.  
28 The fifth directive requires the Code editor to redesignate  
29 three paragraphs to alphabetize the first three definitions of  
30 a definitions Code section.