



Iowa General Assembly
Daily Bills, Amendments, Study Bills
January 11, 2007

House File 10

HOUSE FILE
BY TYMESON

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved

A BILL FOR

1 An Act relating to rules of the state board of education
2 regarding the use of telecommunications as the exclusive means
3 to provide any course required by the minimum educational
4 standards for accreditation.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
6 TLSB 1333YH 82
7 kh/sh/8



Iowa General Assembly
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House File 10 continued

PAG LIN

1 1 Section 1. Section 256.7, subsection 8, Code 2007, is
1 2 amended by striking the subsection.
1 3 EXPLANATION
1 4 This bill eliminates a requirement that the state board of
1 5 education adopt rules to prohibit the use of
1 6 telecommunications by school districts as the exclusive means
1 7 to provide any course that is required by the minimum
1 8 educational standards for accreditation.
1 9 LSB 1333YH 82
1 10 kh:nh/sh/8



Iowa General Assembly
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House File 11

HOUSE FILE
BY TYMESON

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays
Approved

A BILL FOR

- 1 An Act relating to public land included in territory subject to
- 2 voluntary annexation.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 1331YH 82
- 5 eg/gg/14



Iowa General Assembly
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House File 11 continued

PAG LIN

1 1 Section 1. Section 368.7, subsection 1, paragraph a, Code
1 2 2007, is amended to read as follows:
1 3 a. All of the owners of land in a territory adjoining a
1 4 city may apply in writing to the council of the adjoining city
1 5 requesting annexation of the territory. Territory comprising
1 6 railway right-of-way or territory comprising not more than
1 7 twenty percent of the land area may be included in the
1 8 application without the consent of the owner to avoid creating
1 9 an island or to create more uniform boundaries. Public land
1 10 may be included in the territory to be annexed. However, the
1 11 area of the territory that is public land ~~included without the~~
~~1 12 written consent of the agency with jurisdiction over the~~
~~1 13 public land~~ shall not be used to determine the percentage of
1 14 territory that is included with the consent of the owner and
1 15 without the consent of the owner.

1 16 EXPLANATION

1 17 An application for voluntary annexation may include
1 18 territory comprised of not more than 20 percent of the land
1 19 area without the consent of the owner to avoid creating an
1 20 island or to create more uniform boundaries. Public land,
1 21 i.e., land owned by the federal government, the state, or a
1 22 political subdivision of the state, may be annexed.
1 23 Currently, with written consent of the agency having
1 24 jurisdiction over the public land, the public land may be used
1 25 to determine the percentage of territory included with the
1 26 consent of owners and without the consent of owners. Under
1 27 this bill, public land cannot be used to determine such
1 28 percentage regardless of whether the agency having
1 29 jurisdiction over the public land consents or not.
1 30 LSB 1331YH 82
1 31 eg:sc/gg/14



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House File 12

HOUSE FILE
BY TYMESON

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays
Approved

A BILL FOR

1 An Act relating to the inclusion of kindergarten and
2 prekindergarten pupils in the actual enrollment of a school
3 district.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 1334YH 82
6 ak/je/5



Iowa General Assembly
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House File 12 continued

PAG LIN

1 1 Section 1. Section 257.6, subsection 1, paragraph a, Code
1 2 2007, is amended to read as follows:
1 3 a. Resident pupils who were enrolled in public schools
1 4 within the district in grades ~~kindergarten~~ one through twelve,
1 5 resident pupils enrolled in kindergarten on a full-day basis,
1 6 and including resident prekindergarten pupils enrolled in
1 7 special education programs on a full-day basis. Resident
1 8 pupils who were enrolled in half-day kindergarten programs,
1 9 and resident prekindergarten pupils enrolled in half-day
1 10 special education programs, shall be counted as five-tenths of
1 11 one pupil.

1 12

EXPLANATION

1 13 This bill provides that pupils who attend kindergarten
1 14 programs which are offered on a half-day basis, and
1 15 prekindergarten pupils enrolled in special education programs
1 16 offered on a half-day basis, shall be counted for purposes of
1 17 the actual enrollment count of a school district as one-half
1 18 of one pupil. This is a change from their current full
1 19 inclusion in actual enrollment as one pupil, regardless of
1 20 whether the program is offered on a half-day or full-day
1 21 basis.

1 22 LSB 1334YH 82

1 23 ak:nh/je/5



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House File 13

HOUSE FILE
BY REASONER

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved

A BILL FOR

- 1 An Act relating to county recorders and vital record fees and
- 2 providing an effective date.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 1035YH 82
- 5 eg/cf/24



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House File 13 continued

PAG LIN

1 1 Section 1. Section 144.46, Code 2007, is amended to read
1 2 as follows:
1 3 144.46 FEE FOR COPY OF RECORD == OR SEARCH.
1 4 1. ~~The~~ Based upon the average administrative cost of
1 5 providing vital records services, the department by rule shall
1 6 establish set fees based on the average administrative cost
1 7 which shall to be charged and collected by the state registrar
1 8 or the county registrar.
1 9 a. The state registrar and the county registrar shall
1 10 collect fees for each certified copy or short form
1 11 certification of certificates or records, ~~or~~.
1 12 b. The state registrar shall collect fees for a search of
1 13 the files or records when no copy is made, or when no record
1 14 is found on file.
1 15 2. Fees collected by the state registrar and by the county
1 16 registrar on behalf of the state under this section shall be
1 17 deposited in the general fund of the state. Fees collected by
1 18 the county registrar pursuant to section 331.605, subsection
1 19 6, shall be deposited in the county general fund. A fee shall
1 20 not be collected from a political subdivision or agency of
1 21 this state.
1 22 Sec. 2. Section 331.605, subsections 6 and 7, Code 2007,
1 23 are amended to read as follows:
1 24 6. A county fee of four dollars in an amount equal to
1 25 forty percent of the fee collected by the county registrar
1 26 pursuant to section 144.46 for a certified copy of a birth
1 27 record, death record, or marriage certificate.
1 28 7. For filing an application for the license to marry,
1 29 thirty-five dollars, ~~which includes payment for one certified~~
1 30 ~~copy of the original certificate of marriage,~~ From this
1 31 amount, the county shall retain a fee pursuant to subsection 6
1 32 for a certified copy of a marriage certificate to be issued
1 33 following filing of the original certificate of marriage, ~~four~~
1 34 ~~dollars of which shall be retained by the county pursuant to~~
1 35 ~~subsection 6.~~ For issuing an application for an order of the



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House File 13 continued

2 1 district court authorizing the validation of a license to
2 2 marry before the expiration of three days from the date of
2 3 issuance of the license, five dollars. The district court
2 4 shall authorize the early validation of a marriage license
2 5 without the payment of any fees imposed in this subsection
2 6 upon showing that the applicant is unable to pay the fees.

2 7 Sec. 3. EFFECTIVE DATE. This Act, being deemed of
2 8 immediate importance, takes effect upon enactment.

2 9 EXPLANATION

2 10 This bill relates to the fees collected by county recorders
2 11 for certain vital records services. The department of public
2 12 health is required by rule to establish fees to be collected
2 13 by the state registrar and the county registrars on behalf of
2 14 the state. The bill requires only the state registrar, and
2 15 not the county recorders, to collect fees for record searches
2 16 if no record is found or no copy is made.

2 17 The county recorder currently collects a county fee for
2 18 certified copies of a birth record, death record, or marriage
2 19 certificate which are deposited to the county general fund.
2 20 The bill increases the amount of the fee that the county
2 21 recorder can retain from \$4 for each record or certificate to
2 22 40 percent of the fee collected by the county recorder
2 23 pursuant to the rules adopted by department of public health
2 24 for certified copies.

2 25 The bill takes effect upon enactment.

2 26 LSB 1035YH 82

2 27 eg:rj/cf/24



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House File 14

HOUSE FILE
BY R. OLSON and TOMENGA

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays
Approved

A BILL FOR

1 An Act increasing the taxes imposed on cigarettes and tobacco
2 products and providing for deposit of the increased revenue
3 generated in the senior living trust fund, and providing an
4 applicability date and an effective date.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
6 TLSB 1109HH 82
7 pf/gg/14



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House File 14 continued

PAG LIN

1 1 Section 1. Section 249H.4, subsection 1, Code 2007, is
1 2 amended to read as follows:
1 3 1. A senior living trust fund is created in the state
1 4 treasury under the authority of the department of human
1 5 services. Moneys received through intergovernmental
1 6 agreements for the senior living program and moneys received
1 7 from sources, including grants, contributions, and participant
1 8 payments, shall be deposited in the fund. Additionally,
1 9 proceeds derived from payment of taxes pursuant to section
1 10 453A.6, subsection 1, paragraph "a", subparagraph (2), section
1 11 453A.6, subsection 1, paragraph "b", subparagraph (2), section
1 12 453A.43, subsection 1, paragraph "b", and section 453A.43,
1 13 subsection 2, paragraph "b", shall be credited to the fund.

1 14 Sec. 2. NEW SECTION. 422.11T SMOKING CESSATION PRODUCTS
1 15 TAX CREDIT.

1 16 1. The taxes imposed under this division, less the credits
1 17 allowed under sections 422.12 and 422.12B, shall be reduced by
1 18 a smoking cessation products tax credit. To be eligible for
1 19 the credit, the taxpayer shall purchase smoking cessation
1 20 products. For the purposes of this section, "smoking
1 21 cessation products" means tobacco cessation products approved
1 22 by the United States food and drug administration.

1 23 2. The amount of the smoking cessation products tax credit
1 24 shall equal the cost of any unreimbursed smoking cessation
1 25 products, not to exceed four hundred dollars, annually,
1 26 incurred by the taxpayer and related to smoking cessation.

1 27 3. If the tax credit is claimed under this section, the
1 28 expenses shall not be considered medical care expenses under
1 29 section 213 of the Internal Revenue Code for the same tax year
1 30 for state tax purposes.

1 31 4. Any credit in excess of the tax liability is
1 32 nonrefundable but may be credited to the tax liability for the
1 33 following ten years or until depleted, whichever is the
1 34 earlier.

1 35 Sec. 3. Section 453A.6, subsection 1, Code 2007, is



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2 1 amended to read as follows:

2 2 1. There is imposed, and shall be collected and paid to
2 3 the department, the following taxes on all cigarettes used or
2 4 otherwise disposed of in this state for any purpose
2 5 whatsoever:

2 6 a. Class A.

2 7 (1) On cigarettes weighing not more than three pounds per
2 8 thousand, ~~eighteen mills~~ one and eight-tenths cents on each
2 9 such cigarette.

2 10 (2) In addition to the tax imposed in subparagraph (1), on
2 11 cigarettes weighing not more than three pounds per thousand,
2 12 three and two-tenths cents on each cigarette.

2 13 b. Class B.

2 14 (1) On cigarettes weighing more than three pounds per
2 15 thousand, ~~eighteen mills~~ one and eight-tenths cents on each
2 16 such cigarette.

2 17 (2) In addition to the tax imposed in subparagraph (1), on
2 18 cigarettes weighing more than three pounds per thousand, three
2 19 and two-tenths cents on each cigarette.

2 20 Sec. 4. Section 453A.35, Code 2007, is amended to read as
2 21 follows:

2 22 453A.35 TAX AND FEES PAID TO GENERAL FUND.

2 23 The proceeds derived from the sale of stamps and the
2 24 payment of taxes, fees and penalties provided for under this
2 25 chapter, and the permit fees received from all permits issued
2 26 by the department, with the exception of the proceeds derived
2 27 from payment of taxes pursuant to section 453A.6, subsection
2 28 1, paragraph "a", subparagraph (2), section 453A.6, subsection
2 29 1, paragraph "b", subparagraph (2), section 453A.43,
2 30 subsection 1, paragraph "b", and section 453A.43, subsection
2 31 2, paragraph "b", which shall be credited to the senior living
2 32 trust fund created in section 249H.4, shall be credited to the
2 33 general fund of the state. All permit fees provided for in
2 34 this chapter and collected by cities in the issuance of
2 35 permits granted by the cities shall be paid to the treasurer



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3 1 of the city where the permit is effective, or to another city
3 2 officer as designated by the council, and credited to the
3 3 general fund of the city. Permit fees so collected by
3 4 counties shall be paid to the county treasurer.

3 5 Sec. 5. Section 453A.40, subsection 1, Code 2007, is
3 6 amended to read as follows:

3 7 1. All of the following persons shall be subject to an
3 8 inventory tax on the following items as provided in this
3 9 section:

3 10 a. All persons required to be licensed obtain a permit
3 11 under section 453A.13 as distributors or to be licensed under
3 12 section 453A.44 as a distributor or subjobber, having in their
3 13 possession and held for resale on the effective date of an
3 14 increase in the tax rate cigarettes, ~~or~~ little cigars, or
3 15 tobacco products upon which the tax under section 453A.6 or
3 16 453A.43 has been paid, unused cigarette tax stamps which have
3 17 been paid for under section 453A.8, or unused metered imprints
3 18 which have been paid for under section 453A.12 shall be
~~3 19 subject to an inventory tax on the items as provided in this~~
~~3 20 section.~~

3 21 b. All consumers having for use or storage on the
3 22 effective date of an increase in the tax rate, tobacco
3 23 products upon which the tax under section 453A.43 has been
3 24 paid.

3 25 c. All consumers subject to section 453A.46, subsection 6,
3 26 who have acquired title to or possession of tobacco products
3 27 for storage in this state, upon which tobacco products the tax
3 28 imposed by section 453A.43 has not been paid.

3 29 Sec. 6. Section 453A.43, subsections 1, 2, and 3, Code
3 30 2007, are amended to read as follows:

3 31 1. a. A tax is imposed upon all tobacco products in this
3 32 state and upon any person engaged in business as a distributor
3 33 of tobacco products, at the rate of twenty-two percent of the
3 34 wholesale sales price of the tobacco products, except little
3 35 cigars as defined in section 453A.42.



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4 1 b. In addition to the tax imposed under paragraph "a", a
4 2 tax is imposed upon all tobacco products in this state and
4 3 upon any person engaged in business as a distributor of
4 4 tobacco products, at the rate of thirty-three percent of the
4 5 wholesale sales price of the tobacco products, except little
4 6 cigars as defined in section 453A.42.

4 7 c. Little cigars shall be subject to the same rate of tax
4 8 imposed upon cigarettes in section 453A.6, payable at the time
4 9 and in the manner provided in section 453A.6; and stamps shall
4 10 be affixed as provided in division I of this chapter.

4 11 d. The ~~tax~~ taxes on tobacco products, excluding little
4 12 cigars, shall be imposed at the time the distributor does any
4 13 of the following:

4 14 a. (1) Brings, or causes to be brought, into this state
4 15 from without the state tobacco products for sale.

4 16 b. (2) Makes, manufactures, or fabricates tobacco
4 17 products in this state for sale in this state.

4 18 c. (3) Ships or transports tobacco products to retailers
4 19 in this state, to be sold by those retailers.

4 20 2. a. A tax is imposed upon the use or storage by
4 21 consumers of tobacco products in this state, and upon the
4 22 consumers, at the rate of twenty-two percent of the cost of
4 23 the tobacco products.

4 24 b. In addition to the tax imposed in paragraph "a", a tax
4 25 is imposed upon the use or storage by consumers of tobacco
4 26 products in this state, and upon the consumers, at a rate of
4 27 thirty-three percent of the cost of the tobacco products.

4 28 c. The ~~tax~~ taxes imposed by this subsection shall not
4 29 apply if the ~~tax~~ taxes imposed by subsection 1 on the tobacco
4 30 products ~~has~~ have been paid.

4 31 d. ~~This tax~~ The taxes imposed under this subsection shall
4 32 not apply to the use or storage of tobacco products in
4 33 quantities of:

4 34 a. (1) Less than 25 cigars.

4 35 b. (2) Less than 10 oz. snuff or snuff powder.



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5 1 ~~e-~~ (3) Less than 1 lb. smoking or chewing tobacco or
5 2 other tobacco products not specifically mentioned herein, in
5 3 the possession of any one consumer.

5 4 3. Any tobacco product with respect to which a tax has
5 5 once been imposed under this division shall not again be
5 6 subject to tax under said division, except as provided in
5 7 section 453A.40.

5 8 Sec. 7. EFFECTIVE DATE. The sections of this Act amending
5 9 section 249H.4, subsection 1, section 453A.6, subsection 1,
5 10 section 453A.35, section 453A.40, subsection 1, and section
5 11 453A.43, subsections 1, 2, and 3, being deemed of immediate
5 12 importance, take effect on the first day of the month that
5 13 begins following enactment of this Act.

5 14 Sec. 8. APPLICABILITY DATE. The section of this Act
5 15 enacting section 422.11T applies for tax years beginning on or
5 16 after January 1, 2008.

5 17 EXPLANATION

5 18 This bill relates to an increase in the taxes imposed on
5 19 cigarettes and tobacco products and to the deposit of the
5 20 increased revenue generated in the senior living trust fund.

5 21 The bill provides for a tax on cigarettes, in addition to
5 22 the tax of 18 mills (1.8 cents) imposed on each cigarette, of
5 23 3.2 cents on each cigarette. The effect of the bill is to
5 24 increase the tax on a pack of 20 cigarettes from 36 cents per
5 25 pack to \$1 per pack.

5 26 The bill also provides for a tax on tobacco products, in
5 27 addition to the 22 percent of the wholesale sales price for
5 28 distributors and 22 percent of the cost of tobacco products
5 29 for the use or storage by consumers of tobacco products, of 33
5 30 percent of the wholesale sales price and the cost.

5 31 The bill also provides for payment of the inventory tax by
5 32 all persons required to obtain a permit as a distributor of
5 33 cigarettes or to be licensed as a distributor or subjobber of
5 34 tobacco products who have in their possession and hold for
5 35 resale on the effective date of an increase in the tax rate,



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House File 14 continued

6 1 cigarettes, little cigars, or tobacco products upon which the
6 2 tax has been paid, unused cigarette tax stamps which have been
6 3 paid for, or unused metered imprints which have been paid for.
6 4 The inventory tax also applies to consumers who have for use
6 5 or storage on the effective date of the increase in the tax
6 6 rate tobacco products upon which the tax has already been
6 7 paid, and to consumers who have acquired title to or
6 8 possession of tobacco products for storage in this state upon
6 9 which the tobacco tax has not been paid.

6 10 The bill provides that the additional revenue generated
6 11 (the 3.2 cents per cigarette and the 33 percent on tobacco
6 12 products) is to be deposited in the senior living trust fund.
6 13 The bill also provides for a smoking cessation products tax
6 14 credit not to exceed \$400 annually. The section of the bill
6 15 relating to the tax increase on cigarettes and tobacco
6 16 products takes effect on the first day of the month that
6 17 begins following enactment, and the tax credit applies to tax
6 18 years beginning on or after January 1, 2008.

6 19 LSB 1109HH 82

6 20 pf:nh/gg/14



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House File 15

HOUSE FILE
BY PETERSEN

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays
Approved

A BILL FOR

1 An Act requiring licensed and registered child care facilities to
2 identify how financial responsibility for injuries is
3 addressed.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 1079HH 82
6 jp/sh/8



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House File 15 continued

PAG LIN

1 1 Section 1. Section 237A.12, subsection 1, Code 2007, is
1 2 amended by adding the following new paragraph:

1 3 NEW PARAGRAPH. i. Financial responsibility when the child
1 4 care facility has liability for an injury to a child receiving
1 5 care or to another person. The financial responsibility shall
1 6 be addressed by one of the following:

1 7 (1) The maintenance of liability insurance coverage by the
1 8 facility that complies with reasonable minimum amounts
1 9 identified in rule.

1 10 (2) The maintenance of a surety bond by the facility for
1 11 the liability that complies with reasonable minimum amounts
1 12 identified in rule.

1 13 (3) A lack of insurance coverage or surety bond for the
1 14 liability or a lack of insurance coverage or a surety bond
1 15 that complies with the minimum amount identified under
1 16 subparagraph (1) or (2). In order to comply with the
1 17 requirement under this paragraph "i", a child care facility
1 18 lacking such minimum coverage or bond shall provide to the
1 19 parent, guardian, or custodian of all children receiving care
1 20 written notice of the lack of or the exact amount of insurance
1 21 coverage or surety bond maintained. The written notice shall
1 22 be provided prior to a child receiving care and prior to
1 23 implementing a change in the amount of coverage or surety
1 24 bond. The facility shall have available for inspection signed
1 25 verification by each child's parent, guardian, or custodian
1 26 acknowledging that the notice was read and understood.

1 27 EXPLANATION

1 28 This bill requires licensed and registered child care
1 29 facilities to address financial responsibility for injuries.

1 30 Code section 237A.12, relating to requirements for the
1 31 department of human services to adopt rules setting minimum
1 32 standards for child care regulated by the department, is
1 33 amended. The bill adds to the list of requirements for child
1 34 care facilities (defined by Code chapter 237A as licensed
1 35 child care centers, preschools, and registered child



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House File 15 continued

2 1 development homes), a requirement for the facilities to
2 2 identify how financial responsibility is addressed in
2 3 connection with liability for injuries.
2 4 The requirement can be met by the facility having liability
2 5 insurance coverage or a surety bond, both meeting minimum
2 6 amounts identified in rules. Otherwise, if the facility does
2 7 not have either the insurance coverage or the bond or the
2 8 coverage or bond does not meet the required amounts, the
2 9 facility must provide and verify notice has been received by
2 10 the child's parent, guardian, or custodian regarding the lack
2 11 or the exact amount of the coverage or bond.
2 12 LSB 1079HH 82
2 13 jp:nh/sh/8



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Senate File 21

SENATE FILE
BY FRAISE and COURTNEY

Passed Senate, Date _____
Vote: Ayes _____ Nays _____
Approved

Passed House, Date _____
Vote: Ayes _____ Nays _____

A BILL FOR

1 An Act relating to the designation of pilot project cities for a
2 targeted jobs withholding tax credit to be used for funding
3 improvements in certain urban renewal areas and including
4 effective and retroactive applicability date provisions.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
6 TLSB 1346SS 82
7 tm/gg/14



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Senate File 21 continued

PAG LIN

1 1 Section 1. Section 403.19A, subsection 2, paragraph b,
1 2 Code 2007, is amended to read as follows:
1 3 b. The department of economic development shall approve
1 4 four eligible cities as pilot project cities, one pursuant to
1 5 paragraph "a", subparagraph (1), one pursuant to paragraph
1 6 "a", subparagraph (2), and two pursuant to paragraph "a",
1 7 subparagraph (3). If two eligible cities are approved which
1 8 are located in the same county and the county has a population
1 9 of less than forty-five thousand, the two approved eligible
1 10 cities shall be considered one pilot project city. If more
1 11 than two cities meeting the requirements of paragraph "a",
1 12 subparagraph (3), apply to be designated as a pilot project
1 13 city, the department of management, in consultation with the
1 14 department of economic development, shall determine which two
1 15 cities hold the most potential to create new jobs or generate
1 16 the greatest capital within their areas. Applications from
1 17 eligible cities filed on or after October 1, 2006, shall not
1 18 be considered.

1 19 If a pilot project city does not enter into a withholding
1 20 agreement within one year of its approval as a pilot project
1 21 city, the city shall lose its status as a pilot project city.
1 22 If two pilot project cities are located in the same county,
1 23 the loss of status by one pilot project city shall not cause
1 24 the second pilot project city in the county to lose its status
1 25 as a pilot project city. Upon such occurrence, the department
1 26 of economic development shall take applications from other
1 27 eligible cities to replace that city. Another city shall be
1 28 designated within six months.

1 29 Sec. 2. EFFECTIVE AND RETROACTIVE APPLICABILITY DATES.
1 30 This Act, being deemed of immediate importance, takes effect
1 31 upon enactment and is retroactively applicable to July 1,
1 32 2006, and is applicable to pilot project city applications
1 33 received prior to October 1, 2006.

1 34 EXPLANATION

1 35 This bill relates to the designation of pilot project



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Senate File 21 continued

2 1 cities for a targeted jobs withholding tax credit to be used
2 2 for funding improvements in certain urban renewal areas.

2 3 In 2006, House File 2731 was enacted (2006 Iowa Acts,
2 4 chapter 1141) to allow four pilot project cities to be
2 5 approved to assist in funding projects in their urban renewal
2 6 areas by means of a targeted jobs credit from withholding.

2 7 The bill provides that if two approved eligible cities are
2 8 located in the same county and that county has a population of
2 9 less than 45,000, the two approved eligible cities shall be
2 10 considered one pilot project city.

2 11 Currently, a pilot project city loses status as a pilot
2 12 project city if the city does not enter into a withholding
2 13 agreement within one year of its approval as a pilot project
2 14 city. The bill provides that if two pilot project cities are
2 15 located in the same county, the loss of status by one pilot
2 16 project city shall not cause the second pilot project city in
2 17 the county to lose its status as a pilot project city.

2 18 The bill provides that if more than two cities located in a
2 19 county that borders a state other than Nebraska or South
2 20 Dakota apply to be designated as a pilot project city, the
2 21 department of economic development shall determine which two
2 22 cities hold the most potential to create new jobs or generate
2 23 the greatest capital within their areas. Currently, the
2 24 department of management, in consultation with the department
2 25 of economic development, makes the determination.

2 26 The bill takes effect upon enactment and is retroactively
2 27 applicable to July 1, 2006, and applies to pilot project city
2 28 applications received prior to October 1, 2006.

2 29 LSB 1346SS 82

2 30 tm:nh/gg/14



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Senate File 22

SENATE FILE
BY PUTNEY

Passed Senate, Date _____
Vote: Ayes _____ Nays _____
Approved

Passed House, Date _____
Vote: Ayes _____ Nays _____

A BILL FOR

- 1 An Act relating to commissions that oversee memorial buildings
- 2 and monuments.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 1045SS 82
- 5 eg/je/5



Iowa General Assembly
Daily Bills, Amendments, Study Bills
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Senate File 22 continued

PAG LIN

1 1 Section 1. Section 37.9, unnumbered paragraphs 1 and 6,
1 2 Code 2007, are amended to read as follows:

1 3 When the proposition to erect ~~any such~~ a building or
1 4 monument under this chapter has been carried by a majority
1 5 vote, the board of supervisors or the city council, as the
1 6 case may be, shall appoint a commission consisting of ~~five or~~
~~1 7 seven~~ not more than eleven members, in the manner and with the
1 8 qualifications provided in this chapter, which shall have
1 9 charge and supervision of the erection of the building or
1 10 monument, and when erected, the management and control of the
1 11 building or monument.

1 12 The commissioners having the management and control of a
1 13 memorial hospital shall, within ten days after their
1 14 appointment, qualify by taking the usual oath of office, but
1 15 no bonds shall be required of them except as hereinafter
1 16 provided. The commissioners shall organize by electing a
1 17 chairperson, secretary, and treasurer. The secretary and
1 18 treasurer shall each file with the chairperson of the
1 19 commission a surety bond in such sum as the commission may
1 20 require, with sureties approved by the commission, for the use
1 21 and benefit of the memorial hospital. The reasonable costs of
1 22 such bonds shall be paid from operating funds of the hospital.
1 23 The secretary shall immediately report to the county auditor
1 24 and county treasurer the names of the chairperson, secretary,
1 25 and treasurer of the commission. The commission shall meet at
1 26 least once each month. ~~Three members of a five-member~~
~~1 27 commission and five members of a seven-member~~ A majority of
1 28 the commission members shall constitute a quorum for the
1 29 transaction of business. The secretary shall keep a complete
1 30 record of its proceedings.

1 31 EXPLANATION

1 32 Under Code chapter 37 and subject to voter approval, a city
1 33 or county may erect and equip a memorial building or monument
1 34 to commemorate the service rendered by soldiers, sailors, and
1 35 marines of the United States. The city council or the board



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Senate File 22 continued

2 1 of supervisors, as the case may be, appoints a commission to
2 2 oversee the erection and management of the building or
2 3 monument. Under current law, the commission consists of five
2 4 or seven members. This bill allows additional persons to be
2 5 appointed, not to exceed 11 members. In accord with existing
2 6 law, the bill provides that a majority of the commission
2 7 members constitutes a quorum.
2 8 LSB 1045SS 82
2 9 eg:nh/je/5



Iowa General Assembly
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Senate File 23

SENATE FILE
BY JOHNSON

Passed Senate, Date _____
Vote: Ayes _____ Nays _____
Approved

Passed House, Date _____
Vote: Ayes _____ Nays _____

A BILL FOR

- 1 An Act relating to the funding of a unified law enforcement
- 2 district by a cost-sharing agreement.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 1438SS 82
- 5 eg/gg/14



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Senate File 23 continued

PAG LIN

1 1 Section 1. Section 28E.22, unnumbered paragraph 5, Code
 1 2 2007, is amended to read as follows:
 1 3 Such moneys collected pursuant to the tax levy shall be
 1 4 expended only for providing additional moneys needed for
 1 5 unified law enforcement services in the district and shall be
 1 6 in addition to the revenues raised in the county and cities in
 1 7 the district from their general funds which are based upon ~~an~~
 1 8 either of the following:

1 9 1. An average of revenues raised for law enforcement
 1 10 purposes by the county or city for the three previous years.
 1 11 The amount of revenues raised for law enforcement purposes by
 1 12 the county for the three previous years shall be computed
 1 13 separately for the unincorporated portion of the district and
 1 14 for each city in the district.

1 15 2. A method of cost sharing, which method is agreed to
 1 16 unanimously by each county and city member of the district.

1 17 Sec. 2. NEW SECTION. 28E.24A ALTERNATIVE FUNDING BY
 1 18 UNANIMOUS COST=SHARING AGREEMENT.

1 19 The amount of revenue deemed necessary for the operation of
 1 20 the district may, in lieu of the methods in section 28E.23, be
 1 21 based upon a method of cost sharing, which method is agreed to
 1 22 unanimously by each county and city member in the district.
 1 23 The public safety commission shall compute the amount of
 1 24 revenue deemed necessary for the operation of the district and
 1 25 to be contributed by the county and by each city in the
 1 26 district based upon such agreement. Revenues based upon a
 1 27 method of cost sharing shall be certified, deposited, and
 1 28 otherwise treated the same as an average of revenues under
 1 29 section 28E.24 for all purposes including determining the
 1 30 source of additional revenue needed for unified law
 1 31 enforcement services.

EXPLANATION

1 32
 1 33 This bill allows the county board of supervisors and the
 1 34 city councils in a unified law enforcement district the option
 1 35 to either raise moneys based upon an average of revenues



**Iowa General Assembly
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Senate File 23 continued

2 1 raised for law enforcement purposes in the county or city for
2 2 the three previous years or to raise moneys based upon a
2 3 method of cost sharing, which method is agreed to unanimously
2 4 by each county and city member in the district. If the
2 5 revenues are based upon a unanimous cost-sharing agreement,
2 6 the public safety commission shall compute the amount of
2 7 revenue deemed necessary for the operation of the district and
2 8 to be contributed by the members of the district based upon
2 9 such agreement. The bill provides that revenues based upon a
2 10 unanimous cost-sharing agreement shall be treated the same as
2 11 revenues based upon an average of revenues for tax levy
2 12 purposes. If additional moneys are needed for law enforcement
2 13 services in the district, the county board of supervisors and
2 14 the city councils in the district may levy a tax.
2 15 LSB 1438SS 82
2 16 eg:sc/gg/14



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Senate Study Bill 1018

SENATE/HOUSE FILE
BY (PROPOSED DEPARTMENT OF
EDUCATION BILL)

Passed Senate, Date _____
Vote: Ayes _____ Nays _____
Approved

Passed House, Date _____
Vote: Ayes _____ Nays _____

A BILL FOR

1 An Act concerning earning restrictions, establishing a bona fide
2 retirement for department of education employees under the
3 Iowa public employees' retirement system, and providing
4 retroactive applicability, an effective date, and an
5 implementation provision.
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
7 TLSB 1229XD 82
8 ec/je/5



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Senate Study Bill 1018 continued

PAG LIN

1 1 Section 1. Section 97B.48A, subsection 1, unnumbered
1 2 paragraph 1, Code 2007, is amended to read as follows:
1 3 If a member who has not reached the member's sixty=fifth
1 4 birthday and who has a bona fide retirement under this chapter
1 5 is in regular full=time employment during a calendar year, the
1 6 member's retirement allowance shall be reduced by fifty cents
1 7 for each dollar the member earns over the limit provided in
1 8 this subsection. However, employment is not full=time
1 9 employment until the member receives remuneration in an amount
1 10 in excess of thirty thousand dollars for a calendar year, or
1 11 an amount equal to the amount of remuneration permitted for a
1 12 calendar year for persons under sixty=five years of age before
1 13 a reduction in federal social security retirement benefits is
1 14 required, whichever is higher. Effective the first of the
1 15 month in which a member attains the age of sixty=five years or
1 16 is employed by the department of education, a retired member
1 17 may receive a retirement allowance without a reduction after
1 18 return to covered employment regardless of the amount of
1 19 remuneration received.

1 20 Sec. 2. Section 97B.52A, subsection 1, paragraph c, Code
1 21 2007, is amended to read as follows:

1 22 c. (1) For a member whose first month of entitlement is
1 23 July 2000 or later, the member does not return to any
1 24 employment with a covered employer until the member has
1 25 qualified for at least one calendar month of retirement
1 26 benefits, and the member does not return to covered employment
1 27 until the member has qualified for no fewer than four calendar
1 28 months of retirement benefits.

1 29 (2) For purposes of determining a bona fide retirement
1 30 under this paragraph "c", effective the following provisions
1 31 apply:

1 32 (a) Effective July 1, 2000, any employment with a covered
1 33 employer does not include employment as an elective official
1 34 or member of the general assembly if the member is not covered
1 35 under this chapter for that employment.



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Senate Study Bill 1018 continued

2 1 ~~(b) For purposes of determining a bona fide retirement~~
~~2 2 under this paragraph and for a member whose first month of~~
2 3 entitlement is July 2004 or later, but before July 2010,
2 4 covered employment does not include employment as a licensed
2 5 health care professional by a public hospital as defined in
2 6 section 249J.3, with the exception of public hospitals
2 7 governed pursuant to chapter 226.

2 8 ~~(c) For a member whose first month of entitlement is~~
~~2 9 January 2007 or later, covered employment does not include~~
~~2 10 employment as an employee of the department of education.~~

2 11 Sec. 3. IMPLEMENTATION PROVISION. Notwithstanding any
2 12 provision of section 97B.65 to the contrary, the provisions of
2 13 this Act shall be enacted and implemented by the Iowa public
2 14 employees' retirement system upon the effective date of this
2 15 Act.

2 16 Sec. 4. EFFECTIVE DATE == RETROACTIVE APPLICABILITY. This
2 17 Act, being deemed of immediate importance, takes effect upon
2 18 enactment and is retroactively applicable to January 1, 2007,
2 19 and is applicable on and after that date.

2 20 EXPLANATION

2 21 This bill concerns members of the Iowa public employees'
2 22 retirement system (IPERS) who retire and return to employment
2 23 under IPERS as an employee of the department of education.

2 24 The bill eliminates the cap on the amount that an IPERS
2 25 member who has a bona fide retirement and is under 65 years of
2 26 age can earn in public employment as an employee of the
2 27 department of education. Current law provides that an IPERS
2 28 member receiving a retirement allowance who is under age 65
2 29 will have their IPERS retirement allowance reduced by 50 cents
2 30 for each dollar the member earns in a calendar year in
2 31 employment covered by IPERS over \$30,000.

2 32 The bill also provides that a member of IPERS can retire
2 33 and be reemployed as an employee of the department of
2 34 education after having qualified for one calendar month of
2 35 retirement benefits. Under current law, a member of IPERS



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Senate Study Bill 1018 continued

3 1 cannot return to any full-time position covered by IPERS for
3 2 four months following retirement.
3 3 The bill takes effect upon enactment and is retroactively
3 4 applicable to January 1, 2007, and shall be enacted and
3 5 implemented upon the effective date of the bill.
3 6 LSB 1229XD 82
3 7 ec:nh/je/5



Iowa General Assembly
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Senate Study Bill 1019

SENATE/HOUSE FILE
BY (PROPOSED CIVIL RIGHTS
COMMISSION BILL)

Passed Senate, Date _____
Vote: Ayes _____ Nays _____
Approved

Passed House, Date _____
Vote: Ayes _____ Nays _____

A BILL FOR

- 1 An Act granting the civil rights commission additional subpoena
- 2 power to investigate unfair or discriminatory practices.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 1220DP 82
- 5 ec/sh/8



Iowa General Assembly
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Senate Study Bill 1019 continued

PAG LIN

1 1 Section 1. Section 216.5, subsection 13, Code 2007, is
1 2 amended to read as follows:
1 3 13. To issue subpoenas and order discovery as provided by
1 4 this section in aid of investigations and hearings of alleged
1 5 unfair or discriminatory ~~housing or real property~~ practices.
1 6 The subpoenas and discovery may be ordered to the same extent
1 7 and are subject to the same limitations as subpoenas and
1 8 discovery in a civil action in district court.

1 9 EXPLANATION

1 10 This bill grants the civil rights commission the authority
1 11 to issue subpoenas and order discovery to aid in investigating
1 12 alleged unfair or discriminatory practices. Current law
1 13 grants the commission this subpoena authority only for
1 14 investigations of unfair or discriminatory housing or real
1 15 property practices.

1 16 LSB 1220DP 82

1 17 ec:rj/sh/8



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Senate Study Bill 1020

SENATE/HOUSE FILE
BY (PROPOSED DEPARTMENT OF
EDUCATION BILL)

Passed Senate, Date _____
Vote: Ayes _____ Nays _____
Approved

Passed House, Date _____
Vote: Ayes _____ Nays _____

A BILL FOR

- 1 An Act relating to the compulsory education attendance age and
- 2 providing an effective date.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 1206XD 82
- 5 kh/gg/14



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Senate Study Bill 1020 continued

PAG LIN

1 1 Section 1. Section 299.1A, Code 2007, is amended to read
1 2 as follows:
1 3 299.1A COMPULSORY ATTENDANCE AGE.
1 4 ~~A Except as provided in section 299.2, a child who has~~
1 5 ~~reached the age of six and is under sixteen eighteen years of~~
1 6 ~~age by September 15 is of compulsory attendance age. However,~~
1 7 ~~if a child enrolled in a school district or accredited~~
1 8 ~~nonpublic school reaches the age of sixteen eighteen on or~~
1 9 ~~after September 15, the child remains of compulsory age until~~
1 10 ~~the end of the regular school calendar.~~
1 11 Sec. 2. Section 299.2, unnumbered paragraph 1, Code 2007,
1 12 is amended to read as follows:
1 13 ~~Section~~ Sections 299.1 and 299.1A shall not apply to any
1 14 child:
1 15 Sec. 3. Section 299A.8, Code 2007, is amended to read as
1 16 follows:
1 17 299A.8 DUAL ENROLLMENT.
1 18 If a parent, guardian, or legal custodian of a child who is
1 19 receiving competent private instruction under this chapter ~~or~~
1 20 ~~a child over compulsory age who is receiving private~~
1 21 ~~instruction~~ submits a request, the child shall also be
1 22 registered in a public school for dual enrollment purposes.
1 23 If the child is enrolled in a public school district for dual
1 24 enrollment purposes, the child shall be permitted to
1 25 participate in any academic activities in the district and
1 26 shall also be permitted to participate on the same basis as
1 27 public school children in any extracurricular activities
1 28 available to children in the child's grade or group, and the
1 29 parent, guardian, or legal custodian shall not be required to
1 30 pay the costs of any annual evaluation under this chapter. If
1 31 the child is enrolled for dual enrollment purposes, the child
1 32 shall be included in the public school's basic enrollment
1 33 under section 257.6. A pupil who is participating only in
1 34 extracurricular activities shall be counted under section
1 35 257.6, subsection 1, paragraph "f". A pupil enrolled in



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2 1 grades nine through twelve under this section shall be counted
2 2 in the same manner as a shared-time pupil under section 257.6,
2 3 subsection 1, paragraph "c".

2 4 Sec. 4. STATE MANDATE FUNDING SPECIFIED. In accordance
2 5 with section 25B.2, subsection 3, the state cost of requiring
2 6 compliance with any state mandate included in this Act shall
2 7 be paid by a school district from state school foundation aid
2 8 received by the school district under section 257.16. This
2 9 specification of the payment of the state cost shall be deemed
2 10 to meet all the state funding-related requirements of section
2 11 25B.2, subsection 3, and no additional state funding shall be
2 12 necessary for the full implementation of this Act by and
2 13 enforcement of this Act against all affected school districts.

2 14 Sec. 5. EFFECTIVE DATE. This Act takes effect July 1,
2 15 2008.

2 16 EXPLANATION

2 17 This bill raises the compulsory school attendance age from
2 18 16 to 18 years of age. The bill includes technical amendments
2 19 to eliminate a reference to the compulsory attendance age for
2 20 purposes of dual enrollment and to exempt children who meet
2 21 conditions existing in Code section 299.2.

2 22 The bill may include a state mandate as defined in Code
2 23 section 25B.3. The bill requires that the state cost of any
2 24 state mandate included in the bill be paid by a school
2 25 district from state school foundation aid received by the
2 26 school district under Code section 257.16. The specification
2 27 is deemed to constitute state compliance with any state
2 28 mandate funding-related requirements of Code section 25B.2.
2 29 The inclusion of this specification is intended to reinstate
2 30 the requirement of political subdivisions to comply with any
2 31 state mandates included in the bill.

2 32 The bill takes effect July 1, 2008.

2 33 LSB 1206XD 82

2 34 kh:nh/gg/14



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Senate Study Bill 1021

SENATE/HOUSE FILE
BY (PROPOSED DEPARTMENT OF
EDUCATION BILL)

Passed Senate, Date _____
Vote: Ayes _____ Nays _____
Approved

Passed House, Date _____
Vote: Ayes _____ Nays _____

A BILL FOR

1 An Act relating to the duties and operations of the state board
2 of education, the department of education, and local school
3 boards.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 1232XD 82
6 kh/je/5



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Senate Study Bill 1021 continued

PAG LIN

1 1 Section 1. Section 22.7, subsection 1, Code 2007, is
1 2 amended to read as follows:
1 3 1. Personal information in records regarding a student,
1 4 prospective student, or former student maintained, created,
1 5 collected or assembled by or for a school corporation or
1 6 educational institution maintaining such records. This
1 7 subsection shall not be construed to prohibit a postsecondary
1 8 education institution from disclosing to a parent or guardian
1 9 information regarding a violation of a federal, state, or
1 10 local law, or institutional rule or policy governing the use
1 11 or possession of alcohol or a controlled substance if the
1 12 child is under the age of twenty-one years and the institution
1 13 determines that the student committed a disciplinary violation
1 14 with respect to the use or possession of alcohol or a
1 15 controlled substance regardless of whether that information is
1 16 contained in the student's education records. This subsection
1 17 shall not be construed to prohibit a school corporation or
1 18 educational institution from transferring student records
1 19 electronically to the department of education, accredited
1 20 nonpublic schools, attendance centers, school districts, and
1 21 accredited postsecondary institutions in accordance with
1 22 section 256.9, subsection 52.
1 23 Sec. 2. Section 73.1, unnumbered paragraph 1, Code 2007,
1 24 is amended to read as follows:
1 25 Every commission, board, committee, officer, or other
1 26 governing body of the state, or of any county, township,
1 27 school district, or city, and every person acting as
1 28 contracting or purchasing agent for any such commission,
1 29 board, committee, officer, or other governing body shall use
1 30 only those products and provisions grown and coal produced
1 31 within the state of Iowa, when they are found in marketable
1 32 quantities in the state and are of a quality reasonably suited
1 33 to the purpose intended, and can be secured without additional
1 34 cost over foreign products or products of other states. This
1 35 section shall apply to horticultural products grown in this



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Senate Study Bill 1021 continued

2 1 state even if the products are not in the stage of processing
2 2 that the agency usually purchases the product. However, this
2 3 section does not apply to a school district purchasing food
2 4 while the school district is participating in ~~the~~ a federal
2 5 school lunch or breakfast program.

2 6 Sec. 3. Section 256.10, subsection 2, Code 2007, is
2 7 amended to read as follows:

2 8 2. Appointments to the professional staff of the
2 9 department shall be without reference to political party
2 10 affiliation, religious affiliation, sex, or marital status,
2 11 but shall be based solely upon fitness, ability, and proper
2 12 qualifications for the particular position. The professional
2 13 staff shall serve at the discretion of the director. ~~A member~~
~~2 14 of the professional staff shall not be dismissed for cause~~
~~2 15 without appropriate due process procedures including a~~
~~2 16 hearing.~~

2 17 Sec. 4. Section 256.11, subsection 13, paragraph a,
2 18 subparagraphs (1) and (2), Code 2007, are amended to read as
2 19 follows:

2 20 (1) Courses comprising the ~~limited program~~ core academic
2 21 program described in subsection 5, paragraphs "a" through "f".

2 22 (2) Health and licensure requirements for personnel.

2 23 Sec. 5. Section 256B.6, Code 2007, is amended to read as
2 24 follows:

2 25 256B.6 PARENT'S OR GUARDIAN'S DUTIES == REVIEW.

2 26 1. When the school district or area education agency has
2 27 provided special education services and programs as provided
2 28 herein for any child requiring special education, either by
2 29 admission to a special class or by supportive services, it
2 30 shall be the duty of the parent or guardian to enroll ~~said~~ the
2 31 child for instruction in such special classes or supportive
2 32 services as may be established, except in the event a doctor's
2 33 certificate is filed with the secretary of the school district
2 34 showing that it is inadvisable for medical reasons for the
2 35 child requiring special education to receive the special



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Senate Study Bill 1021 continued

3 1 education provided; all the provisions and conditions of
3 2 chapter 299 ~~and amendments thereto~~ shall be applicable to this
3 3 section, and any violations shall be punishable as provided in
3 4 ~~said~~ chapter 299.

3 5 2. A child, or the parent or guardian of the child, or the
3 6 school district in which the child resides, may obtain a
3 7 review of an action or omission of state or local authorities
3 8 pursuant to the procedures established by the state board of
3 9 education on the ground that the child has been or is about to
3 10 be:

3 11 ~~1.~~ a. Denied entry or continuance in a program of special
3 12 education appropriate to the child's condition and needs.

3 13 ~~2.~~ b. Placed in a special education program which is
3 14 inappropriate to the child's condition and needs.

3 15 ~~3.~~ c. Denied educational services because no suitable
3 16 program of education or related services is maintained.

3 17 ~~4.~~ d. Provided with special education which is
3 18 insufficient in quantity to satisfy the requirements of law.

3 19 ~~5.~~ e. Assigned to a program of special education when the
3 20 child does not have a disability.

3 21 3. When a child requiring special education attains the
3 22 age of majority or is incarcerated in an adult or juvenile,
3 23 state or local, correctional institution, all rights accorded
3 24 to the parent or guardian under this chapter transfer to the
3 25 child except as provided in this subsection. Any notice
3 26 required by this chapter shall be provided to both the child
3 27 who has reached the age of majority or is incarcerated in an
3 28 adult or juvenile, state or local, correctional institution,
3 29 and the parent or guardian. If rights under this chapter have
3 30 transferred to a child and the child has been determined to be
3 31 incompetent by a court or determined unable to provide
3 32 informed educational consent by a court or other competent
3 33 authority, then rights under this chapter shall be exercised
3 34 by the person who has been appointed to represent the
3 35 educational interest of the child.



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Senate Study Bill 1021 continued

4 1 4. Notwithstanding section 17A.11, the state board of
4 2 education shall adopt rules for the appointment of an
4 3 impartial administrative law judge for special education
4 4 appeals. The rules shall comply with federal statutes and
4 5 regulations.

4 6 Sec. 6. Section 257.6, subsection 1, paragraph c, Code
4 7 2007, is amended to read as follows:

4 8 c. Shared-time and part-time pupils of school age enrolled
4 9 in public schools within the district, irrespective of the
4 10 districts in which the pupils reside, in the proportion that
4 11 the time for which they are enrolled or receive instruction
4 12 for the school year is to the time that full-time pupils
4 13 carrying a normal course schedule, at the same grade level, in
4 14 the same school district, for the same school year, are
4 15 enrolled and receive instruction. Tuition charges to the
4 16 parent or guardian of a shared-time or part-time nonresident
4 17 pupil shall be reduced by the amount of any increased state
4 18 aid received by the district by the counting of the pupil.
4 19 This paragraph applies to pupils from accredited nonpublic
4 20 schools accessing classes or services on the accredited
4 21 nonpublic school premises or the school district site, but
4 22 excludes accredited nonpublic pupils receiving classes or
4 23 services funded by federal grants or allocations.

4 24 Sec. 7. Section 257.11, subsection 3, paragraph a, Code
4 25 2007, is amended to read as follows:

4 26 a. In order to provide additional funds for school
4 27 districts ~~which~~ that send their resident pupils and
4 28 nonresident pupils in attendance who are participating in open
4 29 enrollment under section 282.18 or under a whole grade sharing
4 30 agreement executed under sections 282.10 through 282.12 to a
4 31 community college for classes, a supplementary weighting plan
4 32 for determining enrollment is adopted.

4 33 Sec. 8. Section 257.11, subsection 3, paragraph b,
4 34 unnumbered paragraph 1, Code 2007, is amended to read as
4 35 follows:



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Senate Study Bill 1021 continued

5 1 If the school budget review committee certifies to the
5 2 department of management that the class would not otherwise be
5 3 implemented without the assignment of additional weighting,
5 4 pupils attending a ~~community college-offered class or~~
~~5 5 attending a class taught by a community college-employed~~
~~5 6 instructor~~ that meets the requirements of this subsection are
5 7 assigned a weighting of forty-eight hundredths of the
5 8 percentage of the pupil's school day during which the pupil
5 9 attends such class ~~in the community college or attends a class~~
~~5 10 taught by a community college-employed instructor.~~ The
5 11 following requirements shall be met for the purposes of
5 12 assigning an additional weighting for classes offered through
5 13 a sharing agreement between a school district and community
5 14 college. The class must be:
5 15 Sec. 9. Section 257.11, subsection 3, paragraph b,
5 16 subparagraph (5), Code 2007, is amended to read as follows:
5 17 (5) Taught by a community college-employed instructor or
5 18 by a school district instructor for whose services the
5 19 community college has contracted specifically to teach the
5 20 course.
5 21 Sec. 10. Section 257.11, subsection 7, Code 2007, is
5 22 amended to read as follows:
5 23 7. PUPILS INELIGIBLE. ~~A pupil eligible for the weighting~~
~~5 24 plan provided in section 256B.9 is not eligible for~~
~~5 25 supplementary weighting pursuant to this section.~~ A pupil
5 26 attending an alternative program or an at-risk pupils'
5 27 program, including alternative high school programs, is not
5 28 eligible for supplementary weighting under subsection 2.
5 29 Sec. 11. Section 257.13, subsection 2, Code 2007, is
5 30 amended to read as follows:
5 31 2. The board of directors of a school district that wishes
5 32 to receive an on-time funding budget adjustment shall adopt a
5 33 resolution to receive the adjustment and notify the school
5 34 budget review committee by November ~~±~~ 15, annually. The
5 35 school budget review committee shall establish a modified



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Senate Study Bill 1021 continued

6 1 allowable growth in an amount determined pursuant to
6 2 subsection 1.
6 3 Sec. 12. Section 257.37, subsection 4, Code 2007, is
6 4 amended to read as follows:
6 5 4. "Enrollment served" means the basic enrollment plus the
6 6 number of nonpublic school pupils served with media services
6 7 or educational services, as applicable, except that if a
6 8 nonpublic school pupil or a pupil attending another district
6 9 under a whole grade sharing agreement or open enrollment
6 10 receives services through an area other than the area of the
6 11 pupil's residence, the pupil shall be deemed to be served by
6 12 the area of the pupil's residence, which shall by contractual
6 13 arrangement reimburse the area through which the pupil
6 14 actually receives services. Each school district shall
6 15 include in the enrollment report submitted pursuant to section
6 16 257.6, subsection 1, the number of nonpublic school pupils
6 17 within each school district for media and educational services
6 18 served by the area. However, the school district shall not
6 19 include in the enrollment report nonpublic school pupils
6 20 receiving classes or services funded by federal grants or
6 21 allocations.

6 22 Sec. 13. Section 259A.1, Code 2007, is amended to read as
6 23 follows:

6 24 259A.1 TESTS.

6 25 The department of education shall cause to be made
6 26 available for qualified individuals a high school equivalency
6 27 diploma. The diploma shall be issued on the basis of
6 28 satisfactory competence as shown by tests covering all of the
6 29 following: language arts == reading, ~~arts,~~; language arts, ==
6 30 writing,; mathematics,; science,; and social studies.

6 31 Sec. 14. Section 259A.3, Code 2007, is amended to read as
6 32 follows:

6 33 259A.3 NOTICE AND FEE.

6 34 Any applicant who has achieved the minimum passing
6 35 standards as established by the department of education, and



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7 1 approved by the state board of education, shall be issued a
7 2 high school equivalency diploma by the department upon payment
7 3 of an ~~additional five dollars~~ amount specified by the
7 4 department by rule.

7 5 Sec. 15. Section 260C.35, unnumbered paragraph 2, Code
7 6 2007, is amended to read as follows:

7 7 With the approval of the director of the department of
~~7 8 education~~, the board of directors of a merged area at any one
7 9 time may sell any land in a single tract in excess of one
7 10 hundred sixty acres owned by the merged area, and an election
7 11 is not necessary in connection with the sale. The proceeds of
7 12 the sale may be used for any of the purposes stated in section
7 13 260C.22. This paragraph is in addition to any authority under
7 14 other provisions of law.

7 15 Sec. 16. Section 273.13, Code 2007, is amended to read as
7 16 follows:

7 17 273.13 ADMINISTRATIVE EXPENDITURES.

~~7 18 During the budget year beginning July 1, 1989, and the
7 19 three succeeding budget years, the board of directors of an
7 20 area education agency in which the administrative expenditures
7 21 as a percent of the area education agency's operating fund for
7 22 a base year exceed five percent shall reduce its
7 23 administrative expenditures to five percent of the area
7 24 education agency's operating fund. During each of the four
7 25 years, the board of directors shall reduce administrative
7 26 expenditures by twenty-five percent of the reduction in
7 27 administrative expenditure required by this section.~~

~~7 28 Thereafter, the An area education agency's administrative
7 29 expenditures shall not exceed five percent of the operating
7 30 general fund. Annually, the board of directors of an area
7 31 education agency shall certify to the department of education
7 32 the amounts of the area education agency's expenditures and
7 33 its operating general fund. For the purposes of this section,
7 34 "base year" and "budget year" mean the same as defined in
7 35 section 442.6, Code 1989, and section 257.2, and~~



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8 1 "administrative expenditures" means expenditures for executive
8 2 administration.

8 3 Sec. 17. Section 279.30, Code 2007, is amended to read as
8 4 follows:

8 5 279.30 EXCEPTIONS.

8 6 Each payment must be made payable to the person entitled to
8 7 receive the money or direct deposited to an account at a
8 8 financial institution, as defined in section 527.2, specified
8 9 by the person entitled to receive the money. The board of

8 10 directors of a school district or an area education agency may
8 11 by resolution authorize the secretary, upon approval of the
8 12 superintendent or designee, or administrator, in the case of
8 13 an area education agency, to issue payments when the board of
8 14 directors is not in session in payment of reasonable and
8 15 necessary expenses, but only upon verified bills filed with
8 16 the secretary or administrator, and for the payment of
8 17 salaries pursuant to the terms of a written contract. Each
8 18 payment must be made payable only to the person performing the
8 19 service or presenting the verified bill, and must state the
8 20 purpose for which the payment is issued. All bills and
8 21 salaries for which payments are issued prior to audit and
8 22 allowance by the board must be passed upon by the board of
8 23 directors at the next meeting and be entered in the regular
8 24 minutes of the secretary.

8 25 Sec. 18. Section 279.33, Code 2007, is amended to read as
8 26 follows:

8 27 279.33 ANNUAL SETTLEMENTS.

8 28 At a regular or special meeting held on or after August 31
8 29 and prior to the organizational meeting held after the regular
8 30 school election, the board of each school corporation shall
8 31 meet, examine the ~~books~~ accounting records of and settle with
8 32 the secretary and treasurer for the year ending on the
8 33 preceding June 30, and transact other business as necessary.

8 34 The treasurer at the time of settlement shall furnish the
8 35 board with a statement from each depository showing the
9 1 balance then on deposit in the depository. If the secretary
9 2 or treasurer fails to make proper reports for the settlement,
9 3 the board shall take action to obtain the balance information.

9 4 Sec. 19. Section 279.42, Code 2007, is amended to read as
9 5 follows:

9 6 279.42 GIFTS TO SCHOOLS.

9 7 The board of directors of a school district ~~which that~~
9 8 receives funds through ~~gifts~~ a gift, devise ~~devise, and~~
~~requests or bequest shall deposit these the funds in a trust~~
9 10 ~~and agency or permanent fund and shall use them the funds in~~
9 11 accordance with the terms of the gift, devise, or bequest.

9 12 Sec. 20. Section 279.45, Code 2007, is amended to read as
9 13 follows:

9 14 279.45 ADMINISTRATIVE EXPENDITURES.

9 15 ~~For the budget year beginning July 1, 1989, and each of the~~
~~9 16 following three budget years, the board of directors of a~~
~~9 17 school district in which the administrative expenditures as a~~
~~9 18 percent of the school district's operating fund for a base~~
~~9 19 year exceed five percent, shall reduce its administrative~~
~~9 20 expenditures so that they are one-half percent less as a~~
~~9 21 percent of the school district's operating fund than they were~~



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~~9 22 for the base year. However, a school district is not required~~
~~9 23 to reduce its administrative expenditures below five percent~~
~~9 24 of its operating fund. Thereafter, a A school district shall~~
9 25 not increase the percent of its administrative expenditures
9 26 compared to its ~~operating~~ general fund. Annually, the board
9 27 of directors shall certify to the department of education the
9 28 amounts of the school district's administrative expenditures
9 29 and its ~~operating~~ general fund. For the purposes of this
9 30 section, "~~base year~~" and "~~budget year~~" mean the same as
~~9 31 defined in section 442.6, Code 1989, and section 257.2, and~~
9 32 "administrative expenditures" means expenditures for executive
9 33 administration.
9 34 Sec. 21. Section 282.1, unnumbered paragraph 1, Code 2007,
9 35 is amended to read as follows:



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10 1 Persons between five and twenty-one years of age are of
10 2 school age. Nonresident children shall be charged the maximum
10 3 tuition rate as determined in section 282.24, subsection 1,
10 4 with the exception that those residing temporarily in a school
10 5 corporation may attend school in the corporation upon terms
10 6 prescribed by the board, ~~and boards~~. A school district
10 7 discontinuing grades under section 282.7, subsection 1 or
10 8 subsections 1 and 3, shall be charged tuition as provided in
10 9 section 282.24, subsection ~~2~~ 1.

10 10 Sec. 22. Section 282.18, subsection 4, Code 2007, is
10 11 amended by adding the following new paragraph:

10 12 NEW PARAGRAPH. bb. If a transfer is requested after March
10 13 1 of the preceding school year on behalf of a pupil whose
10 14 sibling is already participating in open enrollment to the
10 15 receiving district, the receiving district shall take action
10 16 to approve the request.

10 17 Sec. 23. Section 282.18, subsection 5, Code 2007, is
10 18 amended to read as follows:

10 19 5. Open enrollment applications filed after March 1 of the
10 20 preceding school year that are not approved pursuant to
10 21 subsection 4, paragraph "bb" and do not qualify for good cause
10 22 as provided in subsection 4 shall be subject to the approval
10 23 of the board of the resident district and the board of the
10 24 receiving district. The parent or guardian shall send
10 25 notification to the district of residence and the receiving
10 26 district that the parent or guardian seeks to enroll the
10 27 parent's or guardian's child in the receiving district. A
10 28 decision of either board to deny an application filed under
10 29 this subsection involving repeated acts of harassment of the
10 30 student or serious health condition of the student that the
10 31 resident district cannot adequately address is subject to
10 32 appeal under section 290.1. The state board shall exercise
10 33 broad discretion to achieve just and equitable results that
10 34 are in the best interest of the affected child or children.

10 35 Sec. 24. Section 285.9, Code 2007, is amended by adding



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11 1 the following new subsection:

11 2 NEW SUBSECTION. 5. Review all transportation disputes
11 3 between districts. If the affected districts are located in
11 4 more than one area education agency, the area education agency
11 5 in which the larger of the districts is located shall be the
11 6 reviewing agency. In resolving disputes between districts,
11 7 the reviewing agency board shall, after receiving all facts,
11 8 make such alterations or changes as necessary to make the
11 9 arrangements, designations, and contracts conform to the legal
11 10 and established requirements and shall notify each affected
11 11 local school board of such action. An affected district may
11 12 appeal the decision of the agency board to the director of the
11 13 department of education by following the timelines and
11 14 procedures in section 285.12.

11 15 Sec. 25. Section 291.1, Code 2007, is amended to read as
11 16 follows:

11 17 291.1 PRESIDENT == DUTIES.

11 18 The president of the board of directors shall preside at
11 19 all of its meetings, sign all contracts made by the board, and
11 20 appear ~~in~~ on behalf of the corporation in all actions brought
11 21 by or against it, unless individually a party, in which case
11 22 this duty shall be performed by the secretary. The president
11 23 or the president's designee shall sign, using an original or
11 24 facsimile signature, all school district ~~warrants~~ payments
11 25 drawn and authorize electronic funds transfers as provided by
11 26 law. The board of directors, by resolution, may designate an
11 27 individual, who shall not be the secretary, to sign ~~warrants~~
11 28 payments or authorize electronic funds transfers on behalf of
11 29 the president.

11 30 Sec. 26. Section 291.6, subsection 3, Code 2007, is
11 31 amended by striking the subsection and inserting in lieu
11 32 thereof the following:

11 33 3. ACCOUNTING RECORDS. Keep an accurate accounting record
11 34 of each payment or electronic funds transfer from each fund
11 35 which shall be provided monthly to the board of directors.



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12 1 The secretary of the creditor district shall prepare and
12 2 deliver to debtor districts an itemized statement of tuition
12 3 fees charged in accordance with sections 275.55A and 282.11,
12 4 and section 282.24, subsection 1.

12 5 Sec. 27. Section 291.6, subsection 4, Code 2007, is
12 6 amended to read as follows:

12 7 4. CLAIMS. Keep an accurate ~~account~~ accounting of all
12 8 expenses incurred by the corporation, and present the same to
12 9 the board for audit and payment.

12 10 Sec. 28. Section 291.7, Code 2007, is amended to read as
12 11 follows:

12 12 291.7 MONTHLY RECEIPTS, DISBURSEMENTS, AND BALANCES.

12 13 The secretary of each district shall file monthly with the
12 14 board of directors a complete statement of all receipts and
12 15 disbursements from ~~the various funds~~ each individual fund
12 16 during the preceding month, and also the balance remaining on
12 17 hand in ~~the various funds~~ each individual fund at the close of
12 18 the period covered by the statement, which monthly statements
12 19 shall be open to public inspection.

12 20 Sec. 29. Section 291.8, Code 2007, is amended by striking
12 21 the section and inserting in lieu thereof the following:

12 22 291.8 PAYMENTS.

12 23 The secretary shall make each authorized payment,
12 24 countersign using an original or facsimile signature, and
12 25 maintain accounting records of the payments or electronic
12 26 funds transfers, showing the number, date, payee, originating
12 27 fund, the purpose, and the amount; and shall provide to the
12 28 board at each regular annual meeting a copy of the accounting
12 29 records maintained by the secretary.

12 30 Sec. 30. Section 291.12, Code 2007, is amended to read as
12 31 follows:

12 32 291.12 DUTIES OF TREASURER == ~~PAYMENT OF WARRANTS~~

12 33 PAYMENTS.

12 34 The treasurer shall receive all moneys belonging to the
12 35 corporation, pay the same out only upon the order of the



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13 1 president countersigned by the secretary, ~~keeping~~ and shall
13 2 keep an accurate account accounting record of all receipts and
13 3 ~~expenditures in a book provided for that purpose.~~ The
13 4 treasurer shall register all ~~orders drawn~~ payments and
13 5 electronic funds transfers made and reported to the treasurer
13 6 by the secretary, showing the number, date, to whom drawn, the
13 7 fund upon from which drawn each payment and transfer was made,
13 8 the purpose and amount.

13 9 Sec. 31. Section 291.14, Code 2007, is amended to read as
13 10 follows:

13 11 291.14 FINANCIAL STATEMENT.

13 12 The treasurer shall render a statement of the finances of
13 13 the corporation whenever required by the board, and the
13 14 treasurer's ~~books~~ accounting records shall always be open for
13 15 inspection.

13 16 Sec. 32. Section 298A.13, Code 2007, is amended to read as
13 17 follows:

13 18 298A.13 TRUST, PERMANENT, OR AGENCY FUNDS.

13 19 Trust, permanent, or agency funds shall be established by
13 20 any school corporation to account for gifts it receives to be
13 21 used for a particular purpose or to account for money and
13 22 property received and administered by the district as trustee
13 23 or custodian or in the capacity of an agent. Boards may
13 24 establish trust ~~and~~ , permanent, or agency funds as necessary.

13 25 Sec. 33. Section 299.1, unnumbered paragraph 2, Code 2007,
13 26 is amended to read as follows:

13 27 The board of directors of a public school district or the
13 28 governing body of an accredited nonpublic school may, by
13 29 resolution, require attendance for the entire time when the
13 30 schools are in session in any school year and adopt a policy
13 31 or rules relating to the reasons considered to be valid or
13 32 acceptable excuses for absence from school.

13 33 Sec. 34. Section 299A.11, Code 2007, is amended to read as
13 34 follows:

13 35 299A.11 STUDENT RECORDS CONFIDENTIAL.



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14 1 Notwithstanding any provision of law or rule to the
14 2 contrary, personal information in records regarding a child
14 3 receiving competent private instruction pursuant to this
14 4 chapter, which are maintained, created, collected, or
14 5 assembled by or for a state agency, shall be kept confidential
14 6 in the same manner as personal information in student records
14 7 maintained, created, collected, or assembled by or for a
14 8 school corporation or educational institution in accordance
14 9 with section 22.7, subsection 1. For purposes of this
14 10 section, "personal information in records regarding a child
14 11 receiving competent private instruction" shall include the
14 12 child's name and home address, as well as all other
14 13 information that personally identifies the child.

14 14 Sec. 35. Section 301.28, Code 2007, is amended to read as
14 15 follows:

14 16 301.28 OFFICERS AND TEACHERS AS AGENTS FOR BOOKS AND
14 17 SUPPLIES == PENALTY.

14 18 It shall be unlawful for any school director, officer, area
14 19 education director, or teacher to act as an agent for any
14 20 school textbooks or school supplies in any transaction with
14 21 the directors, officers, or other staff members of the school
14 22 district or the directors, officers, or other staff members of
14 23 the area education agency in which the school district is
14 24 located during such term of office or employment, and any
14 25 school director, officer, area education director, or teacher,
14 26 who ~~shall act~~ acts as an agent or dealer in school textbooks
14 27 or school supplies, within the school district or area
14 28 education agency in which the school district is located
14 29 during the term of such office or employment, in violation of
14 30 this section shall be deemed guilty of a serious misdemeanor.

14 31 Sec. 36. Section 321.1, subsection 69, unnumbered
14 32 paragraph 1, Code 2007, is amended to read as follows:

14 33 "School bus" means every vehicle operated for the
14 34 transportation of children to or from school or school
14 35 activities, except vehicles which are:



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15 1 Sec. 37. Section 321.1, subsection 69, paragraph d, Code
15 2 2007, is amended to read as follows:

15 3 d. Designed to carry not more than nine persons as
15 4 passengers, either school owned or privately owned, which are
15 5 used to transport pupils to activity events in which the
~~15 6 pupils are participants or used to transport pupils to their~~
15 7 homes in case of illness or other emergency situations. The
15 8 vehicles operated under the provisions of this paragraph shall
15 9 be operated by employees of the school district who are
15 10 specifically approved by the local superintendent of schools
15 11 for the assignment.

15 12 Sec. 38. Section 321.373, subsection 1, Code 2007, is
15 13 amended to read as follows:

15 14 1. Every school bus ~~except private passenger vehicles used~~
~~15 15 as school buses as defined in section 321.1, subsection 69,~~
15 16 shall be constructed and equipped to meet safety standards
15 17 prescribed in rules adopted by the state board of education.
15 18 Such rules shall conform to safety standards set forth in
15 19 federal laws and regulations and shall conform, insofar as
15 20 practicable, to the minimum standards for school buses
15 21 recommended by the national conference on school
15 22 transportation administered by the national commission on
15 23 safety education and published by the national education
15 24 association.

15 25 Sec. 39. Section 331.756, subsection 7, Code 2007, is
15 26 amended to read as follows:

15 27 7. Give advice or a written opinion, without compensation,
15 28 to the board and other county officers and to ~~school and~~
15 29 township officers, when requested by an officer, upon any
15 30 matters in which the state, county, ~~school,~~ or township is
15 31 interested, or relating to the duty of the officer in any
15 32 matters in which the state, county, ~~school,~~ or township may
15 33 have an interest, but the county attorney shall not appear
15 34 before the board at a hearing in which the state or county is
15 35 not interested.



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16 1 Sec. 40. Sections 256.20 and 256.23, Code 2007, are
16 2 repealed.

16 3 EXPLANATION

16 4 This bill makes changes to Code provisions as follows:

16 5 CONFIDENTIAL RECORDS. Code section 22.7, subsection 1, is
16 6 amended to establish that the provision does not prohibit a
16 7 school corporation or educational institution from
16 8 transferring student records electronically to other school
16 9 corporations or educational institutions in accordance with
16 10 the department of education's comprehensive management
16 11 information system and uniform coding and reporting system.

16 12 Code section 299A.11 is amended to provide that "personal
16 13 information in records regarding a child receiving competent
16 14 private instruction" includes the child's name and home
16 15 address, and any other information that personally identifies
16 16 the child.

16 17 PREFERENCES. Code section 73.1 is amended to expand an
16 18 exemption for school districts from a provision that requires
16 19 governing bodies in the state to use only those products and
16 20 provisions grown and coal produced within the state of Iowa
16 21 when they are found in marketable quantities, are of a
16 22 suitable quality, and are no more costly than products from
16 23 other states and countries. Currently, school districts
16 24 participating in the federal school lunch program are exempt.
16 25 The bill adds school districts participating in a federal
16 26 breakfast program to the exemption.

16 27 DEPARTMENTAL EMPLOYMENT OF PROFESSIONAL STAFF. Code
16 28 section 256.10, subsection 2, is amended by striking a
16 29 provision that prohibits the dismissal of a member of the
16 30 professional staff for cause without appropriate due process
16 31 procedures.

16 32 COLLEGE PREPARATORY SCHOOLS. The bill amends Code section
16 33 256.11, subsection 13, paragraph "a", subparagraphs (1) and
16 34 (2), to require that college preparatory schools comply with
16 35 certain educational standards and that their staff meet the



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17 1 licensure requirements established under the Code. The
17 2 educational standards include five units of science, five
17 3 units of social studies, six units of English=language arts,
17 4 four units of a sequential program in mathematics, two
17 5 additional units of mathematics, and four sequential units of
17 6 one foreign language. The schools are not required to meet
17 7 other educational standards, including standards for physical
17 8 education, vocational education, fine arts, or health.
17 9 SPECIAL EDUCATION RIGHTS AND DUTIES. Code section 256B.6
17 10 is amended to provide that when a child requiring special
17 11 education reaches the age of majority or is incarcerated in a
17 12 correctional institution, the rights of the child's parent or
17 13 guardian transfers to the child, and any notice to that
17 14 child's parent or guardian must also be provided to the child.
17 15 If the child is determined to be incompetent, these rights
17 16 shall be exercised by the person appointed to represent the
17 17 educational interest of the child.
17 18 ACCREDITED NONPUBLIC SCHOOL PUPIL ENROLLMENT. Code section
17 19 257.6, subsection 1, paragraph c, is amended to specify that
17 20 accredited nonpublic school pupils receiving classes or
17 21 services funded by federal grants or allocations shall not be
17 22 counted in a school district's enrollment as shared=time or
17 23 part=time pupils. The bill makes a conforming change to Code
17 24 section 257.37, subsection 4.
17 25 SUPPLEMENTARY WEIGHTING. The bill amends Code section
17 26 257.11, subsection 3, paragraph a; paragraph b, unnumbered
17 27 paragraph 1; and paragraph b, subparagraph (5); and Code
17 28 section 257.11, subsection 7, to allow pupils participating in
17 29 open enrollment and pupils attending under a whole grade
17 30 sharing agreement to be counted for purposes of general
17 31 supplementary weighting for a school district; to provide for
17 32 supplementary weighting for classes taught not only by a
17 33 community college=employed instructor but also by a school
17 34 district instructor with whom the community college has a
17 35 contract to teach such classes; and to provide that pupils who



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18 1 are eligible for special education weighting are also eligible
18 2 for supplementary weighting.
18 3 ON=TIME BUDGET ADJUSTMENT. Code section 257.13, subsection
18 4 2, is amended to extend to November 15 the annual date by
18 5 which the board of directors of a school district that wishes
18 6 to receive an on=time funding budget adjustment must adopt a
18 7 resolution to receive the adjustment and notify the school
18 8 budget review committee. The current date is November 1.
18 9 HIGH SCHOOL EQUIVALENCY DIPLOMAS. Code sections 259A.1 and
18 10 259A.3 are amended to specify that high school equivalency
18 11 diplomas can be issued only on the basis of competence in both
18 12 language arts reading and language arts writing, in addition
18 13 to the current requirements for competence in mathematics,
18 14 science, and social studies; and to permit the department of
18 15 education to specify by rule the amount which must be paid by
18 16 an applicant for a high school equivalency diploma.
18 17 LIMITATION ON LAND. The bill amends Code section 260C.35,
18 18 unnumbered paragraph 2, to specify that the board of directors
18 19 of a community college may, at any one time and with the
18 20 approval of the director of the department of education, sell
18 21 any land in a single tract in excess of 160 acres without an
18 22 election.
18 23 ADMINISTRATIVE EXPENSES. Code sections 273.13 and 279.45
18 24 are amended by striking obsolete language, including replacing
18 25 the word "operating" with the word "general" to refer to the
18 26 fund an area education agency (AEA) or school district can use
18 27 for administrative expenditures.
18 28 SCHOOL AND AEA BOARD PAYMENTS AND WARRANTS. Code section
18 29 279.30 is amended to allow the board of directors of a school
18 30 district or of an AEA to direct deposit a payment at a
18 31 financial institution specified by the person entitled to the
18 32 money. Code sections 279.33 and 291.1; Code section 291.6,
18 33 subsections 3 and 4; and Code sections 291.7, 291.8, 291.12,
18 34 and 291.14 are amended to replace references to "books",
18 35 "registers", and "warrants" with references to payments,
19 1 electronic funds transfers, and "accounting records" and to
19 2 make related changes.
19 3 SCHOOL FUNDS FOR GIFTS. Code sections 279.42 and 298A.13
19 4 are amended to give school districts the option of
19 5 establishing a permanent fund for gifts received and to allow
19 6 school districts to deposit funds received from gifts,
19 7 devises, and bequests into a trust or permanent fund; and to
19 8 strike the word "agency" from section 279.42 as agency funds
19 9 are not used for deposit of gifts.
19 10 CODE CORRECTION. The bill makes corrections to Code
19 11 section 282.1 to change a reference, and to Code section
19 12 299.1, unnumbered paragraph 2, to refer to the board of
19 13 directors of a public school district.
19 14 OPEN ENROLLMENT BY SIBLING. Code section 282.18,
19 15 subsection 4, is amended to require that a receiving district
19 16 approve a transfer request submitted after March 1 of the
19 17 preceding school year if the sibling of the pupil for whom the
19 18 request is made is already participating in open enrollment to
19 19 the receiving district. The bill makes a conforming change to
19 20 Code section 282.18, subsection 5.
19 21 AEA TRANSPORTATION DISPUTE RESOLUTION. The bill adds a new



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19 22 subsection 5 to Code section 285.9 to assign the duty of
19 23 reviewing and resolving all transportation disputes between
19 24 districts to the AEA boards.
19 25 OFFICERS AND TEACHERS AS AGENTS FOR BOOKS AND SUPPLIES.
19 26 Code section 301.28 is amended to prohibit a school director,
19 27 officer, area education director, or teacher from acting as an
19 28 agent for school textbooks or school supplies in any
19 29 transaction with directors, officers, or staff of the school
19 30 district or the AEA in which the school district is located.
19 31 Currently, such persons are prohibited from acting as an agent
19 32 for any school textbooks or school supplies, rather than as an
19 33 agent for school textbooks or school supplies in any
19 34 transaction with the school district or AEA.
19 35 SCHOOL BUS DEFINITION. Code section 321.1, subsection 69,



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20 1 is amended to add to the definition of "school bus", that the
20 2 term also includes a vehicle operated for the transportation
20 3 of children to or from school activities. Currently, the
20 4 definition is limited to transportation of children to or from
20 5 school. The bill makes a conforming amendment to Code section
20 6 321.373, subsection 1, to provide that every school bus,
20 7 including those used to transport students to school
20 8 activities, must be constructed and equipped to meet specified
20 9 safety standards.

20 10 DUTIES OF THE COUNTY ATTORNEY. The bill amends Code
20 11 section 331.756, subsection 7, which specifies the duties of
20 12 county attorneys, to eliminate a requirement that county
20 13 attorneys give advice or a written opinion, without
20 14 compensation, to school officers upon request.

20 15 YEAR AROUND SCHOOLS. The bill repeals Code section 256.20,
20 16 a provision which permitted school districts to request
20 17 approval from the state board of education for a pilot project
20 18 for a year around three-semester school year.

20 19 ADMINISTRATIVE ADVANCEMENT AND RECRUITMENT PROGRAM. The
20 20 bill repeals Code section 256.23, which establishes a
20 21 recruitment and advancement program to provide for the
20 22 allocation of grants to school corporations for pilot projects
20 23 that encourage the advancement of women and minorities to
20 24 administrative positions.

20 25 LSB 1232XD 82

20 26 kh:nh/je/5



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SENATE/HOUSE FILE
BY (PROPOSED DEPARTMENT OF
EDUCATION BILL)

Passed Senate, Date _____
Vote: Ayes _____ Nays _____
Approved

Passed House, Date _____
Vote: Ayes _____ Nays _____

A BILL FOR

- 1 An Act relating to an on-site fiscal review to be conducted under
- 2 phase II of the accreditation process upon recommendation by
- 3 the school budget review committee.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 5 TLSB 1226XD 82
- 6 kh/je/5



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PAG LIN

1 1 Section 1. Section 256.11, subsection 10, Code 2007, is
1 2 amended by adding the following new paragraph:
1 3 NEW PARAGRAPH. e. The school budget review committee
1 4 submits to the department a recommendation for a fiscal review
1 5 pursuant to section 257.31, subsection 18.

1 6 Sec. 2. Section 257.31, Code 2007, is amended by adding
1 7 the following new subsection:

1 8 NEW SUBSECTION. 18. If a school district exceeds its
1 9 authorized budget or carries a negative unspent balance for
1 10 two or more consecutive years, the committee may recommend
1 11 that the department implement a phase II on-site visit to
1 12 conduct a fiscal review pursuant to section 256.11, subsection
1 13 10, paragraph "e".

1 14 EXPLANATION

1 15 This bill permits the school budget review committee to
1 16 recommend that the department of education send an
1 17 accreditation team in to a school district for an on-site
1 18 fiscal review under phase II of the accreditation process if a
1 19 school district exceeds its authorized budget or carries a
1 20 negative unspent balance for two or more consecutive years.

1 21 LSB 1226XD 82

1 22 kh:nh/je/5



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Senate Study Bill 1023

SENATE/HOUSE FILE
BY (PROPOSED DEPARTMENT OF
EDUCATION BILL)

Passed Senate, Date _____
Vote: Ayes _____ Nays _____
Approved

Passed House, Date _____
Vote: Ayes _____ Nays _____

A BILL FOR

- 1 An Act allowing school districts to count foreign exchange pupils
- 2 in certified enrollment counts for budget and funding
- 3 purposes.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 5 TLSB 1225XD 82
- 6 ak/cf/24



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Senate Study Bill 1023 continued

PAG LIN

1 1 Section 1. Section 257.6, subsection 1, Code 2007, is
1 2 amended by adding the following new paragraph:
1 3 NEW PARAGRAPH. g. Foreign exchange pupils under the
1 4 federal exchange visa program enrolled in public schools
1 5 within the district.

1 6 EXPLANATION

1 7 This bill allows school districts to be compensated for
1 8 services provided to foreign exchange students by including
1 9 them in the actual student enrollment count each October.
1 10 These students, who are part of the federal J=1 visa program,
1 11 are not presently counted in the actual enrollment of a
1 12 school, which is one factor in determining state and local
1 13 financial support for schools.

1 14 LSB 1225XD 82

1 15 ak:rj/cf/24.1



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Senate Study Bill 1024

SENATE/HOUSE FILE
BY (PROPOSED DEPARTMENT OF
EDUCATION BILL)

Passed Senate, Date _____
Vote: Ayes _____ Nays _____
Approved

Passed House, Date _____
Vote: Ayes _____ Nays _____

A BILL FOR

- 1 An Act relating to public funding for area education agencies.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 3 TLSB 1224XD 82
- 4 kh/je/5



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Senate Study Bill 1024 continued

PAG LIN

1 1 Section 1. Section 257.35, subsections 2, 3, and 4, Code
1 2 2007, are amended by striking the subsections.
1 3 EXPLANATION
1 4 This bill strikes provisions of the Code that reduce, or
1 5 reduced, the amount of state aid and the portion of the
1 6 combined district cost calculated for area education agencies.
1 7 LSB 1224XD 82
1 8 kh:rj/je/5



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Senate Study Bill 1025

SENATE/HOUSE FILE
BY (PROPOSED DEPARTMENT OF
WORKFORCE DEVELOPMENT
BILL)

Passed Senate, Date _____
Vote: Ayes _____ Nays _____
Approved

Passed House, Date _____
Vote: Ayes _____ Nays _____

A BILL FOR

- 1 An Act regulating professional unarmed combat fighting,
- 2 prohibiting amateur unarmed combat fighting, and providing for
- 3 fees and penalties.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 5 TLSB 1223DP 82
- 6 ak/gg/14



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Senate Study Bill 1025 continued

PAG LIN

1 1 Section 1. Section 90A.1, Code 2007, is amended by adding
1 2 the following new subsection:
1 3 NEW SUBSECTION. 1A. "Boxing" or "wrestling" means any
1 4 kind of boxing, wrestling, or unarmed combat fighting activity
1 5 that is considered a professional match or activity as set
1 6 forth in subsection 5.
1 7 Sec. 2. Section 90A.1, subsection 5, Code 2007, is amended
1 8 to read as follows:
1 9 5. "Professional boxing or wrestling match" means a boxing
1 10 or wrestling or professional unarmed combat fighting contest
1 11 or exhibition open to the public in this state for which the
1 12 contestants are paid or awarded a prize for their
1 13 participation.
1 14 Sec. 3. Section 90A.1, Code 2007, is amended by adding the
1 15 following new subsection:
1 16 NEW SUBSECTION. 7. "Unarmed combat fighting" means mixed
1 17 martial arts fighting, extreme fighting, ultimate fighting, or
1 18 shoot fighting.
1 19 Sec. 4. Section 90A.2, subsection 1, Code 2007, is amended
1 20 to read as follows:
1 21 1. A person shall not act as a promoter of a professional
1 22 boxing or wrestling or professional unarmed combat fighting
1 23 match, contest, event, or exhibition without first obtaining a
1 24 license from the commissioner. This subsection shall not
1 25 apply to a person distributing a closed=circuit, pay=per=view,
1 26 or similarly distributed signal to a person acting as a
1 27 promoter or to a person viewing the signal in a private
1 28 residence.
1 29 Sec. 5. Section 90A.2, Code 2007, is amended by adding the
1 30 following new subsection:
1 31 NEW SUBSECTION. 4. Each application for a professional
1 32 unarmed combat fighting license presented by a promoter shall
1 33 be accompanied by a one thousand dollar license fee. Fees
1 34 collected under this subsection shall be considered repayment
1 35 receipts and shall be used for payment of expenses to



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2 1 administer and regulate unarmed combat fighting contests,
2 2 matches, events, and exhibitions.

2 3 Sec. 6. Section 90A.3, subsections 1 and 2, Code 2007, are
2 4 amended to read as follows:

2 5 1. Each professional boxer and professional unarmed combat
2 6 fighter residing in Iowa shall register with the commissioner.

2 7 The registration application shall be in the form prescribed
2 8 by the commissioner and shall be accompanied by the fee

2 9 established by rule by the commissioner. The commissioner
2 10 shall establish by rule a registration fee of not less than

2 11 one hundred dollars for any unarmed combat fighter seeking to
2 12 participate in a professional unarmed combat fighting match,

2 13 contest, event, or exhibition held in Iowa. The registration
2 14 information required by the commissioner shall include, but is

2 15 not limited to, the following:

2 16 a. The boxer's or professional unarmed combat fighter's
2 17 name and address.

2 18 b. The boxer's or professional unarmed combat fighter's
2 19 gender.

2 20 c. The boxer's or professional unarmed combat fighter's
2 21 date of birth.

2 22 d. The boxer's or professional unarmed combat fighter's
2 23 social security number or, if a foreign boxer or professional

2 24 unarmed combat fighter, any similar citizen identification
2 25 number or professional boxer or professional unarmed combat

2 26 fighter number from the country of residence of the boxer or
2 27 professional unarmed combat fighter.

2 28 e. The boxer's personal identification number assigned to
2 29 the boxer by a professional boxing registry certified by the

2 30 association of boxing commissions if the boxer is registered
2 31 with a registry. If a professional unarmed combat fighter

2 32 registering with the commissioner pursuant to this section has
2 33 been assigned a personal identification number by a

2 34 professional unarmed combat fighter registry certified by a
2 35 professional unarmed combat fighter association or commission,



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3 1 the professional unarmed combat fighter shall submit to the
3 2 commissioner the identification number assigned to the
3 3 professional unarmed combat fighter by the registry.

3 4 f. Two copies of a recent photograph of the boxer or
3 5 professional unarmed combat fighter.

3 6 g. An official government-issued photo identification
3 7 containing the boxer's or professional unarmed combat
3 8 fighter's photograph and social security number or similar
3 9 foreign identification number.

3 10 2. The commissioner shall issue an identification card to
3 11 a boxer or professional unarmed combat fighter registered
3 12 pursuant to this chapter. The identification card shall
3 13 contain a recent photograph, the boxer's or professional
3 14 unarmed combat fighter's social security number or similar
3 15 foreign identification number, and a personal identification
3 16 number assigned to the boxer by a boxing registry or a
3 17 personal identification number assigned to the professional
3 18 unarmed combat fighter if the professional unarmed combat
3 19 fighter submitted such a number to the commissioner in
3 20 accordance with subsection 1, paragraph "e".

3 21 Sec. 7. Section 90A.5, subsection 1, paragraphs c through
3 22 h, Code 2007, are amended to read as follows:

3 23 c. A boxer or professional unarmed combat fighter fails to
3 24 pass a prefight physical examination.

3 25 d. A match promoter permits a nonregistered boxer or
3 26 professional unarmed combat fighter to participate in a
3 27 professional boxing or professional unarmed combat fighting
3 28 match, event, contest, or exhibition.

3 29 e. A match promoter permits a person whose license,
3 30 registration, or authority, issued pursuant to this chapter,
3 31 is under suspension to participate in a boxing or professional
3 32 unarmed combat fighting event.

3 33 f. A match promoter, ~~or~~ professional boxer, or
3 34 professional unarmed combat fighter is under suspension by any
3 35 other state boxing or professional unarmed combat fighting



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4 1 regulatory organization.

4 2 g. A match promoter, ~~or~~ professional boxer, or

4 3 professional unarmed combat fighter is under suspension in any
4 4 state.

4 5 h. A match promoter, professional boxer, professional

4 6 unarmed combat fighter, or participant is in violation of

4 7 rules adopted pursuant to section 90A.7.

4 8 Sec. 8. NEW SECTION. 90A.13 ATTENDANCE AGE REQUIREMENTS.

4 9 Attendance at any professional boxing or wrestling match is
4 10 limited to individuals eighteen years of age or older.

4 11 However, if liquor or beer is sold or served on the premises

4 12 in which the match is held, attendance at any professional

4 13 boxing or wrestling match is limited to individuals twenty-one

4 14 years of age or older.

4 15 Sec. 9. NEW SECTION. 90A.14 AMATEUR UNARMED COMBAT

4 16 FIGHTING PROHIBITED == PENALTY.

4 17 1. Amateur unarmed combat fighting contests, matches,
4 18 events, or exhibitions are prohibited in this state.

4 19 2. A person who acts as an amateur unarmed combat fighting
4 20 match promoter in violation of this section is subject to a
4 21 civil penalty of twenty thousand dollars per violation.

4 22 3. For the purposes of this section, an amateur unarmed
4 23 combat fighting match promoter is a person who does at least
4 24 one of the following:

4 25 a. Organizes, holds, advertises, or otherwise conducts an
4 26 amateur unarmed combat fighting match.

4 27 b. Charges admission for the viewing of an amateur unarmed
4 28 combat fighting match received through a closed-circuit,
4 29 pay-per-view, or similarly distributed signal.

4 30 EXPLANATION

4 31 This bill defines "boxing" or "wrestling", for purposes of
4 32 Code chapter 90A, which regulates boxing and wrestling, as any
4 33 kind of boxing, wrestling, or unarmed combat fighting activity
4 34 that is considered a professional match or activity. The bill
4 35 places professional unarmed combat fighting under the



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5 1 regulatory authority of the labor commissioner.
5 2 The bill defines "unarmed combat fighting" as mixed martial
5 3 arts fighting, extreme fighting, ultimate fighting, or shoot
5 4 fighting. The bill requires a person who promotes such
5 5 professional fighting to obtain a license from the
5 6 commissioner and to pay a \$1,000 licensing fee. Professional
5 7 unarmed combatants must register with the commissioner and pay
5 8 a registration fee of not less than \$100.
5 9 Persons who attend a professional boxing or wrestling match
5 10 must be 18 years or older, or 21 years or older if liquor or
5 11 beer is sold or served on the match premises.
5 12 Amateur unarmed combat fighting contests of any sort are
5 13 prohibited. Anyone who promotes such a contest is subject to
5 14 a civil penalty of \$20,000 per violation.
5 15 LSB 1223DP 82
5 16 ak:rj/gg/14