



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
January 15, 2008

House File 2006 - Introduced

HOUSE FILE  
BY SWAIM

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays  
Approved

**A BILL FOR**

- 1 An Act allowing the issuance of special destination park deer
- 2 hunting licenses to nonresidents.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 5323HH 82
- 5 av/nh/8



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
January 15, 2008

House File 2006 - Introduced continued

PAG LIN

1 1 Section 1. Section 483A.24, Code Supplement 2007, is  
1 2 amended by adding the following new subsection:  
1 3 NEW SUBSECTION. 3A. The director may provide up to five  
1 4 hundred nonresident deer hunting licenses for allocation as  
1 5 destination park licenses. The licenses issued pursuant to  
1 6 this subsection shall be in addition to the number of  
1 7 nonresident licenses authorized pursuant to section 483A.8.  
1 8 The purpose of the special nonresident licenses is to allow  
1 9 the promotion of any state park designated by statute as a  
1 10 destination park. The commission, by rule, shall determine  
1 11 the cost for the licenses, and where and for what seasons the  
1 12 licenses are valid. The licenses may be issued in conjunction  
1 13 with the provision of lodging and other services by a  
1 14 destination park as determined by the commission by rule.

1 15 EXPLANATION

1 16 This bill allows the director of the department of natural  
1 17 resources to provide up to 500 nonresident deer hunting  
1 18 licenses for allocation as destination park licenses.  
1 19 The licenses issued are in addition to the nonresident deer  
1 20 hunting licenses that are currently available under Code  
1 21 section 483A.8. The purpose of the special nonresident  
1 22 licenses is to allow the promotion of state parks that are  
1 23 designated by statute as destination parks.  
1 24 The natural resource commission is allowed, by rule, to  
1 25 determine the cost for the licenses, where and for what  
1 26 seasons the licenses are valid, and to issue the licenses in  
1 27 conjunction with the provision of lodging and other services  
1 28 by a destination park.  
1 29 LSB 5323HH 82  
1 30 av/nh/8



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
January 15, 2008

House File 2007 - Introduced

HOUSE FILE  
BY BAUDLER

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays  
Approved

**A BILL FOR**

- 1 An Act creating a special Thanksgiving nonresident antlerless
- 2 deer hunting season.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 5274YH 82
- 5 av/nh/8



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
January 15, 2008

House File 2007 - Introduced continued

PAG LIN

1 1 Section 1. Section 483A.8, Code Supplement 2007, is  
1 2 amended by adding the following new subsection:  
1 3 NEW SUBSECTION. 6A. The commission shall provide by rule  
1 4 for the annual issuance to a nonresident of a nonresident  
1 5 antlerless deer hunting license that is valid for use only  
1 6 during the period beginning on the Wednesday before  
1 7 Thanksgiving and ending at sunset on the following Sunday, and  
1 8 costs fifty dollars. A nonresident hunting deer with a  
1 9 license issued under this subsection shall be otherwise  
1 10 qualified to hunt deer in this state and shall have a  
1 11 nonresident hunting license, pay the wildlife habitat fee, and  
1 12 pay the one dollar fee for the purpose of deer herd population  
1 13 management as provided in subsection 3. Pursuant to this  
1 14 subsection, the commission shall make available for issuance  
1 15 only the remaining nonresident antlerless deer hunting  
1 16 licenses allocated under subsection 3 that have not yet been  
1 17 issued for the current year's nonresident antlerless deer  
1 18 hunting seasons.

1 19

EXPLANATION

1 20 This bill allows the natural resource commission to issue  
1 21 special nonresident antlerless deer hunting licenses that are  
1 22 valid for use only during the period beginning on the  
1 23 Wednesday before Thanksgiving and ending at sunset on the  
1 24 following Sunday. The special licenses cost \$50 and licensees  
1 25 are also required to purchase a nonresident hunting license,  
1 26 pay the wildlife habitat fee, and pay the \$1 deer herd  
1 27 population management fee. The special licenses are available  
1 28 for issuance only from remaining nonresident antlerless deer  
1 29 hunting licenses that have not yet been issued for the current  
1 30 year's other nonresident antlerless deer hunting seasons.  
1 31 LSB 5274YH 82  
1 32 av/nh/8



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
January 15, 2008

House File 2008 - Introduced

HOUSE FILE  
BY ZIRKELBACH

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays  
Approved

**A BILL FOR**

- 1 An Act limiting methods of campaign communications and making
- 2 penalties applicable.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 5422HH 82
- 5 jr/nh/14



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
January 15, 2008

House File 2008 - Introduced continued

PAG LIN

1 1 Section 1. NEW SECTION. 68A.401A AUTOMATIC TELEPHONE  
1 2 DIALING SYSTEMS AND ARTIFICIAL OR PRERECORDED VOICE CALLS  
1 3 PROHIBITED.  
1 4 1. A candidate, an authorized representative of a  
1 5 candidate, a candidate's committee, or a political committee  
1 6 shall not use an automatic telephone dialing system or an  
1 7 artificial or prerecorded voice call either in soliciting  
1 8 contributions or promoting or opposing the nomination or  
1 9 election of a candidate for public office or the passage of a  
1 10 constitutional amendment or public measure. As used in this  
1 11 section, the term "automatic telephone dialing system" means  
1 12 equipment which has the capacity to store or produce telephone  
1 13 numbers to be called, using a random or sequential number  
1 14 generator, and to dial such numbers.

1 15 2. The penalty in section 68A.701 does not apply to a  
1 16 violation of this section.

1 17 EXPLANATION

1 18 This bill prohibits the use of an automatic telephone  
1 19 dialing system or an artificial or prerecorded voice call in  
1 20 election or ballot issue campaigns. The prohibition applies  
1 21 to candidates, authorized representatives of candidates,  
1 22 candidate's committees, and political committees.

1 23 The criminal penalty normally associated with violations of  
1 24 Code chapter 68A is made inapplicable to violations of the  
1 25 bill. A variety of civil remedies for a violation are  
1 26 available in Code section 68B.32D, ranging from a reprimand by  
1 27 the ethics and campaign disclosure board to a civil penalty of  
1 28 not more than \$2,000.

1 29 LSB 5422HH 82

1 30 jr/nh/14



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
January 15, 2008

House File 2009 - Introduced

HOUSE FILE  
BY ZIRKELBACH

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays  
Approved

**A BILL FOR**

1 An Act providing for membership in a protection occupation under  
2 the Iowa public employees' retirement system for county  
3 jailers.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
5 TLSB 5645HH 82  
6 ec/rj/8



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
January 15, 2008

House File 2009 - Introduced continued

PAG LIN

1 1 Section 1. Section 97B.49B, subsection 1, paragraph e,  
1 2 Code 2007, is amended by adding the following new  
1 3 subparagraph:  
1 4 NEW SUBPARAGRAPH. (9) A jailer or detention officer who  
1 5 performs duties as a jailer, including but not limited to the  
1 6 transportation of inmates, is certified as having completed  
1 7 jailer training pursuant to chapter 80B, and is employed by a  
1 8 county as a jailer.

1 9 EXPLANATION  
1 10 This bill amends Code section 97B.49B to add county jailers  
1 11 and detention officers as members in a protection occupation  
1 12 for purposes of the Iowa public employees' retirement system.  
1 13 LSB 5645HH 82  
1 14 ec/rj/8



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
January 15, 2008

House File 2010 - Introduced

HOUSE FILE  
BY WHITAKER

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays  
Approved

**A BILL FOR**

- 1 An Act relating to the use of certain bicycles on streets and
- 2 highways.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 5047YH 82
- 5 md/rj/14



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
January 15, 2008

House File 2010 - Introduced continued

PAG LIN

1 1 Section 1. Section 321.1, subsection 40, paragraph c, Code  
1 2 2007, is amended to read as follows:

1 3 c. "Bicycle" means either of the following:

1 4 (1) A device having two wheels and having at least one  
1 5 saddle or seat for the use of a rider which is propelled by  
1 6 human power.

1 7 (2) A device having ~~two or three~~ no more than four wheels  
1 8 with fully operable pedals and an electric motor of ~~less no~~  
1 9 more than seven hundred fifty watts (one horsepower), whose  
1 10 maximum speed on a paved level surface, when powered solely by  
1 11 such a motor while ridden, is less than twenty miles per hour.

1 12 EXPLANATION

1 13 This bill amends the definition of "bicycle" within Code  
1 14 section 321.1 to include devices with no more than four  
1 15 wheels, fully operable pedals, and no more than a 750-watt  
1 16 electric motor. Any person riding a bicycle on Iowa roadways  
1 17 is subject to the provisions of Code chapter 321 and has all  
1 18 the rights and duties applicable to the driver of a vehicle,  
1 19 except those which by their nature can have no application or  
1 20 those with specific exceptions.

1 21 LSB 5047YH 82

1 22 md/rj/14



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
January 15, 2008

House File 2011 - Introduced

HOUSE FILE  
BY ZIRKELBACH

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

**A BILL FOR**

1 An Act concerning eligibility for post-retirement adjustments to  
2 benefits under the municipal fire and police retirement  
3 system.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
5 TL5B 5340HH 82  
6 ec/rj/8



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
January 15, 2008

House File 2011 - Introduced continued

PAG LIN

1 1 Section 1. Section 411.6, subsection 12, paragraph d, Code  
1 2 2007, is amended to read as follows:

1 3 d. A retired member eligible for benefits under subsection  
1 4 ~~1 of this section~~ is not eligible for the readjustment of  
1 5 pensions provided in this subsection unless the member served  
1 6 twenty-two years and attained the age of fifty-five years  
1 7 prior to the member's termination of employment or the member  
1 8 served twenty-nine years and attained the age of fifty years  
1 9 prior to the member's termination of employment.

1 10 Sec. 2. IMPLEMENTATION PROVISION == CONTRIBUTION RATE  
1 11 CALCULATION. Notwithstanding any provision of section 411.8  
1 12 to the contrary, the statewide fire and police retirement  
1 13 system established by chapter 411 shall not increase the  
1 14 contribution rate of members of the system to cover any  
1 15 increase in cost to the system resulting from this Act.

1 16 EXPLANATION

1 17 This bill makes changes to the Municipal Fire and Police  
1 18 Retirement System of Iowa (MFPRSI) created in Code chapter  
1 19 411.

1 20 Code section 411.6, subsection 12, concerning the annual  
1 21 readjustment of pensions following retirement, is amended to  
1 22 provide that a retired member is eligible to receive this  
1 23 readjustment if the member served 29 years and attained the  
1 24 age of 50 years prior to the member's termination of  
1 25 employment. Current law, which provides that a member who  
1 26 serves 22 years and is 55 years of age at the time of  
1 27 termination is eligible to receive the readjustment, is  
1 28 unchanged by the bill.

1 29 The bill further provides that members of MFPRSI shall not  
1 30 have their contribution rates increased to pay for the new  
1 31 benefit provided by the bill.

1 32 LSB 5340HH 82

1 33 ec/rj/8



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
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House File 2012 - Introduced

HOUSE FILE  
BY ZIRKELBACH

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

**A BILL FOR**

- 1 An Act requiring the incorporation of a personal finance course
- 2 into the high school curriculum.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 5112HH 82
- 5 ak/nh/5



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
January 15, 2008

House File 2012 - Introduced continued

PAG LIN

1 1 Section 1. Section 256.11, subsection 5, paragraph e, Code  
1 2 Supplement 2007, is amended to read as follows:  
1 3 e. Two additional units of mathematics, including one-half  
1 4 unit of personal finance.

1 5 Sec. 2. STATE MANDATE FUNDING SPECIFIED. In accordance  
1 6 with section 25B.2, subsection 3, the state cost of requiring  
1 7 compliance with any state mandate included in this Act shall  
1 8 be paid by a school district from state school foundation aid  
1 9 received by the school district under section 257.16. This  
1 10 specification of the payment of the state cost shall be deemed  
1 11 to meet all the state funding-related requirements of section  
1 12 25B.2, subsection 3, and no additional state funding shall be  
1 13 necessary for the full implementation of this Act by and  
1 14 enforcement of this Act against all affected school districts.

1 15 EXPLANATION

1 16 This bill requires that personal finance become a required  
1 17 course in the high school curriculum. The bill requires that  
1 18 a one-half unit of personal finance be required as part of the  
1 19 two additional units of mathematics credits that a high school  
1 20 offers in order for a public or nonpublic school to be  
1 21 accredited by the department of education.

1 22 The bill may include a state mandate as defined in Code  
1 23 section 25B.3. The bill requires that the state cost of any  
1 24 state mandate included in the bill be paid by a school  
1 25 district from state school foundation aid received by the  
1 26 school district under Code section 257.16. The specification  
1 27 is deemed to constitute state compliance with any state  
1 28 mandate funding-related requirements of Code section 25B.2.  
1 29 The inclusion of this specification is intended to reinstate  
1 30 the requirement of political subdivisions to comply with any  
1 31 state mandates included in the bill.

1 32 LSB 5112HH 82

1 33 ak/nh/5



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
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House File 2013 - Introduced

HOUSE FILE  
BY WHITAKER

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays  
Approved

**A BILL FOR**

- 1 An Act relating to leaves of absence for service in elective
- 2 office.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 5119HH 82
- 5 jr/rj/5



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
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House File 2013 - Introduced continued

PAG LIN

1 1 Section 1. Section 55.1, Code 2007, is amended to read as  
1 2 follows:

1 3 55.1 LEAVE OF ABSENCE FOR SERVICE IN ELECTIVE OFFICE.

1 4 A person who is elected to a municipal, county, state, or  
1 5 federal office shall, upon written application to the employer  
1 6 of that person, be granted a leave of absence on a full-time  
1 7 or part-time basis from regular employment to serve in that

1 8 office except where prohibited by the federal law. The leave  
1 9 of absence may be granted without pay and shall be granted  
1 10 without loss of net credited service and benefits earned.  
1 11 This section shall not be construed to require an employer to  
1 12 pay pension, health or other benefits during the leave of  
1 13 absence to an employee taking a leave of absence under this  
1 14 section.

1 15 A leave of absence for a person regularly employed pursuant  
1 16 to chapter 8A, subchapter IV, is subject to section 8A.416.

1 17 An employee shall not be prohibited from returning to  
1 18 regular employment before the period expires for which the  
1 19 leave of absence was granted. This section applies only to  
1 20 employers which employ twenty or more full-time persons. The  
1 21 leave of absence granted by this section need not exceed six  
1 22 years. The leave of absence granted by this section does not  
1 23 apply to an elective office held by the employee prior to the  
1 24 election.

1 25 Temporary substitute teachers and teachers hired on a  
1 26 temporary basis to replace teachers who have been granted  
1 27 leaves of absence pursuant to this section are not subject to  
1 28 the provisions of chapter 279 relating to the termination of  
1 29 continuing contracts.

1 30 EXPLANATION

1 31 Code chapter 55 guarantees a leave of absence from regular  
1 32 employment for a person elected to serve in public office.  
1 33 This bill specifies that the leave of absence can be either  
1 34 full-time or part-time.

1 35 LSB 5119HH 82



**Iowa General Assembly  
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January 15, 2008**

House File 2013 - Introduced continued

2 1 jr/rj/5



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
January 15, 2008

**House File 2014 - Introduced**

HOUSE FILE  
BY SCHICKEL

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays  
Approved

**A BILL FOR**

- 1 An Act providing for a study regarding the shortage of doctors of
- 2 psychiatry in Iowa.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 5071YH 82
- 5 jr/rj/8



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
January 15, 2008**

House File 2014 - Introduced continued

PAG LIN

1 1 Section 1. SHORTAGE OF DOCTORS OF PSYCHIATRY == STUDY.  
1 2 The department of public health shall conduct a study  
1 3 regarding the shortage of doctors of psychiatry in Iowa. The  
1 4 study shall be conducted with the input of interested persons,  
1 5 including but not limited to institutions of higher learning,  
1 6 professional associations, hospitals, clinics, and other  
1 7 stakeholders. The objective of the study shall be to identify  
1 8 areas of this state most impacted by a shortage, identify  
1 9 causes for this shortage, and determine ways in which the  
1 10 shortage may be alleviated. The department shall submit a  
1 11 report of its conclusions to the members of the general  
1 12 assembly by December 31, 2008.

1 13 EXPLANATION

1 14 This bill requires the department of public health to  
1 15 conduct a study, in consultation with stakeholders, regarding  
1 16 the shortage of doctors of psychiatry in Iowa, and make  
1 17 recommendations to alleviate that shortage. The department is  
1 18 required to submit a report of its conclusions to the members  
1 19 of the general assembly by December 31, 2008.

1 20 LSB 5071YH 82

1 21 jr/rj/8



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
January 15, 2008

House File 2015 - Introduced

HOUSE FILE  
BY SCHICKEL

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

**A BILL FOR**

1 An Act requiring institutions of higher learning and community  
2 colleges to provide students with specific textbook  
3 information.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
5 TLSB 5069HH 82  
6 ak/nh/24



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
January 15, 2008

House File 2015 - Introduced continued

PAG LIN

1 1 Section 1. Section 260C.5, Code 2007, is amended by adding  
1 2 the following new subsection:

1 3 NEW SUBSECTION. 11. Post the list of required and  
1 4 suggested textbooks for all courses and the corresponding  
1 5 international standard book numbers for such textbooks at the  
1 6 locations where textbooks are sold on campus and on the  
1 7 website for the respective community college. For the  
1 8 purposes of this subsection, "textbook" means any book used  
1 9 for the study of a subject.

1 10 Sec. 2. Section 262.9, Code Supplement 2007, is amended by  
1 11 adding the following new subsection:

1 12 NEW SUBSECTION. 32. Post the list of required and  
1 13 suggested textbooks for all courses and the corresponding  
1 14 international standard book numbers for such textbooks at the  
1 15 locations where textbooks are sold on campus and on the  
1 16 website for the respective institution for higher learning.  
1 17 For the purposes of this subsection, "textbook" means any book  
1 18 used for the study of a subject.

1 19 EXPLANATION

1 20 This bill requires both the regents' universities and  
1 21 community colleges to provide students with the titles and  
1 22 international standard book numbers (ISBNs) of the textbooks  
1 23 that will be used in courses. The bill requires that the  
1 24 universities and community colleges post the list both on  
1 25 campus where textbooks are sold and on their websites. A  
1 26 textbook is defined as any book used for the study of a  
1 27 subject.

1 28 LSB 5069HH 82

1 29 ak/nh/24



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
January 15, 2008

House File 2016 - Introduced

HOUSE FILE  
BY S. OLSON

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved

**A BILL FOR**

1 An Act providing volunteer fire fighters with an individual  
2 income tax credit and providing effective and retroactive  
3 applicability dates.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
5 TLSB 5517YH 82  
6 mg/rj/14



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
January 15, 2008

House File 2016 - Introduced continued

PAG LIN

1 1 Section 1. Section 422.12, Code Supplement 2007, is  
1 2 amended by adding the following new subsection:  
1 3 NEW SUBSECTION. 2A. a. A volunteer fire fighter credit  
1 4 equal to the amount specified in paragraph "b" to compensate  
1 5 the taxpayer for the voluntary services.  
1 6 b. The amount of the credit is equal to two hundred fifty  
1 7 dollars.  
1 8 However, if the taxpayer is not a volunteer fire fighter  
1 9 for the entire tax year, the amount of the dollar credit shall  
1 10 be prorated and the amount of credit shall equal the maximum  
1 11 amount of credit for the tax year, divided by twelve,  
1 12 multiplied by the number of months in the tax year the  
1 13 taxpayer was a volunteer. The credit shall be rounded to the  
1 14 nearest five dollars. If the taxpayer is a volunteer during  
1 15 any part of a month, the taxpayer shall be considered a  
1 16 volunteer for the entire month.  
1 17 c. The taxpayer is required to have a written statement  
1 18 from the fire chief or other appropriate supervisor verifying  
1 19 that the taxpayer was a volunteer fire fighter for the months  
1 20 for which the credit under this subsection is claimed.  
1 21 d. For purposes of this subsection, "volunteer fire  
1 22 fighter" means a volunteer fire fighter as defined in section  
1 23 85.61 who has met the minimum training standards established  
1 24 by the fire service training bureau pursuant to chapter 100B.  
1 25 Sec. 2. EFFECTIVE AND APPLICABILITY DATES. This Act,  
1 26 being deemed of immediate importance, takes effect upon  
1 27 enactment and applies retroactively to January 1, 2008, for  
1 28 tax years beginning on or after that date.

1 29 EXPLANATION  
1 30 This bill provides an individual income tax credit for an  
1 31 individual who was a volunteer fire fighter who has met the  
1 32 minimum training standards for the entire tax year. The  
1 33 credit is to compensate the individual for the volunteer  
1 34 services. The amount of the credit equals \$250. If the  
1 35 individual was not a volunteer for the entire tax year, the



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
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House File 2016 - Introduced continued

2 1 amount of credit is prorated based upon the months of  
2 2 volunteer service.  
2 3 The bill takes effect upon enactment and applies  
2 4 retroactively to January 1, 2008, for tax years beginning on  
2 5 or after that date.  
2 6 LSB 5517YH 82  
2 7 mg/rj/14



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
January 15, 2008

**House File 2017 - Introduced**

HOUSE FILE  
BY SCHICKEL

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

**A BILL FOR**

- 1 An Act relating to competitive bidding requirements.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 3 TLSB 5180HH 82
- 4 jr/nh/8



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
January 15, 2008

House File 2017 - Introduced continued

PAG LIN

1 1 Section 1. Section 73.1, Code 2007, is amended by adding  
1 2 the following new unnumbered paragraph:  
1 3 NEW UNNUMBERED PARAGRAPH. A request for bids and proposals  
1 4 for materials, products, supplies, provisions, or other needed  
1 5 articles or services to be purchased at public expense shall  
1 6 not limit the request to vendors located in a particular area  
1 7 of the state unless the request cites specific reasons why  
1 8 such a restriction is essential to the performance of the  
1 9 contract.

1 10 EXPLANATION

1 11 This bill amends Iowa's preference law by prohibiting a  
1 12 request for proposals for materials, products, supplies,  
1 13 provisions, or other needed articles or services to be  
1 14 purchased at public expense to be limited to vendors located  
1 15 in a particular area of the state, unless the request cites  
1 16 specific reasons why such a restriction is essential to the  
1 17 performance of the contract.

1 18 LSB 5180HH 82

1 19 jr/nh/8



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
January 15, 2008

House File 2018 - Introduced

HOUSE FILE  
BY SCHICKEL

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays  
Approved

**A BILL FOR**

1 An Act requiring the department of transportation to study the  
2 acceptance of electronic payments at its customer service  
3 sites.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
5 TLSB 5176HH 82  
6 md/rj/5



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
January 15, 2008**

House File 2018 - Introduced continued

PAG LIN

1 1 Section 1. ELECTRONIC PAYMENTS TO DEPARTMENT OF  
1 2 TRANSPORTATION == STUDY. The department of transportation  
1 3 shall review the current methods the department employs for  
1 4 the collection of fees and other revenues at customer service  
1 5 sites operated by the department. In conducting its review,  
1 6 the department shall consider providing an electronic payment  
1 7 option for all of its customers. The department shall report  
1 8 its findings and recommendations by December 31, 2008, to the  
1 9 senate and house standing committees on transportation  
1 10 regarding the advantages and disadvantages of implementing one  
1 11 or more electronic payment systems.

1 12 EXPLANATION

1 13 This bill requires the department of transportation to  
1 14 review its methods for collection of payments remitted at  
1 15 customer service sites operated by the department and consider  
1 16 offering customers an electronic payment option. The  
1 17 department is required to report its findings and  
1 18 recommendations to the senate and house committees on  
1 19 transportation by December 31, 2008.

1 20 LSB 5176HH 82

1 21 md/rj/5



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
January 15, 2008

House File 2019 - Introduced

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 short-term nonresident hunting licenses and
- 2 providing fees.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 5586HH 82
- 5 av/nh/8



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
January 15, 2008**

House File 2019 - Introduced continued

PAG LIN

1	1	Section 1. Section 483A.1, subsection 2, Code Supplement	
1	2	2007, is amended to read as follows:	
1	3	2. Nonresidents:	
1	4	a. Fishing license, annual .....	\$ 39.00
1	5	b. Fishing license, seven=day .....	\$ 30.00
1	6	<u>c. Fishing license, three=day .....</u>	<u>\$ 15.50</u>
1	7	<u>d. Fishing license, one=day .....</u>	<u>\$ 8.50</u>
1	8	<del>e.</del> <u>e.</u> Hunting license, eighteen years of age or older	
1	9	.....	\$ 80.00
1	10	<u>f. Hunting license, eighteen years of age or older,</u>	
1	11	<u>seven=day.....</u>	<u>\$ 60.00</u>
1	12	<u>g. Hunting license, eighteen years of age or older,</u>	
1	13	<u>three=day.....</u>	<u>\$ 30.00</u>
1	14	<del>d.</del> <u>h.</u> Hunting license, under eighteen years of age	
1	15	.....	\$ 30.00
1	16	<del>e.</del> <u>i.</u> Deer hunting license, antlered or any sex deer	
1	17	.....	\$220.00
1	18	<del>f.</del> <u>j.</u> Deer hunting license, antlerless deer only, required	
1	19	with the purchase of an antlered or any sex deer hunting	
1	20	license .....	\$100.00
1	21	<del>g.</del> <u>k.</u> Deer hunting license, antlerless deer only	
1	22	.....	\$150.00
1	23	<del>h.</del> <u>l.</u> Wild turkey hunting license .....	\$100.00
1	24	<del>i.</del> <u>m.</u> Fur harvester license .....	\$200.00
1	25	<del>j.</del> <u>n.</u> Fur dealer license .....	\$501.00
1	26	<del>k.</del> <u>o.</u> Location permit for fur dealers .....	\$ 56.00
1	27	<del>l.</del> <u>p.</u> Aquaculture unit license .....	\$ 56.00
1	28	<del>m.</del> <u>q.</u> Retail bait dealer license .....	\$125.00
1	29	or the amount for the same type of license in the	
1	30	nonresident's state, whichever is greater	
1	31	<u>r. Wholesale bait dealer license .....</u>	<u>\$250.00</u>
1	32	<u>or the amount for the same type of license in the</u>	
1	33	<u>nonresident's state, whichever is greater</u>	
1	34	<del>n.</del> <u>s.</u> Trout fishing fee .....	\$ 13.00
1	35	<del>o.</del> <u>t.</u> Game breeder license .....	\$ 26.00



**Iowa General Assembly  
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January 15, 2008**

House File 2019 - Introduced continued

2	1	<del>p.</del> <u>u.</u>	Taxidermy license .....	\$ 26.00
2	2	<del>q.</del> <u>v.</u>	Falconry license .....	\$ 26.00
2	3	<del>r.</del> <u>w.</u>	Wildlife habitat fee .....	\$ 11.00
2	4	<del>s.</del> <u>x.</u>	Migratory game bird fee .....	\$ 8.00
2	5	<del>t.</del>	<del>Fishing license, three-day .....</del>	<del>\$ 15.50</del>
<del>2</del>	<del>6</del>	<del>u.</del>	<del>Wholesale bait dealer license .....</del>	<del>\$250.00</del>
<del>2</del>	<del>7</del>	<del>or the amount for the same type of license in the</del>		
<del>2</del>	<del>8</del>	<del>nonresident's state, whichever is greater</del>		
<del>2</del>	<del>9</del>	<del>v.</del>	<del>Fishing license, one-day .....</del>	<del>\$ 8.50</del>
2	10		EXPLANATION	
2	11		This bill allows the issuance of hunting licenses to	
2	12		nonresidents 18 years of age or older at the reduced cost of	
2	13		\$60 for seven days and \$30 for three days. Currently, only an	
2	14		annual hunting license that costs \$80 is available to	
2	15		nonresident hunters.	
2	16		LSB 5586HH 82	
2	17		av/nh/8	



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
January 15, 2008

House File 2020 - Introduced

HOUSE FILE  
BY THOMAS

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

**A BILL FOR**

- 1 An Act allowing belated claims for military service tax credits.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 3 TLSB 5521HH 82
- 4 mg/sc/5



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
January 15, 2008

House File 2020 - Introduced continued

PAG LIN

1 1 Section 1. Section 426A.13, Code 2007, is amended by  
1 2 adding the following new unnumbered paragraph after unnumbered  
1 3 paragraph 2:  
1 4 NEW UNNUMBERED PARAGRAPH. The failure of a person to file  
1 5 a claim under this section before July 1 of the year for which  
1 6 the person is first claiming the exemption or to have evidence  
1 7 of property ownership and satisfactory service, separation,  
1 8 retirement, furlough to reserve, inactive status, or honorable  
1 9 discharge recorded in the office of the county recorder does  
1 10 not disqualify the claim if the person claiming the exemption  
1 11 or through whom the exemption is claimed is otherwise  
1 12 qualified. The belated claim shall be filed with the  
1 13 appropriate assessor on or before December 31 of the following  
1 14 calendar year and, if approved by the board of supervisors,  
1 15 the county treasurer shall file an amended certificate of  
1 16 military service tax credits with the director of revenue  
1 17 pursuant to section 426A.3.

1 18

EXPLANATION

1 19 Under present law a person who first files a claim for the  
1 20 military service tax credit must do so by July 1 of the  
1 21 calendar year preceding the calendar year in which the fiscal  
1 22 year that the taxes are due and payable begins. Belated  
1 23 claims are not allowed. This bill allows belated claims to be  
1 24 filed after the July 1 deadline until December 31 of the  
1 25 following calendar year.

1 26 LSB 5521HH 82

1 27 mg/sc/5



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
January 15, 2008

House File 2021 - Introduced

HOUSE FILE  
BY ZIRKELBACH

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays  
Approved

**A BILL FOR**

1 An Act providing an income tax credit for a fitness club  
2 membership purchased by a member of the Iowa national guard or  
3 a volunteer fire fighter and including effective and  
4 retroactive applicability date provisions.  
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
6 TL5B 5113HH 82  
7 mg/sc/14



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
January 15, 2008

House File 2021 - Introduced continued

PAG LIN

1 1 Section 1. NEW SECTION. 422.11V FITNESS CLUB MEMBERSHIP  
1 2 TAX CREDIT.  
1 3 1. The taxes imposed under this division, less the credits  
1 4 allowed under section 422.12, shall be reduced by a fitness  
1 5 club membership tax credit for members of the Iowa national  
1 6 guard and for volunteer fire fighters. The amount of the tax  
1 7 credit equals twenty=five percent of the contract price paid  
1 8 by the member of the Iowa national guard or volunteer fire  
1 9 fighter, not to exceed one hundred dollars, for membership in  
1 10 or use of services or facilities of a fitness club.  
1 11 2. For purposes of this section:  
1 12 a. "Contract price" means the same as defined in section  
1 13 552.1.  
1 14 b. "Fitness club" means a physical exercise club as  
1 15 defined in section 552.1, except that it includes a physical  
1 16 exercise club owned by a nonprofit organization organized and  
1 17 operating as a nonprofit organization.  
1 18 c. "Volunteer fire fighter" means a volunteer fire fighter  
1 19 as defined in section 85.61 who has met the minimum training  
1 20 standards established by the fire service training bureau  
1 21 pursuant to chapter 100B.  
1 22 3. If a credit is taken under this section, the amount of  
1 23 the credit shall not be considered medical care expenses under  
1 24 section 213 of the Internal Revenue Code for state tax  
1 25 purposes.  
1 26 4. Any credit in excess of the tax liability is not  
1 27 refundable but the excess for the tax year may be credited to  
1 28 the tax liability for the following five tax years or until  
1 29 depleted, whichever is the earlier.  
1 30 5. Married taxpayers who file separate returns or file  
1 31 separately on a combined return form must determine the tax  
1 32 credit under subsection 1 based upon their combined net income  
1 33 and allocate the total credit amount to each spouse in the  
1 34 proportion that each spouse's respective net income bears to  
1 35 the total combined net income. Nonresidents or part=year



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
January 15, 2008

House File 2021 - Introduced continued

2 1 residents of Iowa must determine their tax credit in the ratio  
2 2 of their Iowa source net income to their all source net  
2 3 income. Nonresidents or part-year residents who are married  
2 4 and elect to file separate returns or to file separately on a  
2 5 combined return form must allocate the tax credit between the  
2 6 spouses in the ratio of each spouse's Iowa source net income  
2 7 to the combined Iowa source net income of the taxpayers.

2 8 Sec. 2. EFFECTIVE AND RETROACTIVE APPLICABILITY DATES.  
2 9 This Act, being deemed of immediate importance, takes effect  
2 10 upon enactment and applies retroactively to January 1, 2008,  
2 11 for tax years beginning on or after that date.

2 12 EXPLANATION

2 13 This bill provides an individual income tax credit of 25  
2 14 percent, up to \$100, of the purchase of a membership in or  
2 15 paid for the use of services or facilities of a fitness club.  
2 16 For purposes of the bill, a fitness club is defined as a  
2 17 physical exercise club as defined in Code section 552.1.  
2 18 Examples of physical exercise clubs are facilities commonly  
2 19 used for physical fitness or well-being and referred to as  
2 20 health spas, sports and health clubs, tennis clubs,  
2 21 racquetball courts, golf clubs, gymnasiums, figure salons,  
2 22 health studios, and weight control studios. Certain  
2 23 facilities are not included. These include a private club  
2 24 owned and operated by its members, an entity primarily engaged  
2 25 in rehabilitation services, or a facility where the membership  
2 26 is for 30 days or less. The tax credit is only available for  
2 27 memberships purchased by members of the Iowa national guard or  
2 28 by volunteer fire fighters. The tax credit is nonrefundable  
2 29 but can be carried forward for up to five tax years until  
2 30 depleted.

2 31 The bill takes effect upon enactment and applies  
2 32 retroactively to January 1, 2008, for tax years beginning on  
2 33 or after that date.

2 34 LSB 5113HH 82

2 35 mg/sc/14



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
January 15, 2008

House Study Bill 500

HOUSE FILE  
BY (PROPOSED COMMITTEE ON  
TRANSPORTATION BILL BY  
CHAIRPERSON HUSER)

Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved

Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

A BILL FOR

1 An Act relating to the motor vehicle financial liability law and  
2 dismissal of citations for drivers or owners who acquire  
3 financial liability coverage.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
5 TLSB 5061YC 82  
6 md/rj/8



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
January 15, 2008

House Study Bill 500 continued

PAG LIN

1 1 Section 1. Section 321.20B, subsection 4, Code Supplement  
1 2 2007, is amended by adding the following new paragraph:  
1 3 NEW PARAGRAPH. d. (1) An owner or driver cited for a  
1 4 violation of subsection 1 shall not be convicted of such  
1 5 violation and the citation issued shall be dismissed by the  
1 6 court if the driver of the motor vehicle had a valid driver's  
1 7 license on the date the citation was issued, the owner or  
1 8 driver has not been previously charged or convicted of a  
1 9 violation of this section, and the owner or driver provides to  
1 10 the clerk of court five days or more prior to the person's  
1 11 court appearance, as indicated on the citation, proof of  
1 12 financial liability coverage on the motor vehicle described on  
1 13 the citation. The financial liability coverage must be valid  
1 14 for a period of six months and must not be subject to  
1 15 cancellation or termination, but may be transferred to another  
1 16 motor vehicle if the motor vehicle is sold. Upon dismissal,  
1 17 the court or clerk of court shall assess the costs of the  
1 18 action against the person named on the citation and give a  
1 19 receipt to the person indicating that proof of financial  
1 20 liability coverage was provided.  
1 21 (2) If the person is charged with a violation of  
1 22 subsection 1 and issued a citation under paragraph "a",  
1 23 subparagraph (3) or (4), the person shall provide a copy of  
1 24 the receipt of proof of financial liability coverage to the  
1 25 county treasurer of the county in which the motor vehicle is  
1 26 registered and the person shall be assessed a fifteen dollar  
1 27 administrative fee by the county treasurer who shall issue new  
1 28 license plates and registration to the person after payment of  
1 29 the fee.

1 30 EXPLANATION

1 31 Code section 321.20B requires all owners or drivers of  
1 32 motor vehicles to have insurance coverage or other proof of  
1 33 financial liability coverage for their motor vehicles. This  
1 34 bill allows an owner or driver a one-time opportunity to  
1 35 prepay insurance or secure other financial liability coverage



**Iowa General Assembly  
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House Study Bill 500 continued

2 1 for a period of six months instead of being convicted of  
2 2 failing to provide proof of financial liability coverage. The  
2 3 six-month financial liability coverage must not be subject to  
2 4 cancellation or termination. Proof of the financial liability  
2 5 coverage must be given to the clerk of court five or more days  
2 6 prior to the person's court appearance. The bill also  
2 7 requires that to be eligible for dismissal of the citation the  
2 8 driver of the motor vehicle must have a valid driver's license  
2 9 on the date the citation was issued.

2 10 After dismissal of the citation, the court or clerk of  
2 11 court will assess the costs of the action against the owner or  
2 12 driver named on the citation and give a receipt to the person  
2 13 indicating that proof of financial liability coverage was  
2 14 provided. If the owner or driver is charged with a violation  
2 15 and the motor vehicle's license plates and registration have  
2 16 been removed by the peace officer under current law, the  
2 17 person is required to provide a copy of the receipt to the  
2 18 county treasurer of the county in which the motor vehicle is  
2 19 registered and pay a \$15 administrative fee to the county  
2 20 treasurer who will issue new license plates and registration  
2 21 for the motor vehicle.

2 22 LSB 5061YC 82

2 23 md/rj/8.1



Iowa General Assembly  
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House Study Bill 501

HOUSE FILE  
BY (PROPOSED COMMITTEE ON  
TRANSPORTATION BILL BY  
CHAIRPERSON HUSER)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays  
Approved

A BILL FOR

- 1 An Act relating to fees charged for driver's licenses.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 3 TLSB 5397YC 82
- 4 dea/nh/14



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
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House Study Bill 501 continued

PAG LIN

1 1 Section 1. Section 321.191, subsections 2, 3, and 4, Code  
1 2 2007, are amended to read as follows:

1 3 2. NONCOMMERCIAL DRIVER'S LICENSES. The fee for a  
1 4 noncommercial driver's license, other than a class D driver's  
1 5 license or any type of instruction permit, is four dollars and  
1 6 sixty cents per year of license validity.

1 7 3. LICENSES FOR CHAUFFEURS. The fee for a noncommercial  
1 8 class D driver's license is eight dollars and sixty cents per  
1 9 year of license validity.

1 10 4. COMMERCIAL DRIVER'S LICENSES. The fee for a commercial  
1 11 driver's license, other than an instruction permit, for the  
1 12 operation of a commercial motor vehicle is eight dollars and  
1 13 sixty cents per year of license validity.

1 14 EXPLANATION

1 15 This bill incorporates into driver's license fees the \$3  
1 16 surcharge currently collected upon issuance of a driver's  
1 17 license. In doing so, the bill increases the fees for most  
1 18 driver's licenses by 60 cents per year of license validity.  
1 19 For noncommercial driver's licenses, the fee changes from \$4  
1 20 to \$4.60 per year of license validity, and for chauffeur's  
1 21 licenses and commercial driver's licenses, the fee changes  
1 22 from \$8 to \$8.60 per year of license validity. The one-time  
1 23 \$3 surcharge was imposed for five years to fund the rewrite of  
1 24 the driver's license and records system and is due to expire  
1 25 on June 30, 2008.

1 26 LSB 5397YC 82

1 27 dea/nh/14



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
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House Study Bill 502

HOUSE FILE  
BY (PROPOSED COMMITTEE ON  
TRANSPORTATION BILL BY  
CHAIRPERSON HUSER)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays  
Approved

A BILL FOR

- 1 An Act relating to the safety of motor vehicle passengers under
- 2 eighteen years of age and providing penalties.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 5280HC 82
- 5 dea/nh/8



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
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House Study Bill 502 continued

PAG LIN

1 1 Section 1. Section 321.445, subsection 2, Code 2007, is  
1 2 amended to read as follows:  
1 3 2. a. The driver and front seat occupants of a type of  
1 4 motor vehicle that is subject to registration in Iowa, except  
1 5 a motorcycle or a motorized bicycle, shall each wear a  
1 6 properly adjusted and fastened safety belt or safety harness  
1 7 any time the vehicle is in forward motion on a street or  
1 8 highway in this state except that a child under ~~eleven~~  
1 9 eighteen years of age shall be secured as required under  
1 10 section 321.446.  
1 11 b. This subsection does not apply to:  
1 12 ~~a.~~ (1) The driver or front seat occupants of a motor  
1 13 vehicle which is not required to be equipped with safety belts  
1 14 or safety harnesses.  
1 15 ~~b.~~ (2) The driver and front seat occupants of a motor  
1 16 vehicle who are actively engaged in work which requires them  
1 17 to alight from and reenter the vehicle at frequent intervals,  
1 18 providing the vehicle does not exceed twenty-five miles per  
1 19 hour between stops.  
1 20 ~~c.~~ (3) The driver of a motor vehicle while performing  
1 21 duties as a rural letter carrier for the United States postal  
1 22 service. This exemption applies only between the first  
1 23 delivery point after leaving the post office and the last  
1 24 delivery point before returning to the post office.  
1 25 ~~d.~~ (4) Passengers on a bus.  
1 26 ~~e.~~ (5) A person possessing a written certification from a  
1 27 health care provider licensed under chapter 148, 150, 150A, or  
1 28 151 on a form provided by the department that the person is  
1 29 unable to wear a safety belt or safety harness due to physical  
1 30 or medical reasons. The certification shall specify the time  
1 31 period for which the exemption applies. The time period shall  
1 32 not exceed twelve months, at which time a new certification  
1 33 may be issued unless the certifying health care provider is  
1 34 from a United States military facility, in which case the  
1 35 certificate may specify a longer period of time or a permanent



Iowa General Assembly  
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House Study Bill 502 continued

2 1 exemption.

2 2 ~~f.~~ (6) Front seat occupants of an authorized emergency  
2 3 vehicle while they are being transported in an emergency.

2 4 However, this exemption does not apply to the driver of the  
2 5 authorized emergency vehicle.

2 6 c. The department, in cooperation with the department of  
2 7 public safety and the department of education, shall establish  
2 8 educational programs to foster compliance with the safety belt  
2 9 and safety harness usage requirements of this subsection.

2 10 Sec. 2. Section 321.446, Code 2007, is amended to read as  
2 11 follows:

2 12 321.446 CHILD RESTRAINT DEVICES.

2 13 1. a. A child under one year of age and weighing less  
2 14 than twenty pounds who is being transported in a motor vehicle  
2 15 subject to registration, except a school bus or motorcycle,  
2 16 shall be secured during transit in a rear-facing child  
2 17 restraint system that is used in accordance with the  
2 18 manufacturer's instructions.

2 19 b. A child under six years of age who does not meet the  
2 20 description in paragraph "a" and who is being transported in a  
2 21 motor vehicle subject to registration, except a school bus or  
2 22 motorcycle, shall be secured during transit by a child  
2 23 restraint system that is used in accordance with the  
2 24 manufacturer's instructions.

2 25 2. A child at least six years of age but under ~~eleven~~  
2 26 eighteen years of age who is being transported in a motor  
2 27 vehicle subject to registration, except a school bus or  
2 28 motorcycle, shall be secured during transit by a child  
2 29 restraint system that is used in accordance with the  
2 30 manufacturer's instructions or by a safety belt or safety  
2 31 harness of a type approved under section 321.445.

2 32 2A. A person who transports children in a motor vehicle  
2 33 and who is not in compliance with the requirements of  
2 34 subsection 1 or 2 is not in violation of this section if the  
2 35 failure to secure one or more of the children is because the



Iowa General Assembly  
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January 15, 2008

House Study Bill 502 continued

3 1 number of children being transported exceeds the number of  
3 2 passenger securing locations suitable for securing a child  
3 3 either in a child restraint system or by a safety belt or  
3 4 safety harness, provided that all of those locations are in  
3 5 use by children secured in accordance with this section and as  
3 6 many of the children under six years of age are properly  
3 7 secured in child restraint systems as the vehicle is designed  
3 8 to accommodate.

3 9 3. This section does not apply to peace officers acting on  
3 10 official duty. This section also does not apply to the  
3 11 transportation of children in 1965 model year or older  
3 12 vehicles, authorized emergency vehicles, buses, or motor  
3 13 homes, except when a child is transported in a motor home's  
3 14 passenger seat situated directly to the driver's right. This  
3 15 section does not apply to the transportation of a child who  
3 16 has been certified by a physician licensed under chapter 148,  
3 17 150, or 150A as having a medical, physical, or mental  
3 18 condition that prevents or makes inadvisable securing the  
3 19 child in a child restraint system, safety belt, or safety  
3 20 harness.

3 21 4. An operator who violates ~~subsection 1 or 2~~ this section  
3 22 is guilty of a simple misdemeanor and subject to the penalty  
3 23 provisions of section 805.8A, subsection 14, paragraph "c".  
3 24 However, if a child is being transported in a taxicab in a  
3 25 manner that is not in compliance with ~~subsection 1 or 2~~ this  
3 26 section, the parent, legal guardian, or other responsible  
3 27 adult traveling with the child shall be served with a citation  
3 28 for a violation of this section in lieu of the taxicab  
3 29 operator.

3 30 5. A person who is first charged for a violation of  
3 31 subsection 1 and who has not purchased or otherwise acquired a  
3 32 child restraint system shall not be convicted if the person  
3 33 produces in court, within a reasonable time, proof that the  
3 34 person has purchased or otherwise acquired a child restraint  
3 35 system which meets federal motor vehicle safety standards.



Iowa General Assembly  
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House Study Bill 502 continued

4 1 6. Failure to use a child restraint system, safety belts,  
4 2 or safety harnesses as required by this section does not  
4 3 constitute negligence nor is the failure admissible as  
4 4 evidence in a civil action.

4 5 7. For purposes of this section, the following definitions  
4 6 apply:

4 7 a. ~~child~~ "Child restraint system" means a specially  
4 8 designed seating system, including a belt-positioning seat or  
4 9 a booster seat, that meets federal motor vehicle safety  
4 10 standards set forth in 49 C.F.R. } 571.213.

4 11 b. "Passenger securing location" means any area within the  
4 12 passenger compartment of a motor vehicle, other than the  
4 13 driver's seat, in which the manufacturer has installed a  
4 14 safety belt or safety harness.

4 15 Sec. 3. NEW SECTION. 321.447 MINOR PASSENGERS IN OPEN  
4 16 TRUCK BED.

4 17 1. Except as otherwise provided in this section, a person  
4 18 shall not operate a motor vehicle on a highway while  
4 19 transporting a passenger under eighteen years of age in an  
4 20 unenclosed area of the vehicle not intended for passenger  
4 21 seating, including but not limited to the open bed of a motor  
4 22 truck.

4 23 2. Except as otherwise provided in this section, a person  
4 24 under eighteen years of age shall not ride in an unenclosed  
4 25 area of a motor vehicle not intended for passenger seating,  
4 26 including but not limited to the open bed of a motor truck,  
4 27 while the vehicle is being operated on a highway.

4 28 3. Subsections 1 and 2 do not apply if the owner of the  
4 29 motor vehicle is a person engaged in farming or ranching and  
4 30 the vehicle is being operated within the boundaries of land  
4 31 that is owned or managed by the owner of the vehicle as a farm  
4 32 or ranch, including the incidental operation of the vehicle on  
4 33 a highway for the purpose of traveling not more than one mile  
4 34 from one part of the farm or ranch to another part of that  
4 35 farm or ranch.



Iowa General Assembly  
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House Study Bill 502 continued

5 1 4. Subsections 1 and 2 do not apply if the motor vehicle  
5 2 is being operated in a parade and the speed of the vehicle  
5 3 does not exceed eight miles per hour.

5 4 5. The operator and passengers in a motor vehicle may each  
5 5 be charged separately for a violation of this section. A  
5 6 violation of this section is a simple misdemeanor punishable  
5 7 as a scheduled violation under section 805.8A, subsection 14,  
5 8 paragraph "j".

5 9 Sec. 4. Section 805.8A, subsection 14, Code 2007, is  
5 10 amended by adding the following new paragraph:

5 11 NEW PARAGRAPH. j. PASSENGER SEATING VIOLATIONS. For a  
5 12 violation under section 321.447, subsection 1 or 2, the  
5 13 scheduled fine is twenty-five dollars.

5 14 EXPLANATION

5 15 This bill addresses safety requirements for transporting  
5 16 children in motor vehicles other than school buses and  
5 17 motorcycles. Under current law, a child who is under six  
5 18 years of age must be secured in a child restraint system. If  
5 19 the child is under one year of age and weighs less than 20  
5 20 pounds, the child restraint system must be rear-facing.

5 21 Children who are at least six but not more than 11 years of  
5 22 age are required to be secured by an approved child restraint  
5 23 system or by a safety belt or safety harness regardless of  
5 24 seating position. The bill extends that requirement to apply  
5 25 to all children from age six to under 18 years of age.

5 26 The bill provides that a person is not in violation of the  
5 27 child restraint requirements if the failure to secure one or  
5 28 more children is because the number of children under age 18  
5 29 being transported in the vehicle exceeds the number of  
5 30 suitable passenger securing locations, provided that all of  
5 31 those suitable locations are in use by children who are  
5 32 properly secured and as many of the children under six are  
5 33 secured in a child restraint system as the vehicle is designed  
5 34 to accommodate.

5 35 Pursuant to existing law, a motor vehicle operator who



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House Study Bill 502 continued

6 1 violates child restraint requirements commits a simple  
6 2 misdemeanor subject to a scheduled fine of \$25. However, such  
6 3 offenses are not considered for purposes of determining a  
6 4 habitual offender of motor vehicle laws.  
6 5     The bill prohibits the operator of a motor vehicle from  
6 6 transporting passengers who are under 18 years of age in an  
6 7 unenclosed area of the vehicle not intended for passenger  
6 8 seating, such as an open truck bed. The bill also prohibits  
6 9 persons under 18 years of age from riding in such an area of a  
6 10 motor vehicle. The bill makes an exception for a motor  
6 11 vehicle owned by a farmer or rancher when the vehicle is being  
6 12 driven on land owned or managed by the farmer or rancher or  
6 13 traveling on the highway between one part of the farm or ranch  
6 14 to another part of the farm or ranch for a distance of one  
6 15 mile or less. Another exception is allowed for a motor  
6 16 vehicle being operated at a speed of not more than eight miles  
6 17 per hour in a parade. The penalty for a violation is a simple  
6 18 misdemeanor, punishable by a scheduled fine of \$25. Both the  
6 19 driver and passengers may each be charged with a separate  
6 20 violation.  
6 21 LSB 5280HC 82  
6 22 dea/nh/8



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House Study Bill 503

HOUSE FILE  
BY (PROPOSED COMMITTEE ON  
EDUCATION BILL BY  
CHAIRPERSON WENDT)

Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved

Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

A BILL FOR

- 1 An Act relating to appointments to the college student aid
- 2 commission and including an effective date and applicability
- 3 provision.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 5 TLSB 5225HC 82
- 6 jp/rj/8



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House Study Bill 503 continued

PAG LIN

1 1 Section 1. Section 261.1, subsections 3 and 4, Code 2007,  
1 2 are amended to read as follows:  
1 3 3. a. ~~A member~~ Two members of the senate, one to be  
1 4 appointed by the president of the senate, after consultation  
~~1 5 with the majority leader and one to be appointed by the~~  
1 6 minority leader of the senate, to serve as an ex officio,  
~~1 7 nonvoting member for a term of four years beginning on July 1~~  
~~1 8 of the year of appointment members.~~  
1 9 b. ~~A member~~ Two members of the house of representatives,  
1 10 one to be appointed by the speaker of the house of  
1 11 representatives and one to be appointed by the minority leader  
1 12 of the house of representatives, to serve as an ex officio,  
1 13 nonvoting member for a term of four years beginning on July 1  
~~1 14 of the year of appointment members.~~  
1 15 c. The members of the senate and house of representatives  
1 16 shall serve at the pleasure of the appointing legislator for a  
1 17 term beginning upon the convening of the general assembly and  
1 18 expiring upon the convening of the following general assembly,  
1 19 or when the appointee's successor is appointed, whichever  
1 20 occurs later.  
1 21 Sec. 2. Section 261.1, subsection 5, unnumbered paragraph  
1 22 1, Code 2007, is amended to read as follows:  
1 23 Eight additional members to be appointed by the governor.  
1 24 One of the members shall be selected to represent private  
1 25 colleges, ~~private and~~ universities and private junior colleges  
1 26 located in the state of Iowa. When appointing this member,  
1 27 the governor shall give careful consideration to any person or  
1 28 persons nominated or recommended by any organization or  
1 29 association of some or all private colleges, private and  
1 30 universities and private junior colleges located in the state  
1 31 of Iowa. One of the members shall be selected to represent  
1 32 community colleges located in the state of Iowa. When  
1 33 appointing this member, the governor shall give careful  
1 34 consideration to any person or persons nominated or  
1 35 recommended by any organization or association of Iowa



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House Study Bill 503 continued

2 1 community colleges. One member shall be enrolled as a student  
2 2 at a board of regents institution, community college, or  
2 3 accredited private institution. One member shall be a  
2 4 representative of a lending institution located in this state.  
2 5 One member shall be a ~~representative of the Iowa student loan~~  
2 6 ~~liquidity corporation~~ an individual who is repaying or has  
2 7 repaid a student loan guaranteed by the commission. The other  
2 8 three members, none of whom shall be official board members or  
2 9 trustees of an institution of higher learning or of an  
2 10 association of institutions of higher learning, shall be  
2 11 selected to represent the general public.

2 12 Sec. 3. EFFECTIVE AND APPLICABILITY DATE.

2 13 1. This Act, being deemed of immediate importance, takes  
2 14 effect upon enactment.

2 15 2. The Act applies to members of the general assembly  
2 16 appointed to the college student aid commission before, on, or  
2 17 after the effective date of this Act.

2 18 3. The membership of the person who is the Iowa student  
2 19 loan liquidity corporation representative on the college  
2 20 student aid commission is terminated on the effective date of  
2 21 this Act. The term of the initial appointment of the  
2 22 individual who is repaying or repaid a student loan guaranteed  
2 23 by the commission shall expire on the date the term of the  
2 24 Iowa student loan liquidity corporation representative would  
2 25 have ended but for enactment of this Act.

2 26 EXPLANATION

2 27 This bill relates to appointments to the college student  
2 28 aid commission under Code section 261.1.

2 29 Current law provides for appointment of one member of the  
2 30 senate who is appointed by the president of the senate after  
2 31 consultation with the senate majority leader and minority  
2 32 leader and for appointment of one member of the house of  
2 33 representatives to be appointed by the speaker of the house of  
2 34 representatives. Current law provides for the legislative  
2 35 members to serve four-year terms beginning on July 1 of the



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House Study Bill 503 continued

3 1 year of appointment.

3 2 The bill increases the legislative members by one  
3 3 additional member from each chamber, specifying that the  
3 4 appointments are made by the current appointing authority and  
3 5 adding appointments by the minority leader of each chamber.  
3 6 The senate consultation requirement is deleted. The bill  
3 7 provides that the legislative appointees serve at the pleasure  
3 8 of the appointing legislator for terms beginning upon the  
3 9 convening of the general assembly and expiring upon the  
3 10 convening of the following general assembly or when the  
3 11 appointee's successor is appointed, whichever is later.

3 12 The bill takes effect upon enactment and applies to both  
3 13 the current and future appointments of members of the general  
3 14 assembly to the college student aid commission. The bill also  
3 15 replaces a membership slot designated for a representative of  
3 16 the Iowa student loan liquidity corporation with a slot for a  
3 17 person who is repaying or has repaid a student loan guaranteed  
3 18 by the commission. The bill provides that the initial term of  
3 19 the replacement member ends on the date the term of the  
3 20 corporation representative would have ended if the bill had  
3 21 not been enacted.

3 22 LSB 5225HC 82

3 23 jp/rj/8



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House Study Bill 504

HOUSE FILE  
BY (PROPOSED COMMITTEE ON  
HUMAN RESOURCES BILL BY  
CHAIRPERSON SMITH)

Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved

Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

A BILL FOR

1 An Act requiring the posting of a notice regarding the effects of  
2 alcohol on pregnant women and fetuses in the licensed premises  
3 of holders of liquor control, beer, and wine licenses or  
4 permits.  
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
6 TLSB 5089HC 82  
7 ec/nh/8



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House Study Bill 504 continued

PAG LIN

1 1 Section 1. NEW SECTION. 123.152 POSTING NOTICE ON  
1 2 EFFECTS OF ALCOHOL ON PREGNANT WOMEN AND FETUSES REQUIRED.  
1 3 A holder of a liquor control license, wine permit, or beer  
1 4 permit shall post in a prominent place in the licensed  
1 5 premises notice explaining the effects of the use of alcohol  
1 6 on pregnant women and fetuses. The size, print size,  
1 7 location, and content of the notice shall be established by  
1 8 rule of the division.

1 9 EXPLANATION

1 10 This bill requires holders of liquor control licenses, wine  
1 11 permits, or beer permits to post a notice in the licensed  
1 12 premises concerning the effects of alcohol on pregnant women  
1 13 and fetuses. The bill requires the alcoholic beverages  
1 14 division to adopt rules governing the size, location, and  
1 15 content of the notice. A violation of this section may be  
1 16 subject to sanction under Code section 123.39.  
1 17 LSB 5089HC 82  
1 18 ec/nh/8



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Senate File 2007 - Introduced

SENATE FILE  
BY BOLKCOM

Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved

Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

**A BILL FOR**

- 1 An Act providing for an exception to the maximum age for chiefs
- 2 of police and providing an effective date.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 5195XS 82
- 5 ec/rj/5



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Senate File 2007 - Introduced continued

PAG LIN

1 1 Section 1. Section 362.10, Code 2007, is amended to read  
1 2 as follows:  
1 3 362.10 POLICE OFFICERS AND FIRE FIGHTERS.  
1 4 The maximum age for a police officer, marshal, or fire  
1 5 fighter employed for police duty or the duty of fighting fires  
1 6 is sixty-five years of age. This section shall not apply to  
1 7 volunteer fire fighters or chiefs of police of cities not  
1 8 subject to the requirements of chapter 400.

1 9 Sec. 2. EFFECTIVE DATE. This Act, being deemed of  
1 10 immediate importance, takes effect upon enactment.

1 11 EXPLANATION

1 12 This bill provides that the maximum age limit of 65 for  
1 13 employment of city police officers, marshals, or fire fighters  
1 14 does not apply to chiefs of police of cities not subject to  
1 15 Code chapter 400, the city civil service law.

1 16 The bill takes effect upon enactment.

1 17 LSB 5195XS 82

1 18 ec/rj/5.1



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**Senate File 2008 - Introduced**

SENATE FILE  
BY BOLKCOM

Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved

Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

**A BILL FOR**

1 An Act relating to an agreement among the states to elect the  
2 president by national popular vote and providing an effective  
3 date.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
5 TLSB 5097SS 82  
6 sc/nh/14



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Senate File 2008 - Introduced continued

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1 1 Section 1. NEW SECTION. 54.10 SECTIONS SUPERSEDED.  
1 2 Section 54.11, if effective, is in lieu of the provisions  
1 3 of sections 54.1 through 54.3.  
1 4 Sec. 2. NEW SECTION. 54.11 AGREEMENT AMONG THE STATES TO  
1 5 ELECT THE PRESIDENT BY NATIONAL POPULAR VOTE.  
1 6 The agreement among the states to elect the president by  
1 7 national popular vote may be cited as the "National Popular  
1 8 Vote Compact". The national popular vote compact is entered  
1 9 into and enacted into law with each other state that has  
1 10 enacted the compact in substantially the following form:  
1 11 1. ARTICLE I == MEMBERSHIP. Any state of the United  
1 12 States and the District of Columbia may become a member of  
1 13 this agreement by enacting this agreement.  
1 14 2. ARTICLE II == RIGHT OF THE PEOPLE IN MEMBER STATES TO  
1 15 VOTE FOR PRESIDENT AND VICE PRESIDENT. Each member state  
1 16 shall conduct a statewide popular election for president and  
1 17 vice president of the United States.  
1 18 3. ARTICLE III == MANNER OF APPOINTING PRESIDENTIAL  
1 19 ELECTORS IN MEMBER STATES.  
1 20 a. Prior to the time set by law for the meeting and voting  
1 21 by the presidential electors, the chief election official of  
1 22 each member state shall determine the number of votes for each  
1 23 presidential slate in each state of the United States and in  
1 24 the District of Columbia in which votes have been cast in a  
1 25 statewide popular election and shall add such votes together  
1 26 to produce a "national popular vote total" for each  
1 27 presidential slate.  
1 28 The chief election official of each member state shall  
1 29 designate the presidential slate with the largest national  
1 30 popular vote total as the "national popular vote winner".  
1 31 The presidential elector certifying official of each member  
1 32 state shall certify the appointment in that official's own  
1 33 state of the elector slate nominated in that state in  
1 34 association with the national popular vote winner.  
1 35 b. At least six days before the day fixed by law for the



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2 1 meeting and voting by the presidential electors, each member  
2 2 state shall make a final determination of the number of  
2 3 popular votes cast in the state for each presidential slate  
2 4 and shall communicate an official statement of such  
2 5 determination within twenty-four hours to the chief election  
2 6 official of each other member state.  
2 7     The chief election official of each member state shall  
2 8 treat as conclusive an official statement containing the  
2 9 number of popular votes in a state for each presidential slate  
2 10 made by the day established by federal law for making a  
2 11 state's final determination conclusive as to the counting of  
2 12 electoral votes by Congress.  
2 13     c. In event of a tie for the national popular vote winner,  
2 14 the presidential elector certifying official of each member  
2 15 state shall certify the appointment of the elector slate  
2 16 nominated in association with the presidential slate receiving  
2 17 the largest number of popular votes within that official's own  
2 18 state.  
2 19     d. If, for any reason, the number of presidential electors  
2 20 nominated in a member state in association with the national  
2 21 popular vote winner is less than or greater than that state's  
2 22 number of electoral votes, the presidential candidate on the  
2 23 presidential slate that has been designated as the national  
2 24 popular vote winner shall have the power to nominate the  
2 25 presidential electors for that state and that state's  
2 26 presidential elector certifying official shall certify the  
2 27 appointment of such nominees. The chief election official of  
2 28 each member state shall immediately release to the public all  
2 29 vote counts or statements of votes as they are determined or  
2 30 obtained.  
2 31     e. This article shall govern the appointment of  
2 32 presidential electors in each member state in any year in  
2 33 which this agreement is, on July 20, in effect in states  
2 34 cumulatively possessing a majority of the electoral votes.  
2 35     4. ARTICLE IV == OTHER PROVISIONS.



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- 3 1 a. This agreement shall take effect when states  
3 2 cumulatively possessing a majority of the electoral votes have  
3 3 enacted this agreement in substantially the same form and the  
3 4 enactments by such states have taken effect in each state.
- 3 5 b. Any member state may withdraw from this agreement,  
3 6 except that a withdrawal occurring six months or less before  
3 7 the end of a president's term shall not become effective until  
3 8 a president or vice president shall have been qualified to  
3 9 serve the next term.
- 3 10 c. The chief executive of each member state shall promptly  
3 11 notify the chief executives of all other states of when this  
3 12 agreement has been enacted and has taken effect in that  
3 13 official's state, when the state has withdrawn from this  
3 14 agreement, and when this agreement takes effect generally.
- 3 15 d. This agreement shall terminate if the electoral college  
3 16 is abolished.
- 3 17 e. If any provision of this agreement is held invalid, the  
3 18 remaining provisions shall not be affected.
- 3 19 5. ARTICLE V == DEFINITIONS. For purposes of this  
3 20 agreement:
- 3 21 a. "Chief election official" shall mean the state official  
3 22 or body that is authorized to certify the total number of  
3 23 popular votes for each presidential slate.
- 3 24 b. "Chief executive" shall mean the governor of a state of  
3 25 the United States or the mayor of the District of Columbia.
- 3 26 c. "Elector slate" shall mean a slate of candidates who  
3 27 have been nominated in a state for the position of  
3 28 presidential elector in association with a presidential slate.
- 3 29 d. "Presidential elector" shall mean an elector for  
3 30 president and vice president of the United States.
- 3 31 e. "Presidential elector certifying official" shall mean  
3 32 the state official or body that is authorized to certify the  
3 33 appointment of the state's presidential electors.
- 3 34 f. "Presidential slate" shall mean a slate of two persons,  
3 35 the first of whom has been nominated as a candidate for



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4 1 president of the United States and the second of whom has been  
4 2 nominated as a candidate for vice president of the United  
4 3 States, or any legal successors to such persons, regardless of  
4 4 whether both names appear on the ballot presented to the voter  
4 5 in a particular state.

4 6 g. "State" shall mean a state of the United States and the  
4 7 District of Columbia.

4 8 h. "Statewide popular election" shall mean a general  
4 9 election in which votes are cast for presidential slates by  
4 10 individual voters and counted on a statewide basis.

4 11 EXPLANATION

4 12 This bill creates a compact for the state of Iowa whereby  
4 13 the state agrees to certify its electors for president of the  
4 14 United States based on the national popular vote for  
4 15 president, rather than on the popular vote for president  
4 16 within the state. The agreement is cited in the bill as the  
4 17 "National Popular Vote Compact". To take effect, the compact  
4 18 must be enacted by any number of states whose electoral votes,  
4 19 in the aggregate, constitute a majority of the entire number  
4 20 of electoral votes nationally. The compact provides that any  
4 21 member state may withdraw from the compact. However, if a  
4 22 withdrawal occurs six months or less before the end of a  
4 23 president's term, the withdrawal shall not take effect until a  
4 24 president has qualified to serve the next term.

4 25 LSB 5097SS 82

4 26 sc/nh/14



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**Senate File 2009 - Introduced**

SENATE FILE  
BY HANCOCK

Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved

Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

**A BILL FOR**

- 1 An Act relating to the eligibility of motor vehicle owners to
- 2 obtain fire fighter registration plates.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 5244SS 82
- 5 md/nh/8



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Senate File 2009 - Introduced continued

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1 1 Section 1. Section 321.34, subsection 10, Code Supplement  
1 2 2007, is amended to read as follows:

1 3 10. FIRE FIGHTER PLATES.

1 4 a. The department may issue the special registration  
1 5 plates authorized by this section in any of the following  
1 6 circumstances:

1 7 (1) An owner referred to in subsection 12 who is a current  
1 8 or retired member of a paid or volunteer fire department may,  
1 9 upon written application to the department, order special  
1 10 registration plates, designed by the department in cooperation  
1 11 with representatives designated by the Iowa fire fighters'  
1 12 associations, which signify that the applicant is a current or  
1 13 retired member of a paid or volunteer fire department.

1 14 (2) An owner referred to in subsection 12 that is a  
1 15 corporation, business trust, partnership, limited liability  
1 16 company, or other form of business entity may, upon written  
1 17 application to the department, order special registration  
1 18 plates, designed by the department in cooperation with  
1 19 representatives designated by the Iowa fire fighters'  
1 20 associations, if the motor vehicle utilizing the special  
1 21 registration plates is operated primarily by an employee,  
1 22 partner, or officer of the entity who is a current or retired  
1 23 member of a paid or volunteer fire department.

1 24 b. The application shall be approved by the department in  
1 25 consultation with representatives designated by the Iowa fire  
1 26 fighters' associations, and the special registration plates  
1 27 shall be issued to the applicant in exchange for the  
1 28 registration plates previously issued to the ~~person~~ motor  
1 29 vehicle owner. The fee for the special plates is twenty-five  
1 30 dollars which shall be paid in addition to the regular annual  
1 31 registration fee. The department shall validate the special  
1 32 plates in the same manner as regular registration plates are  
1 33 validated under this section at the regular annual  
1 34 registration fee.

1 35 c. The special fees collected by the director under this



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2 1 subsection shall be paid monthly to the treasurer of state and  
2 2 credited to the road use tax fund. Notwithstanding section  
2 3 423.43, and prior to the crediting of revenues to the road use  
2 4 tax fund under section 423.43, subsection 1, paragraph "b",  
2 5 the treasurer of state shall transfer monthly from those  
2 6 revenues to the Paul Ryan memorial fire fighter safety  
2 7 training fund created pursuant to section 100B.12 the amount  
2 8 of the special fees collected in the previous month for the  
2 9 fire fighter plates.

2 10 d. For purposes of this subsection, a person is considered  
2 11 to be retired if the person is recognized by the chief of the  
2 12 fire department where the individual served, and on record, as  
2 13 officially retired from the fire department.

2 14 e. Special registration plates with a fire fighter emblem  
2 15 shall be surrendered, as provided in subsection 12, in  
2 16 exchange for regular registration plates ~~upon termination of~~  
2 17 ~~the if any of the following occur:~~

2 18 (1) The motor vehicle owner's membership in the paid or  
2 19 volunteer fire department is terminated, unless the person is  
2 20 a retired member in good standing.

2 21 (2) The motor vehicle for which the special registration  
2 22 plates were issued pursuant to paragraph "a", subparagraph  
2 23 (2), is no longer primarily operated by an employee, partner,  
2 24 or officer of the owner entity who is a current or retired  
2 25 member of a paid or volunteer fire department.

2 26 EXPLANATION

2 27 Under current Code section 321.34, only motor vehicle  
2 28 owners who are current or retired members of a paid or  
2 29 volunteer fire department may, upon written application to the  
2 30 department, order fire fighter special registration plates.  
2 31 This bill allows a motor vehicle owner that is a corporation,  
2 32 business trust, partnership, limited liability company, or  
2 33 other form of business entity to apply for fire fighter  
2 34 special registration plates if the vehicle utilizing the  
2 35 special registration plates is operated primarily by an



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3 1 employee, partner, or officer of the entity who is a current  
3 2 or retired member of a paid or volunteer fire department.  
3 3 The bill adds additional circumstances under which the fire  
3 4 fighter special registration plates must be surrendered by the  
3 5 motor vehicle owner. Fire fighter special registration plates  
3 6 issued to an owner that is a corporation, business trust,  
3 7 partnership, limited liability company, or other form of  
3 8 business entity must be surrendered if the motor vehicle is no  
3 9 longer primarily operated by an employee, partner, or officer  
3 10 of the owner entity who is a current or retired member of a  
3 11 paid or volunteer fire department.  
3 12 LSB 5244SS 82  
3 13 md/nh/8



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**Senate File 2010 - Introduced**

SENATE FILE  
BY HANCOCK

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays  
Approved

**A BILL FOR**

- 1 An Act relating to a peace officer carrying a weapon while making
- 2 a court appearance.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 5588XS 82
- 5 jm/nh/5



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Senate File 2010 - Introduced continued

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1 1 Section 1. NEW SECTION. 724.6A OFFICIAL DUTIES == COURT  
1 2 APPEARANCES.

1 3 A peace officer shall be permitted to carry a weapon while  
1 4 making a court appearance if in the performance of official  
1 5 duties.

1 6 EXPLANATION

1 7 This bill provides that a peace officer shall be permitted  
1 8 to carry a weapon while making a court appearance if in the  
1 9 performance of official duties.

1 10 LSB 5588XS 82

1 11 jm/nh/5



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Senate File 2011 - Introduced

SENATE FILE  
BY PUTNEY

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays  
Approved

A BILL FOR

1 An Act requiring proof of financial liability coverage upon  
2 application for a certificate of title and providing  
3 penalties.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
5 TLSB 5171XS 82  
6 md/nh/5



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Senate File 2011 - Introduced continued

PAG LIN

1 1 Section 1. Section 321.20, subsection 1, Code 2007, is  
1 2 amended by adding the following new paragraph:  
1 3 NEW PARAGRAPH. g. A statement of the applicant certifying  
1 4 that financial liability coverage is in effect for the motor  
1 5 vehicle as required by section 321.21. The applicant shall  
1 6 also provide a description of the financial liability coverage  
1 7 as noted on the proof of financial liability coverage card  
1 8 issued for the motor vehicle.

1 9 Sec. 2. NEW SECTION. 321.21 PROOF OF FINANCIAL LIABILITY  
1 10 COVERAGE REQUIRED FOR ISSUANCE OF MOTOR VEHICLE TITLE ==  
1 11 PENALTIES.

1 12 1. A motor vehicle shall not be titled unless financial  
1 13 liability coverage is in effect for the motor vehicle at the  
1 14 time the application for the certificate of title is  
1 15 submitted. This section shall apply to all certificates of  
1 16 title issued by the department or by a county treasurer,  
1 17 including but not limited to amended, modified, or replacement  
1 18 certificates of title.

1 19 2. The owner of the motor vehicle shall provide a  
1 20 description of the financial liability coverage as noted on  
1 21 the proof of financial liability coverage card issued for the  
1 22 motor vehicle as provided in section 321.20, subsection 1.  
1 23 The department may require that the owner's insurance company  
1 24 verify that the financial liability coverage is in effect for  
1 25 the motor vehicle at the time of application for certificate  
1 26 of title.

1 27 3. A person who falsely certifies as to financial  
1 28 liability coverage required under this section commits a  
1 29 simple misdemeanor.

1 30 Sec. 3. Section 321.30, subsection 1, Code Supplement  
1 31 2007, is amended by adding the following new paragraph:

1 32 NEW PARAGRAPH. m. If the owner does not provide  
1 33 satisfactory proof that financial liability coverage is in  
1 34 effect for the motor vehicle as required by section 321.21.

1 35 EXPLANATION



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Senate File 2011 - Introduced continued

2 1 This bill requires an applicant for a motor vehicle  
2 2 certificate of title to provide proof that financial liability  
2 3 coverage is in effect for the motor vehicle at the time the  
2 4 application for certificate of title is submitted. The  
2 5 applicant must also provide a description of the financial  
2 6 liability coverage as noted on the proof of financial  
2 7 liability coverage card issued for the motor vehicle. The  
2 8 financial liability coverage must meet the definitional  
2 9 requirements under Code section 321.1, subsection 24B.

2 10 The department of transportation or the county treasurer  
2 11 shall refuse to issue the certificate of title if proof of  
2 12 financial liability coverage is insufficient in the  
2 13 application. The financial liability coverage requirement of  
2 14 new Code section 321.21 applies to all certificates of title  
2 15 issued by the department or by a county treasurer, including  
2 16 but not limited to amended, modified, or replacement  
2 17 certificates of title.

2 18 The bill provides that the owner of a motor vehicle commits  
2 19 a simple misdemeanor if the owner falsely certifies as to  
2 20 financial liability coverage required for the issuance of a  
2 21 certificate of title. A simple misdemeanor is punishable by  
2 22 confinement for no more than 30 days and a fine of at least  
2 23 \$65 but not more than \$625, or both.

2 24 LSB 5171XS 82

2 25 md/nh/5



Iowa General Assembly  
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**Senate File 2012 - Introduced**

SENATE FILE  
BY RIELLY

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

**A BILL FOR**

- 1 An relating to notices regarding the disposition of seized
- 2 property and providing an effective date.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 5686XS 82
- 5 jm/rj/14



Iowa General Assembly  
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Senate File 2012 - Introduced continued

PAG LIN

1 1 Section 1. Section 809.5, subsection 1, paragraph a, Code  
1 2 Supplement 2007, is amended to read as follows:

1 3 a. ~~The~~ If the value of the property is in excess of fifty  
1 4 dollars, the seizing agency shall send notice by restricted  
1 5 certified mail, return receipt requested, to the last known  
1 6 address of any person having an ownership or possessory right  
1 7 in the property stating that the property must be claimed  
1 8 within thirty days from the date of receipt of the notice.  
1 9 Refusal of restricted certified mail, return receipt  
1 10 requested, shall be construed as receipt of the notice. ~~Such~~  
1 11 The notice shall state that if no written claim for the  
1 12 property is filed with the seizing agency within thirty days  
1 13 from the date of receipt of the notice, the property shall be  
1 14 deemed abandoned and disposed of accordingly.

1 15 b. If the value of the property is equal to or less than  
1 16 fifty dollars, the seizing agency shall send notice by regular  
1 17 mail to the last known address of any person having an  
1 18 ownership or possessory right in the property stating that the  
1 19 property must be claimed within thirty days from the date of  
1 20 receipt of the notice. The notice shall state that if no  
1 21 written claim for the property is filed with the seizing  
1 22 agency within thirty days after the date of the mailing of the  
1 23 notice, the property shall be deemed abandoned and disposed of  
1 24 accordingly.

1 25 Sec. 2. EFFECTIVE DATE. This Act, being deemed of  
1 26 immediate importance, takes effect upon enactment.

1 27 EXPLANATION

1 28 This bill relates to the disposition of seized property.  
1 29 The bill provides that if seized property is equal to or less  
1 30 than \$50 in value, the seizing agency shall send notice by  
1 31 regular mail to the last known address of any person having an  
1 32 ownership or possessory right in the seized property. The  
1 33 bill provides that the notice shall state that if no written  
1 34 claim for the property is filed with the seizing agency within  
1 35 30 days after the date of mailing the notice, the property



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Senate File 2012 - Introduced continued

2 1 shall be deemed abandoned.  
2 2 Current law requires the seizing agency to send the notice  
2 3 by restricted certified mail, return receipt requested,  
2 4 regardless of the value of the seized property.  
2 5 The bill takes effect upon enactment.  
2 6 LSB 5686XS 82  
2 7 jm/rj/14



Iowa General Assembly  
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Senate Study Bill 3005

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 5326XD 82
- 5 kh/nh/14



Iowa General Assembly  
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Senate Study Bill 3005 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 299A.8, Code Supplement 2007, is amended  
1 12 to read as follows:  
1 13 299A.8 DUAL ENROLLMENT.  
1 14 If a parent, guardian, or legal custodian of a child who is  
1 15 receiving competent private instruction under this chapter ~~or~~  
~~1 16 a child over compulsory age who is receiving private~~  
~~1 17 instruction~~ submits a request, the child shall also be  
1 18 registered in a public school for dual enrollment purposes.  
1 19 If the child is enrolled in a public school district for dual  
1 20 enrollment purposes, the child shall be permitted to  
1 21 participate in any academic activities in the district and  
1 22 shall also be permitted to participate on the same basis as  
1 23 public school children in any extracurricular activities  
1 24 available to children in the child's grade or group, and the  
1 25 parent, guardian, or legal custodian shall not be required to  
1 26 pay the costs of any annual evaluation under this chapter. If  
1 27 the child is enrolled for dual enrollment purposes, the child  
1 28 shall be included in the public school's basic enrollment  
1 29 under section 257.6. A pupil who is participating only in  
1 30 extracurricular activities shall be counted under section  
1 31 257.6, subsection 1, paragraph "a", subparagraph (6). A pupil  
1 32 enrolled in grades nine through twelve under this section  
1 33 shall be counted in the same manner as a shared-time pupil  
1 34 under section 257.6, subsection 1, paragraph "a", subparagraph  
1 35 (3).





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**Senate Study Bill 3006**

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

Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved

Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

**A BILL FOR**

- 1 An Act relating to the membership requirements and oversight
- 2 responsibilities of the board of educational examiners.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 5321DP 82
- 5 kh/rj/8



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Senate Study Bill 3006 continued

PAG LIN

1 1 Section 1. Section 272.1, subsection 7, Code 2007, is  
1 2 amended to read as follows:

1 3 7. "Practitioner" means an administrator, teacher, or  
1 4 other licensed professional ~~who does not hold or receive a~~  
~~1 5 license from a professional licensing board other than the~~  
~~1 6 board of educational examiners and, including an individual~~  
1 7 who holds a statement of professional recognition, who  
1 8 provides educational assistance to students.

1 9 Sec. 2. Section 272.2, subsection 1, paragraph a, Code  
1 10 Supplement 2007, is amended to read as follows:

1 11 a. License practitioners ~~who do not hold or receive a~~  
~~1 12 license from another professional licensing board. Licensing~~  
~~1 13 authority, which includes the authority to establish criteria~~  
1 14 for the licenses; establish issuance and renewal requirements;  
1 15 create application and renewal forms; create licenses that  
1 16 authorize different instructional functions or specialties;  
1 17 develop a code of professional rights and responsibilities,  
1 18 practices, and ethics, which shall, among other things,  
1 19 address the failure of a practitioner to fulfill contractual  
1 20 obligations under section 279.13; and develop any other  
1 21 classifications, distinctions, and procedures which may be  
1 22 necessary to exercise licensing duties. In addressing the  
1 23 failure of a practitioner to fulfill contractual obligations,  
1 24 the board shall consider factors beyond the practitioner's  
1 25 control.

1 26 Sec. 3. Section 272.3, subsection 2, Code Supplement 2007,  
1 27 is amended to read as follows:

1 28 2. A majority of the licensed practitioner members shall  
1 29 be nonadministrative practitioners. Four of the members shall  
1 30 be administrators. Membership of the board shall comply with  
1 31 the requirements of sections 69.16 and 69.16A. A quorum of  
1 32 the board shall consist of six members. Members shall elect a  
1 33 chairperson of the board. Members, except for the director of  
1 34 the department of education or the director's designee, shall  
1 35 be appointed by the governor subject to confirmation by the



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Senate Study Bill 3006 continued

2 1 senate.

2 2 Sec. 4. Section 272.4, subsection 1, unnumbered paragraph  
2 3 1, Code Supplement 2007, is amended to read as follows:

2 4 Members, except for the director of the department of  
2 5 education or the director's designee, shall be appointed to  
2 6 serve staggered terms of four years. A member shall not serve  
2 7 more than two consecutive terms, except for the director of  
2 8 the department of education or the director's designee, who  
2 9 shall serve until the director's term of office expires. A  
2 10 member of the board, except for the two public members and the  
2 11 director of the department of education or the director's  
2 12 designee, shall hold a valid practitioner's license during the  
2 13 member's term of office. A vacancy exists when any of the  
2 14 following occur:

2 15 Sec. 5. Section 272.9, unnumbered paragraph 3, Code 2007,  
2 16 is amended by striking the unnumbered paragraph.

2 17 EXPLANATION

2 18 This bill makes changes to the Code chapter administered by  
2 19 the board of educational examiners.

2 20 The bill removes a restriction in the definition of  
2 21 practitioner which excludes an individual from holding or  
2 22 receiving a license from a professional licensing board other  
2 23 than the board of educational examiners, and adds that the  
2 24 term "practitioner" may include a licensed individual who  
2 25 holds a statement of professional recognition.

2 26 The bill establishes that the director of the department of  
2 27 education or the director's designee, as a member of the  
2 28 board, like the public members, is exempt from the requirement  
2 29 that members hold a valid practitioner's license during the  
2 30 member's term of office.

2 31 Finally, the bill eliminates language which permitted a  
2 32 professional development program provided by a school district  
2 33 and approved by the state board of education before July 1,  
2 34 1989, to continue until the term, for which the program was  
2 35 approved, expires.



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Senate Study Bill 3006 continued

3 1 LSB 5321DP 82  
3 2 kh/rj/8.1



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Senate Study Bill 3007

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 voluntary or court-ordered school
- 2 desegregation plans under the state's open enrollment law.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 5331XD 82
- 5 kh/rj/24



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Senate Study Bill 3007 continued

PAG LIN

1 1 Section 1. Section 282.18, subsection 3, Code 2007, is  
1 2 amended to read as follows:  
1 3 3. ~~In all districts involved with voluntary or~~  
~~1 4 court-ordered desegregation, minority and nonminority pupil~~  
~~1 5 ratios shall be maintained according to the desegregation plan~~  
~~1 6 or order.~~ The superintendent of a district subject to a  
1 7 voluntary or court-ordered desegregation plan, as recognized  
1 8 by rule of the state board of education, may deny a request  
1 9 for transfer under this section if the superintendent finds  
1 10 that enrollment or release of a pupil will adversely affect  
1 11 the district's implementation of the desegregation ~~order or~~  
1 12 plan, unless the transfer is requested by a pupil whose  
1 13 sibling is already participating in open enrollment to another  
1 14 district, or unless the request for transfer is submitted to  
1 15 the district in a timely manner as required under subsection 2  
1 16 prior to the adoption of a desegregation plan by the district.  
1 17 If a transfer request would facilitate a voluntary or  
1 18 court-ordered desegregation plan, the district shall give  
1 19 priority to granting the request over other requests.  
1 20 A parent or guardian, whose request has been denied because  
1 21 of a desegregation ~~order or~~ plan, may appeal the decision of  
1 22 the superintendent to the board of the district in which the  
1 23 request was denied. The board may either uphold or overturn  
1 24 the superintendent's decision. A decision of the board to  
1 25 uphold the denial of the request is subject to appeal to the  
1 26 district court in the county in which the primary business  
1 27 office of the district is located. ~~By July 1, 2004, the~~ The  
1 28 state board of education shall adopt rules establishing  
1 29 definitions, guidelines, and a review process for school  
1 30 districts that adopt voluntary desegregation plans. The  
1 31 guidelines shall include criteria and standards that school  
1 32 districts must follow when developing a voluntary  
1 33 desegregation plan. The department of education shall provide  
1 34 technical assistance to a school district that is seeking to  
1 35 adopt a voluntary desegregation plan. A school district



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Senate Study Bill 3007 continued

2 1 implementing a voluntary desegregation plan prior to July 1,  
2 2 ~~2004~~ 2008, shall have until July 1, ~~2006~~ 2009, to comply with  
2 3 guidelines adopted by the state board pursuant to this  
2 4 section.

2 5 EXPLANATION

2 6 This bill eliminates a reference to minority and  
2 7 nonminority pupil ratios maintained according to a  
2 8 desegregation plan or order under the state's open enrollment  
2 9 law. The bill requires that the state board of education  
2 10 adopt administrative rules establishing definitions,  
2 11 guidelines, and a review process for voluntary desegregation  
2 12 plans, and gives school districts implementing a plan prior to  
2 13 July 1, 2008, until July 1, 2009, to comply with the new  
2 14 guidelines adopted by the state board. The bill also requires  
2 15 departmental rules to recognize court-ordered desegregation  
2 16 plans.

2 17 The bill is drafted in response to the U.S. Supreme Court's  
2 18 decision in Parents Involved in Community Schools v. Seattle  
2 19 School District No. 1 et al., No. 05=908, (together with  
2 20 Meredith, Custodial Parent and Next Friend of McDonald v.  
2 21 Jefferson County Bd. of Ed et al., No. 05=915,) decided June  
2 22 28, 2007. In its decision, the court stated that the court  
2 23 has condemned as illegitimate a plan whose objective is  
2 24 directed only to racial imbalance, without "any pedagogic  
2 25 concept of the level of diversity needed to attain the  
2 26 asserted educational benefits." The court reiterated that it  
2 27 is permissible to "consider the school's racial makeup" as one  
2 28 aspect in adopting "general policies to encourage a diverse  
2 29 student body." The court offered a number of measures which  
2 30 may be used to offer equal educational opportunity to all.

2 31

2 32 LSB 5331XD 82

2 33 kh/rj/24



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**Senate Study Bill 3008**

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 student achievement and teacher quality
- 2 program definitions and requirements and extending or changing
- 3 program allocations.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 5 TLSB 5334XD 82
- 6 kh/rj/8



Iowa General Assembly  
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Senate Study Bill 3008 continued

PAG LIN

1 1 Section 1. Section 256.44, subsection 1, paragraph a, Code  
1 2 Supplement 2007, is amended to read as follows:  
1 3 a. ~~If a teacher registers for national board for~~  
~~1 4 professional teaching standards certification by December 31,~~  
~~1 5 2007, a~~ A one-time initial reimbursement award in the amount  
1 6 of up to one-half of the registration fee paid by the teacher  
1 7 for registration for certification by the national board for  
1 8 professional teaching standards. The teacher shall apply to  
1 9 the department within one year of registration, submitting to  
1 10 the department any documentation the department requires. A  
1 11 teacher who receives an initial reimbursement award shall  
1 12 receive a one-time final registration award in the amount of  
1 13 the remaining national board registration fee paid by the  
1 14 teacher if the teacher notifies the department of the  
1 15 teacher's certification achievement and submits any  
1 16 documentation requested by the department.  
1 17 Sec. 2. Section 256.44, subsection 1, paragraph b,  
1 18 subparagraph (2), unnumbered paragraph 1, Code Supplement  
1 19 2007, is amended to read as follows:  
1 20 ~~If the teacher registers for national board for~~  
~~1 21 professional teaching standards certification between January~~  
~~1 22 1, 1999, and December 31, 2007, and achieves certification~~  
~~1 23 within the timelines and policies established by the national~~  
~~1 24 board for professional teaching standards, an~~ An annual award  
1 25 in the amount of two thousand five hundred dollars upon  
1 26 achieving certification by the national board of professional  
1 27 teaching standards if the teacher achieves certification  
1 28 within the timelines and policies established by the national  
1 29 board for professional teaching standards.  
1 30 Sec. 3. Section 256.44, subsection 6, Code Supplement  
1 31 2007, is amended by striking the subsection.  
1 32 Sec. 4. Section 282.10, subsection 4, Code 2007, is  
1 33 amended to read as follows:  
1 34 4. A whole grade sharing agreement shall be signed by the  
1 35 boards of the districts involved in the agreement not later



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Senate Study Bill 3008 continued

2 1 than February 1 of the school year preceding the school year  
2 2 for which the agreement is to take effect. The boards of the  
2 3 districts shall negotiate as part of the agreement the  
2 4 disposition teacher quality compensation funding provided  
2 5 under chapter 284.

2 6 Sec. 5. Section 284.2, subsection 11, Code Supplement  
2 7 2007, is amended to read as follows:

2 8 11. "Teacher" means an individual who holds a  
2 9 practitioner's license issued under chapter 272, or a  
2 10 statement of professional recognition issued under chapter 272  
2 11 who is employed in a nonadministrative position by a school  
2 12 district or area education agency pursuant to a contract  
2 13 issued by a board of directors under section 279.13. A  
2 14 teacher may be employed in both an administrative and a  
2 15 nonadministrative position by a board of directors and shall  
2 16 be considered a part-time teacher for the portion of time that  
2 17 the teacher is employed in a nonadministrative position.  
2 18 ~~"Teacher" includes a licensed individual employed on a less~~  
~~2 19 than full-time basis by a school district through a contract~~  
~~2 20 between the school district and an institution of higher~~  
~~2 21 education with a practitioner preparation program in which the~~  
~~2 22 licensed teacher is enrolled.~~

2 23 Sec. 6. Section 284.7, subsection 1, paragraph a,  
2 24 subparagraph (2), Code Supplement 2007, is amended to read as  
2 25 follows:

2 26 (2) Beginning July 1, ~~2007~~ 2008, the minimum salary for a  
2 27 beginning teacher shall be ~~twenty-six~~ twenty-eight thousand  
2 28 ~~five hundred~~ dollars.

2 29 Sec. 7. Section 284.7, subsection 1, paragraph b,  
2 30 subparagraph (2), Code Supplement 2007, is amended to read as  
2 31 follows:

2 32 (2) Beginning July 1, ~~2007~~ 2008, the minimum salary for a  
2 33 first-year career teacher shall be ~~twenty-seven~~ thirty  
2 34 thousand ~~five hundred~~ dollars ~~and the minimum salary for all~~  
~~2 35 other career teachers shall be twenty-eight thousand five~~



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~~Senate Study Bill 3008 continued~~

~~3 1 hundred dollars.~~

3 2 Sec. 8. Section 284.7, subsection 5, paragraph b, Code  
3 3 Supplement 2007, is amended to read as follows:

3 4 b. If, once the minimum salary requirements of this  
3 5 section have been met by the school district or area education  
3 6 agency, and the school district or area education agency  
3 7 receiving funds pursuant to section 284.13, subsection 1,  
3 8 paragraph "h" or "i", for purposes of this section, and the  
3 9 certified bargaining representative for the licensed employees  
3 10 have not reached an agreement for distribution of the funds  
3 11 remaining, in accordance with paragraph "a", the board of  
3 12 directors shall divide the funds remaining among full-time  
3 13 teachers employed by the district or area education agency  
3 14 whose regular compensation is equal to or greater than the  
3 15 minimum salary specified in this section. The payment amount  
3 16 for teachers employed on less than a full-time basis shall be  
3 17 prorated. For purposes of this paragraph, regular  
3 18 compensation means base salary plus any salary provided under  
3 19 chapter 294A.

3 20 Sec. 9. Section 284.8, subsection 1, Code Supplement 2007,  
3 21 is amended to read as follows:

3 22 1. A school district shall review a teacher's performance  
3 23 at least once every three years for purposes of assisting  
3 24 teachers in making continuous improvement, documenting  
3 25 continued competence in the Iowa teaching standards,  
3 26 identifying teachers in need of improvement, or to determine  
3 27 whether the teacher's practice meets school district  
3 28 expectations for career advancement in accordance with section  
3 29 284.7. The review shall include, at minimum, classroom  
3 30 observation of the teacher, the teacher's progress, and  
3 31 implementation of the teacher's individual professional  
3 32 development plan, subject to the level of funding resources  
3 33 provided to implement the plan; and shall include supporting  
3 34 documentation from parents, students, and other evaluators,  
3 35 teachers, parents, and students.



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Senate Study Bill 3008 continued

4 1 Sec. 10. Section 284.13, subsection 1, paragraphs a and b,  
4 2 Code Supplement 2007, are amended to read as follows:

4 3 a. For ~~each~~ the fiscal year ~~of the fiscal period~~ beginning  
4 4 July 1, ~~2007~~ 2008, and ending June 30, 2009, to the department  
4 5 of education, the amount of ~~one~~ two million eighty-seven two  
4 6 thousand five hundred dollars for the issuance of national  
4 7 board certification awards in accordance with section 256.44.

4 8 ~~(1)~~ Of the amount allocated under this paragraph "a", up  
4 9 to two hundred fifty thousand dollars may be used to support  
4 10 the implementation of a national board certification support  
4 11 program and not less than eighty-five thousand dollars shall  
4 12 be used to administer the ambassador to education position in  
4 13 accordance with section 256.45.

4 14 ~~(2) Of the amount allocated under this paragraph "a", for~~  
4 15 ~~the fiscal year beginning July 1, 2007, and ending June 30,~~  
4 16 ~~2008, not less than one million dollars shall be used to~~  
4 17 ~~supplement the allocation of funds for market factor teacher~~  
4 18 ~~incentives made pursuant to paragraph "f", subparagraph (1).~~

4 19 b. For the fiscal year beginning July 1, ~~2006~~ 2008, and  
4 20 succeeding fiscal years, an amount up to four million six  
4 21 hundred fifty thousand dollars for first-year and second-year  
4 22 beginning teachers, to the department of education for  
4 23 distribution to school districts and area education agencies  
4 24 for purposes of the beginning teacher mentoring and induction  
4 25 programs. A school district or area education agency shall  
4 26 receive one thousand ~~three~~ five hundred dollars per beginning  
4 27 teacher participating in the program. If the funds  
4 28 appropriated for the program are insufficient to pay mentors,  
4 29 school districts, and area education agencies as provided in  
4 30 this paragraph, the department shall prorate the amount  
4 31 distributed to school districts and area education agencies  
4 32 based upon the amount appropriated. Moneys received by a  
4 33 school district or area education agency pursuant to this  
4 34 paragraph shall be expended to provide each mentor with an  
4 35 award of ~~five~~ six hundred dollars per semester, at a minimum,



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5 1 for participation in the school district's or area education  
5 2 agency's beginning teacher mentoring and induction program; to  
5 3 implement the plan; and to pay any applicable costs of the  
5 4 employer's share of contributions to federal social security  
5 5 and the Iowa public employees' retirement system or a pension  
5 6 and annuity retirement system established under chapter 294,  
5 7 for such amounts paid by the district or area education  
5 8 agency.

5 9 Sec. 11. Section 284.13, subsection 1, paragraphs d and e,  
5 10 Code Supplement 2007, are amended to read as follows:

5 11 d. (1) For the fiscal year beginning July 1, ~~2007~~ 2008,  
5 12 and ending June 30, ~~2008~~ 2009, up to ~~twenty~~ thirty million  
5 13 dollars to the department for use by school districts for  
5 14 professional development as provided in section 284.6. Of the  
5 15 amount allocated under this paragraph, up to ten million

5 16 dollars shall be provided to school districts for professional  
5 17 development related to the infusion and implementation of the  
5 18 model core curriculum prescribed in section 256.7, subsection  
5 19 26. The department shall distribute funds allocated for the

5 20 purpose of this paragraph based on the average per diem  
5 21 contract salary for each district as reported to the  
5 22 department for the school year beginning July 1, ~~2006~~ 2007,  
5 23 multiplied by the total number of full-time equivalent  
5 24 teachers in the base year. The department shall adjust each  
5 25 district's average per diem salary by the allowable growth  
5 26 rate established under section 257.8 for the fiscal year  
5 27 beginning July 1, ~~2007~~ 2008. The contract salary amount shall  
5 28 be the amount paid for their regular responsibilities but  
5 29 shall not include pay for extracurricular activities. These  
5 30 funds shall not supplant existing funding for professional  
5 31 development activities. Notwithstanding any provision to the  
5 32 contrary, moneys received by a school district under this  
5 33 paragraph shall not revert but shall remain available for the  
5 34 same purpose in the succeeding fiscal year. A school district  
5 35 shall submit a report to the department in a manner determined



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Senate Study Bill 3008 continued

6 1 by the department describing its use of the funds received  
6 2 under this paragraph. The department shall submit a report on  
6 3 school district use of the moneys distributed pursuant to this  
6 4 paragraph to the general assembly and the legislative services  
6 5 agency not later than January 15 of the fiscal year for which  
6 6 moneys are allocated for purposes of this paragraph.

6 7 (2) From moneys available under subparagraph (1) for the  
6 8 fiscal year beginning July 1, ~~2007~~ 2008, and ending June 30,  
6 9 ~~2008~~ 2009, the department shall allocate to area education  
6 10 agencies an amount per teacher employed by an area education  
6 11 agency that is approximately equivalent to the average per  
6 12 teacher amount allocated to the districts. The average per  
6 13 teacher amount shall be calculated by dividing the total  
6 14 number of teachers employed by school districts and the  
6 15 teachers employed by area education agencies into the total  
6 16 amount of moneys available under subparagraph (1).

6 17 e. For ~~the each~~ fiscal year ~~beginning July 1, 2007, and~~  
~~6 18 ending June 30, 2008~~ in which funds are appropriated for  
6 19 purposes of this chapter, an amount up to one million eight  
6 20 hundred forty-five thousand dollars to the department for the  
6 21 establishment of teacher development academies in accordance  
6 22 with section 284.6, subsection 10. A portion of the funds  
6 23 allocated to the department for purposes of this paragraph may  
6 24 be used for administrative purposes.

6 25 EXPLANATION

6 26 This bill makes changes to the student achievement and  
6 27 teacher quality program.

6 28 The bill eliminates the award deadlines for national board  
6 29 for professional teaching standards certification registration  
6 30 and certification achievement, as well as an obsolete  
6 31 provision, and increases the allocation for the program by  
6 32 \$915,000 for FY 2008=2009 and allows up to \$250,000 of those  
6 33 funds to be used for implementation of a national board  
6 34 certification support program.

6 35 The bill requires that school districts entering into a



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7 1 whole grade sharing agreement include the disposition of  
7 2 student achievement and teacher quality program moneys  
7 3 received in the agreement, changes the definition of teacher  
7 4 for purposes of the program, raises the minimum beginning and  
7 5 first-year career teacher salaries, defines regular  
7 6 compensation, raises beginning teacher mentoring and induction  
7 7 awards to mentors, allocates \$10 million to school districts  
7 8 for professional development related to implementation of the  
7 9 model core curriculum, and extends program allocations for  
7 10 professional development for school district and area  
7 11 education agency teachers and for teacher development  
7 12 academies through FY 2008=2009.

7 13 The bill changes the definition of teacher to eliminate  
7 14 language related to individuals who are part-time teachers  
7 15 under a contract between a school district and a practitioner  
7 16 preparation program.

7 17 The bill increases the minimum beginning teacher's salary  
7 18 to \$28,000 from \$26,500, and increases the minimum first-year  
7 19 career teacher's salary to \$30,000 from \$27,500. The bill  
7 20 also eliminates language setting the minimum salary for all  
7 21 other career teachers at \$28,500.

7 22 When the school district or area education agency and the  
7 23 certified bargaining representative for the institution's  
7 24 licensed employees have not reached an agreement for purposes  
7 25 of distributing teacher salary funding, the bill defines  
7 26 "regular compensation" as the base salary plus any salary  
7 27 moneys provided under the educational excellence program.

7 28 Currently, a school district must review a teacher's  
7 29 performance at least once every three years. The bill  
7 30 replaces the language that limits the review to certain areas  
7 31 subject to the level of funding provided, to instead make the  
7 32 limitation subject to the level of resources provided. The  
7 33 bill also eliminates a requirement that the review include  
7 34 supporting documentation from other evaluators.

7 35 The bill eliminates obsolete language related to market



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8 1 factor teacher incentives.

8 2 The bill increases the amount the state provides to school  
8 3 districts and area education agencies for each beginning  
8 4 teacher participating in a beginning teacher mentoring and  
8 5 induction program to \$1,500 per beginning teacher; an increase  
8 6 of \$200 over previous years. The bill requires that the  
8 7 additional dollars be paid to mentors, increasing mentor  
8 8 awards from \$500 to \$600 per semester.

8 9 LSB 5334XD 82

8 10 kh/rj/8



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Senate Study Bill 3009

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 requirements for blood lead testing and dental
- 2 screening of children.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 5328XD 82
- 5 kh/nh/5



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Senate Study Bill 3009 continued

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1 1 Section 1. Section 135.17, subsection 2, as enacted by  
1 2 2007 Iowa Acts, chapter 146, section 1, is amended to read as  
1 3 follows:

1 4 2. Each public and nonpublic school shall give notice of  
1 5 the dental screening requirement to parents of students  
1 6 enrolled or to be enrolled in the school ~~at least~~ no earlier  
1 7 than ninety days before the start of the school year, and not  
1 8 later than the school start date, in the manner prescribed by  
1 9 the department.

1 10 Sec. 2. Section 135.17, subsection 3, as enacted by 2007  
1 11 Iowa Acts, chapter 146, section 1, is amended by striking the  
1 12 subsection.

1 13 Sec. 3. Section 135.17, subsection 4, as enacted by 2007  
1 14 Iowa Acts, chapter 146, section 1, is amended to read as  
1 15 follows:

1 16 4. Each local board shall furnish the department, ~~within~~  
~~1 17 sixty days as rapidly as is feasible~~ after ~~the start of the~~  
~~1 18 school year~~ October 1, evidence that each person enrolled in  
1 19 any public or nonpublic school within the local board's  
1 20 jurisdiction has met the dental screening requirement in this  
1 21 section.

1 22 Sec. 4. Section 135.105D, subsection 2, paragraphs b and  
1 23 c, Code Supplement 2007, are amended to read as follows:

1 24 b. A child of compulsory attendance age may be  
1 25 ~~provisionally~~ enrolled in an elementary school if the child's  
1 26 parent or guardian consents to have the child receive a blood  
1 27 lead test as rapidly as is feasible ~~but not later than sixty~~  
~~1 28 days after the school calendar commences.~~ ~~The department~~  
~~1 29 shall adopt rules relating to the provisional enrollment of~~  
~~1 30 children to an elementary school in accordance with this~~  
~~1 31 paragraph.~~

1 32 c. The board of directors of each school district and the  
1 33 authorities in charge of each nonpublic school shall give  
1 34 notice of the blood lead test requirement to parents and  
1 35 guardians of students enrolled or to be enrolled in the school



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2 1 ~~at least~~ no earlier than ninety days before the start of the  
2 2 school year, and not later than the school start date, in the  
2 3 manner prescribed by the department.

2 4 Sec. 5. Section 135.105D, subsection 3, Code Supplement  
2 5 2007, is amended to read as follows:

2 6 3. The board of directors of each school district and the  
2 7 authorities in charge of each nonpublic school shall furnish  
2 8 the department, ~~within sixty days as rapidly as is feasible~~  
2 9 after the first official day of school October 1, evidence  
2 10 that each child enrolled in ~~any~~ elementary school has ~~either~~  
~~2 11 been tested as required in subsection 2 or received a waiver~~  
~~2 12 under subsection 4~~ met the blood lead testing requirement set  
2 13 forth in this section.

2 14

2 15

EXPLANATION

2 16 This bill relates to the school enrollment and notice  
2 17 requirements for blood lead testing and dental screening of a  
2 18 child who is enrolled in or enrolling in a school district or  
2 19 accredited nonpublic school. The Code section regulating  
2 20 dental screening takes effect July 1, 2008.

2 21 The bill permits a child to be enrolled in school, rather  
2 22 than provisionally enrolled, if the child's parent or guardian  
2 23 consents to have the child receive a blood lead test as  
2 24 rapidly as is feasible. Currently, the Code requires that as  
2 25 a condition of the provisional enrollment, a parent or  
2 26 guardian must consent to have the child receive the test not  
2 27 later than 60 days after the school calendar commences. The  
2 28 bill strikes from the new Code section regulating dental  
2 29 screening of children a provision addressing the provisional  
2 30 enrollment in school of persons in the process of obtaining a  
2 31 dental screening. The provision, enacted by 2007 Iowa Acts,  
2 32 chapter 146, section 1, provided that a person could be  
2 33 enrolled in a school district or accredited nonpublic school  
2 34 if the person is in the process of obtaining a dental  
2 35 screening.



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3 1 The bill requires school districts and schools, no sooner  
3 2 than 90 days prior to the start of the school year, and not  
3 3 later than the school start date to give notice of the blood  
3 4 lead testing and dental screening requirements to parents and  
3 5 guardians of children who are or are to be enrolled in school.  
3 6 Currently, notice is required at least 90 days prior to the  
3 7 start of the school year.  
3 8 The bill replaces the deadline by which school districts  
3 9 and schools must provide evidence to the department of  
3 10 education that each child enrolled in elementary school had a  
3 11 blood lead test or received a waiver on religious grounds, as  
3 12 well as the deadline by which local boards of health must  
3 13 furnish the department with evidence that each person enrolled  
3 14 in a school within the board's jurisdiction has met the dental  
3 15 screening requirement. Under the bill, school districts,  
3 16 schools, and local boards must provide the evidence as soon as  
3 17 feasible after October 1, rather than within 60 days after the  
3 18 school calendar start date.  
3 19 LSB 5328XD 82  
3 20 kh/nh/5



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Senate Study Bill 3010

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 elimination of reporting or data
- 2 collection requirements related to the department of
- 3 education.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 5 TL5B 5428XD 82
- 6 ak/rj/8



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Senate Study Bill 3010 continued

PAG LIN

1 1 Section 1. Section 256.7, subsection 21, paragraph c, Code  
1 2 Supplement 2007, is amended to read as follows:  
1 3 c. A requirement that all school districts and accredited  
1 4 nonpublic schools annually report to the department and the  
1 5 local community the district-wide progress made in attaining  
1 6 student achievement goals on the academic and other core  
1 7 indicators and the district-wide progress made in attaining  
1 8 locally established student learning goals. The school  
1 9 districts and accredited nonpublic schools shall demonstrate  
1 10 the use of multiple assessment measures in determining student  
1 11 achievement levels. The school districts and accredited  
1 12 nonpublic schools shall also report the number of students who  
1 13 graduate, ~~utilizing the definition of graduation rate~~  
~~1 14 specified by the national governors association; the number of~~  
1 15 students who drop out of school; ~~the number of students~~  
~~1 16 pursuing a high school equivalency diploma pursuant to chapter~~  
~~1 17 259A; the number of students who were enrolled in the district~~  
~~1 18 within the past five years and who received a high school~~  
~~1 19 equivalency diploma; the percentage of students who receive a~~  
~~1 20 high school diploma and who were not proficient in reading,~~  
~~1 21 mathematics, and science in grade eleven; the number of~~  
~~1 22 students in the prior year who were enrolled as high school~~  
~~1 23 juniors who are within four units of meeting the district's~~  
~~1 24 graduation requirements; the number of students who are tested~~  
1 25 and the percentage of students who are so tested annually; and  
1 26 the percentage of students who graduated during the prior  
1 27 school year and who completed a core curriculum. The board  
1 28 shall develop and adopt uniform definitions consistent with  
1 29 the federal No Child Left Behind Act of 2001, Pub. L. No.  
1 30 107=110 and any federal regulations adopted pursuant to the  
1 31 federal Act. The school districts and accredited nonpublic  
1 32 schools may report on other locally determined factors  
1 33 influencing student achievement. The school districts and  
1 34 accredited nonpublic schools shall also report to the local  
1 35 community their results by individual attendance center.



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Senate Study Bill 3010 continued

2 1 Sec. 2. Section 257.30, unnumbered paragraph 1, Code 2007,  
2 2 is amended to read as follows:

2 3 A school budget review committee is established in the  
2 4 department of education and consists of the director of the  
2 5 department of education, the director of the department of  
2 6 management, and three members who are knowledgeable in the  
2 7 areas of Iowa school finance or public finance issues  
2 8 appointed by the governor to represent the public. At least  
2 9 one of the public members shall possess a master's or doctoral  
2 10 degree in which areas of school finance, economics, or  
2 11 statistics are an integral component, or shall have equivalent  
2 12 experience in an executive administrative or senior research  
2 13 position in the education or public administration field. The  
2 14 members appointed by the governor shall serve staggered  
2 15 three-year terms beginning and ending as provided in section  
2 16 69.19 and are subject to senate confirmation as provided in  
2 17 section 2.32. The committee shall meet and hold hearings each  
2 18 year and shall continue in session until it has reviewed  
2 19 budgets of school districts, as provided in section 257.31.  
2 20 It may call in school board members and employees as necessary  
2 21 for the hearings. ~~Legislators shall be notified of hearings~~  
~~concerning school districts in their constituencies. An agenda~~  
~~of scheduled hearings and minutes of proceedings shall be~~  
~~posted on the department's internet site.~~

2 25 Sec. 3. Section 257.31, subsection 2, Code Supplement  
2 26 2007, is amended to read as follows:

2 27 2. The committee ~~shall report to each session of the~~  
~~general assembly, which report shall include any recommended~~  
~~changes in laws relating to school districts, and shall~~  
2 30 specify the number of hearings held annually, the reasons for  
2 31 the committee's recommendations, information about the amounts  
2 32 of property tax levied by school districts for a cash reserve,  
2 33 and other information the committee deems advisable.

2 34 Sec. 4. Section 257.31, subsection 9, Code Supplement  
2 35 2007, is amended to read as follows:



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3 1 9. When the committee makes a decision under subsections 3  
3 2 through 8, it shall make all necessary changes in the district  
3 3 cost, budget, and tax levy. ~~It shall give written notice of~~  
~~3 4 its decision, including all such changes, to the school board~~  
~~3 5 through the department of education.~~

3 6 Sec. 5. Section 260C.14, subsection 21, Code 2007, is  
3 7 amended by striking the subsection.

3 8 Sec. 6. Section 279.63, subsection 2, paragraph e, Code  
3 9 2007, is amended by striking the paragraph.

3 10 Sec. 7. Section 279.63, subsection 3, Code 2007, is  
3 11 amended to read as follows:

3 12 3. Copies of a school district's financial report for the  
3 13 previous school year shall be posted on an internet ~~website~~  
3 14 site maintained by the school district at the beginning of the  
~~3 15 school year by January 1 of each school year.~~ If the school  
3 16 district does not maintain or develop ~~a website~~ an internet  
3 17 site, the school district shall either distribute or post  
3 18 written copies of the financial report at specified locations  
3 19 throughout the school district.

3 20 Sec. 8. Section 282.24, subsection 1, unnumbered paragraph  
3 21 3, Code 2007, is amended by striking the unnumbered paragraph.

3 22 Sec. 9. Section 298.6, Code 2007, is amended to read as  
3 23 follows:

3 24 298.6 PUBLIC DISCLOSURE OF OUTSTANDING LEVIES.

3 25 The board of directors of a school district shall, prior to  
3 26 certifying any levy by board approval, or submitting a levy  
3 27 for voter approval, facilitate public access to a complete  
3 28 listing of all outstanding levies within the school district  
3 29 by rate, amount, duration, and the applicable maximum levy  
3 30 limitations. The information relating to outstanding levies  
3 31 shall be posted on an internet ~~website~~ site maintained by the  
3 32 school district ~~at the beginning of the school year~~ by January  
3 33 1 of each school year, and updated prior to board approval or  
3 34 submission for voter approval of any levy during the school  
3 35 year. If the school district does not maintain or develop a



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~~Senate Study Bill 3010 continued~~

~~4 1 website an internet site, the school district shall either~~  
4 2 distribute or post written copies of the listing at specified  
4 3 locations throughout the school district.

4 4 Sec. 10. Sections 726.21, 726.22, and 726.23, Code 2007,  
4 5 are repealed.

4 6 EXPLANATION

4 7 This bill eliminates reporting or data collection  
4 8 requirements related to the department of education.

4 9 The bill eliminates the clauses in Code section 256.7,  
4 10 subsection 21, that refer to a formula to calculate a  
4 11 graduation rate based on the number of ninth graders that  
4 12 actually graduate. The department's statewide student data  
4 13 management system will be able to directly determine a  
4 14 graduation rate this next school year. The requirement to  
4 15 collect the percentage of students who are within four credits  
4 16 of graduating at the end of their junior year is eliminated.

4 17 Language is deleted from Code sections 257.30 and 257.31  
4 18 that refers to department reports to the legislature. In Code  
4 19 section 257.31, subsection 9, language is eliminated that  
4 20 requires the school budget review committee to give written  
4 21 notice of all its actions under Code section 257.31,  
4 22 subsections 3 through 8, to a school board through the  
4 23 department of education.

4 24 The bill eliminates Code section 260C.14, subsection 21, as  
4 25 the department otherwise reports on high school equivalency  
4 26 diploma success rates.

4 27 Code section 279.63, subsection 2, paragraph "e", which  
4 28 requires reporting of teacher and administrator health  
4 29 insurance benefits and options, is stricken. Reporting dates  
4 30 are changed from the beginning of the school year to January 1  
4 31 in Code sections 279.63, subsection 3, and 298.6 dealing with  
4 32 financial and property tax levy reports posted on the  
4 33 internet.

4 34 The provision in Code section 292.24 that requires the  
4 35 department to notify districts about maximum tuition rates,



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5 1 which are the district costs per pupil, is deleted as the  
5 2 districts otherwise receive this information from the  
5 3 department of management.  
5 4     The bill repeals Code sections 726.21, 726.22, and 726.23,  
5 5 which comprise the child identification and protection Act.  
5 6     Those Code sections relate to the conditions when the  
5 7 fingerprinting of children is allowed by a governmental unit.  
5 8 LSB 5428XD 82  
5 9 ak/rj/8



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**Senate Study Bill 3011**

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 alternative educational instruction options
- 2 including home school assistance programs.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 5365XD 82
- 5 kh/nh/14



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Senate Study Bill 3011 continued

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1 1 Section 1. Section 257.6, subsection 1, paragraph a,  
1 2 subparagraph (5), Code Supplement 2007, is amended to read as  
1 3 follows:

1 4 (5) Resident pupils receiving competent private  
1 5 instruction from a licensed practitioner provided through a  
1 6 public school district pursuant to chapter 299A shall be  
1 7 counted as ~~six-tenths~~ three-tenths of one pupil.

1 8 Sec. 2. Section 299.4, Code Supplement 2007, is amended to  
1 9 read as follows:

1 10 299.4 REPORTS AS TO PRIVATE INSTRUCTION.

1 11 The parent, guardian, or legal custodian of a child who is  
1 12 of compulsory attendance age, who places the child under  
1 13 competent private instruction under either section 299A.2 or  
1 14 299A.3, ~~not in an accredited school or a home school~~  
~~1 15 assistance program operated by a public or accredited~~  
~~1 16 nonpublic school~~, shall furnish a ~~report~~, in duplicate on  
1 17 forms provided by the public school district, a report to the  
1 18 district by the earliest starting date specified in section  
1 19 279.10, subsection 1. The secretary shall retain and file one  
1 20 copy and forward the other copy to the district's area  
1 21 education agency. The report shall state the name and age of  
1 22 the child, the period of time during which the child has been  
1 23 or will be under competent private instruction for the year,  
1 24 an outline of the course of study, texts used, and the name  
1 25 and address of the instructor. The parent, guardian, or legal  
1 26 custodian of a child, who is placing the child under competent  
1 27 private instruction for the first time, shall also provide the  
1 28 district with evidence that the child has had the  
1 29 immunizations required under section 139A.8, and, if the child  
1 30 is elementary school age, a blood lead test in accordance with  
1 31 section 135.105D. The term "outline of course of study" shall  
1 32 include subjects covered, lesson plans, and time spent on the  
1 33 areas of study.

1 34 Sec. 3. Section 299A.2, Code 2007, is amended to read as  
1 35 follows:



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Senate Study Bill 3011 continued

2 1 299A.2 COMPETENT PRIVATE INSTRUCTION BY LICENSED  
2 2 PRACTITIONER.  
2 3 1. If a licensed practitioner provides competent  
2 4 instruction to a child of compulsory attendance age, including  
2 5 instruction provided through a home school assistance program,  
2 6 the practitioner shall possess a valid license or certificate  
2 7 which has been issued by the state board of educational  
2 8 examiners under chapter 272 and which is appropriate to the  
2 9 ages and grade levels of the children to be taught. Competent  
2 10 private instruction may include, but is not limited to, a home  
2 11 school assistance program which provides instruction or  
2 12 instructional supervision offered through an accredited  
2 13 nonpublic school or public school district by a teacher, who  
2 14 is employed by the accredited nonpublic school or public  
2 15 school district, who assists and supervises a parent,  
2 16 guardian, or legal custodian in providing instruction to a  
2 17 child. If competent private instruction is provided through a  
2 18 public school district, the child shall be enrolled and  
2 19 included in the basic enrollment of the school district as  
2 20 provided in section 257.6. A licensed practitioner provided  
2 21 by a public school district through a home school assistance  
2 22 program shall possess an initial license, or a standard,  
2 23 master educator, class "A", class "B", class "C", class "D",  
2 24 or class "E" license that is appropriate to the ages and grade  
2 25 levels of all children under the licensed practitioner's  
2 26 supervision, and not a substitute teacher's license or  
2 27 substitute teacher authorization. Sections 299A.3 through  
2 28 299A.7 do not apply to competent private instruction provided  
2 29 by a licensed practitioner under this section. However, the  
2 30 reporting requirement contained in section 299A.3, subsection  
2 31 1, shall apply to competent private instruction provided by  
2 32 licensed practitioners that is not part of a home school  
2 33 assistance program offered through an accredited nonpublic  
2 34 school or public school district.  
2 35 2. State aid generated under section 257.6, subsection 1,



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3 1 paragraph "a", subparagraph (5), shall not be provided to  
3 2 individual families accessing the home school assistance  
3 3 program.

3 4 EXPLANATION

3 5 This bill makes changes relating to enrollment weighting  
3 6 for pupils receiving competent private instruction from a  
3 7 licensed practitioner provided through a public school  
3 8 district and to requirements for licensed practitioners  
3 9 provided by a public school through a home school assistance  
3 10 program.

3 11 The bill reduces the weighting for pupils receiving  
3 12 competent private instruction from a licensed practitioner  
3 13 provided through a school district. For purposes of  
3 14 generating state aid, such a pupil is currently counted as  
3 15 six-tenths of one pupil, but under the bill is counted as  
3 16 three-tenths of one pupil.

3 17 The bill eliminates an exemption from competent private  
3 18 instruction reporting requirements for persons who place their  
3 19 compulsory-age children under competent private instruction in  
3 20 a home school assistance program.

3 21 The bill requires that instruction provided through a home  
3 22 school assistance program be provided by a licensed  
3 23 practitioner. The bill also requires that licensed  
3 24 practitioners provided by school districts through a home  
3 25 school assistance program be appropriately licensed, and  
3 26 excludes those who hold only a substitute license or  
3 27 authorization. Finally, the bill establishes that state aid  
3 28 generated by weighting for resident pupils receiving competent  
3 29 private instruction from a licensed practitioner provided  
3 30 through a public school district shall not be provided to  
3 31 individual families accessing the home school assistance  
3 32 program.

3 33 LSB 5365XD 82

3 34 kh/nh/14.1



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Senate Study Bill 3012

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 high school equivalency diplomas as issued by
- 2 the department of education.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 5311XD 82
- 5 ak/rj/5



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Senate Study Bill 3012 continued

PAG LIN

1 1 Section 1. Section 259A.1, Code 2007, is amended to read  
1 2 as follows:  
1 3 259A.1 TESTS.  
1 4 The department of education shall cause to be made  
1 5 available for qualified individuals a high school equivalency  
1 6 diploma. The diploma shall be issued on the basis of  
1 7 satisfactory competence as shown by tests covering all of the  
1 8 following: ~~reading, arts~~ language arts=reading, language  
1 9 ~~arts, writing~~ arts=writing, mathematics, science, and social  
1 10 studies.

1 11 Sec. 2. Section 259A.3, Code 2007, is amended to read as  
1 12 follows:

1 13 259A.3 NOTICE AND FEE.

1 14 Any applicant who has achieved the minimum passing  
1 15 standards as established by the department of education, and  
1 16 approved by the state board of education, shall be issued a  
1 17 high school equivalency diploma by the department upon payment  
1 18 of ~~an additional five dollars~~ a fee as determined by rule by  
1 19 the department. The fee shall not exceed the actual cost of  
1 20 production of the diploma and generation of the transcript.

1 21 EXPLANATION

1 22 This bill adjusts the high school equivalency course titles  
1 23 in the Code to match federal course titles. The bill also  
1 24 allows the department of education to set the fee by  
1 25 administrative rule for those receiving a high school  
1 26 equivalency diploma at a rate that does not exceed the cost of  
1 27 producing the diploma and generating the transcript.

1 28 LSB 5311XD 82

1 29 ak/rj/5



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Senate Study Bill 3013

SENATE/HOUSE FILE  
BY (PROPOSED JUDICIAL  
BRANCH BILL)

Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved

Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

A BILL FOR

- 1 An Act relating to case permanency plans, consent decrees, and
- 2 attendance at proceedings in juvenile court.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 5504DP 82
- 5 jm/rj/8



Iowa General Assembly  
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Senate Study Bill 3013 continued

PAG LIN

1 1 Section 1. Section 232.2, subsection 4, paragraph e, Code  
1 2 Supplement 2007, is amended to read as follows:

1 3 e. The most recent information available regarding the  
1 4 child's health and education records, including the date the  
1 5 records were supplied to the agency or individual who is the  
1 6 child's foster care provider. If the child remains in foster  
1 7 care until the age of majority, the child is entitled to  
1 8 receive prior to discharge the most recent information  
1 9 available regarding the child's health and educational  
1 10 records.

1 11 Sec. 2. Section 232.46, subsection 4, Code 2007, is  
1 12 amended to read as follows:

1 13 4. A consent decree shall remain in force for ~~six months~~  
1 14 up to one year unless the child is sooner discharged by the  
1 15 court or by the juvenile court officer or other agency or  
1 16 person supervising the child. Upon application of a juvenile  
1 17 court officer or other agency or person supervising the child  
1 18 made prior to the expiration of the decree and after notice  
1 19 and hearing, or upon agreement by the parties, a consent  
1 20 decree may be extended for up to an additional ~~six months~~ year  
1 21 by order of the court.

1 22 Sec. 3. Section 232.91, subsection 3, Code Supplement  
1 23 2007, is amended to read as follows:

1 24 3. Any person who is entitled under section 232.88 to  
1 25 receive notice of a hearing concerning a child shall be given  
1 26 the opportunity to be heard in any other review or hearing  
1 27 involving the child. A foster parent, relative, or other  
1 28 individual with whom a child has been placed for preadoptive  
1 29 care shall have the right to be heard in any proceeding  
1 30 involving the child. If a child is of an age appropriate to  
1 31 attend the hearing but the child does not attend, the court  
1 32 shall determine if the child was informed of the child's right  
1 33 to attend the hearing.

1 34 EXPLANATION

1 35 This bill relates to case permanency plans, consent



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Senate Study Bill 3013 continued

2 1 decrees, and notification in juvenile court.

2 2       The bill provides that a child who remains in foster care  
2 3 until the age of majority may receive the most recent  
2 4 information regarding the child's health and educational  
2 5 records prior to discharge from juvenile court.

2 6       The bill provides that a consent decree entered into in  
2 7 juvenile court in a juvenile delinquency proceeding shall  
2 8 remain in force for up to one year unless the juvenile is  
2 9 discharged by the court. The bill also provides that a  
2 10 consent decree may be extended for up to an additional year.  
2 11 Current law provides that a consent decree shall only remain  
2 12 in force for six months and may be extended for an additional  
2 13 six months.

2 14       A consent decree is an agreement entered into by a juvenile  
2 15 in delinquency proceeding whereby the juvenile voluntarily  
2 16 agrees to terms and conditions established by the court. If  
2 17 the juvenile abides by the terms and conditions of the consent  
2 18 decree the state cannot proceed against the juvenile for any  
2 19 delinquent act alleged in the delinquency petition.

2 20       Under the bill, in any child in need of assistance  
2 21 proceedings where the child does not attend and the child's  
2 22 age is appropriate to attend such proceedings, the court shall  
2 23 determine if the child was informed of the child's right to  
2 24 attend.

2 25 LSB 5504DP 82

2 26 jm/rj/8



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**Senate Study Bill 3014**

SENATE/HOUSE FILE  
BY (PROPOSED DEPARTMENT OF  
HUMAN SERVICES BILL)

Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved

Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

**A BILL FOR**

- 1 An Act relating to authorized access to certain dependent adult
- 2 abuse information.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 5351DP 82
- 5 rh/rj/8



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Senate Study Bill 3014 continued

PAG LIN

1 1 Section 1. Section 235B.6, subsection 2, Code Supplement  
1 2 2007, is amended by adding the following new paragraph:  
1 3 NEW PARAGRAPH. f. To a person who submits written  
1 4 authorization from an individual allowing the person access to  
1 5 information pursuant to this subsection on behalf of the  
1 6 individual in order to verify whether the individual is named  
1 7 in a founded dependent adult abuse report as having abused a  
1 8 dependent adult.

1 9 EXPLANATION

1 10 This bill provides that a person who submits written  
1 11 authorization from an individual allowing the person access to  
1 12 dependent adult abuse information on behalf of the individual  
1 13 in order to verify whether the individual is named in a  
1 14 founded dependent adult abuse report as having abused a  
1 15 dependent adult, shall have access to such dependent adult  
1 16 abuse information.

1 17 LSB 5351DP 82

1 18 rh/rj/8



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Senate Study Bill 3015

SENATE/HOUSE FILE  
BY (PROPOSED GOVERNOR'S OFFICE  
OF DRUG CONTROL POLICY BILL)

Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved

Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

A BILL FOR

- 1 An Act relating to the sale of a pseudoephedrine product by a
- 2 pharmacy or retailer, and providing penalties and contingent
- 3 applicability.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 5 TL5B 5464XD 82
- 6 jm/rj/14



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Senate Study Bill 3015 continued

PAG LIN

1 1 Section 1. Section 124.212, subsection 4, paragraph c,  
1 2 Code Supplement 2007, is amended to read as follows:  
1 3 c. Pseudoephedrine. A person shall present a  
1 4 ~~government-issued driver's license or other state-issued photo~~  
1 5 ~~identification card when purchasing a pseudoephedrine product~~  
1 6 ~~from a pharmacy. A person shall not purchase more than seven~~  
~~1 7 thousand five hundred milligrams of pseudoephedrine, either~~  
~~1 8 separately or collectively, within a thirty-day period a~~  
1 9 quantity of pseudoephedrine in violation of section 124.213  
1 10 from a pharmacy, unless the person has a prescription for a  
1 11 pseudoephedrine product in excess of that quantity. A  
1 12 pseudoephedrine product not excepted from this schedule shall  
1 13 be sold by a pharmacy as provided in section 124.212A.  
1 14 Sec. 2. NEW SECTION. 124.212A PHARMACY PSEUDOEPHEDRINE  
1 15 SALE == RESTRICTIONS == RECORDS == CONTINGENT APPLICABILITY.  
1 16 1. A pharmacy, an employee of a pharmacy, or a licensed  
1 17 pharmacist shall do the following:  
1 18 a. Provide for the sale of a pseudoephedrine product in a  
1 19 locked cabinet or behind the sales counter where the public is  
1 20 unable to reach the product and where the public is not  
1 21 permitted.  
1 22 b. Require the purchaser to present a driver's license or  
1 23 other state-issued photo identification card identifying the  
1 24 purchaser prior to purchasing a pseudoephedrine product.  
1 25 c. Provide an electronic logbook for purchasers of  
1 26 pseudoephedrine products to sign.  
1 27 d. Require the purchaser to sign the electronic logbook.  
1 28 If the electronic logbook is not available, require a  
1 29 signature that is associated with a transaction number.  
1 30 e. Enter the purchaser's name, address, date of purchase,  
1 31 time of purchase, name of the pseudoephedrine product  
1 32 purchased, and the quantity sold in the electronic logbook.  
1 33 If the electronic logbook is unavailable, an alternative  
1 34 record shall be kept that complies with rules adopted by the  
1 35 board.



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Senate Study Bill 3015 continued

2 1 f. Determine that the signature in the electronic logbook  
2 2 corresponds with the name on the driver's license or other  
2 3 state-issued photo identification card.

2 4 g. Provide notice that a purchaser entering a false  
2 5 statement or misrepresentation in the electronic logbook may  
2 6 subject the purchaser to criminal penalties under 18 U.S.C. }  
2 7 1001.

2 8 h. Keep electronic logbook records and any other records  
2 9 obtained if the electronic logbook is unavailable for  
2 10 twenty-four months from the date of the last entry.

2 11 i. Disclose electronic logbook information and any other  
2 12 associated records as provided by state and federal law.

2 13 j. Comply with training requirements pursuant to federal  
2 14 law.

2 15 2. This section is not applicable unless sufficient  
2 16 funding is received to implement the statewide real-time  
2 17 central repository and the board establishes the statewide  
2 18 real-time central repository. However, subsection 1,  
2 19 paragraph "h", is applicable upon the effective date of this  
2 20 Act.

2 21 Sec. 3. NEW SECTION. 124.212B PSEUDOEPHEDRINE SALES ==  
2 22 CENTRAL REPOSITORY == PENALTY == CONTINGENT APPLICABILITY.

2 23 1. The board shall establish a real-time electronic  
2 24 central repository to monitor and control the sale of schedule  
2 25 V products containing any detectable amount of  
2 26 pseudoephedrine, its salts, or optical isomers, or salts of  
2 27 optical isomers; ephedrine; or phenylpropanolamine. A  
2 28 pharmacy dispensing such products shall report all such sales  
2 29 electronically to the central repository under the control of  
2 30 the board.

2 31 2. The information collected in the central repository is  
2 32 confidential unless otherwise ordered by a court, or released  
2 33 by the lawful custodian of the records pursuant to this  
2 34 section.

2 35 3. A pharmacy, an employee of a pharmacy, or a licensed



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Senate Study Bill 3015 continued

3 1 pharmacist shall not be provided access to the stored  
3 2 information in the electronic central repository, except for  
3 3 the purpose of obtaining sufficient information for the  
3 4 pharmacist to determine whether to complete the sale of the  
3 5 product. A pharmacy, an employee of a pharmacy, or a licensed  
3 6 pharmacist shall not be given the obligation or duty to view  
3 7 the stored information.

3 8 4. A pharmacy, or an employee of a pharmacy, or a licensed  
3 9 pharmacist shall not be given the obligation or duty to seek  
3 10 information from the central repository if the real-time  
3 11 electronic logbook becomes unavailable for use.

3 12 5. If the electronic logbook is unavailable for use, a  
3 13 paper record for each sale shall be maintained including the  
3 14 purchaser's signature. Any paper record maintained by the  
3 15 pharmacy shall be provided to the board for inclusion in the  
3 16 electronic real-time central repository as soon as  
3 17 practicable.

3 18 6. A pharmacy, or an employee of a pharmacy, or a licensed  
3 19 pharmacist shall not be liable to any person for any claim  
3 20 which may arise when reporting sales of products enumerated in  
3 21 subsection 1 to the central repository.

3 22 7. A person who discloses information stored in the  
3 23 central repository in violation of this section commits a  
3 24 simple misdemeanor.

3 25 8. The board shall adopt rules to administer this section.

3 26 9. This section is not applicable unless sufficient  
3 27 funding is received to implement this section and the board  
3 28 establishes the statewide real-time central repository.

3 29 Sec. 4. NEW SECTION. 124.212C PSEUDOEPHEDRINE ADVISORY  
3 30 COUNCIL == ELECTRONIC MONITORING.

3 31 1. The board shall establish a pseudoephedrine advisory  
3 32 council to provide input and advise the board regarding the  
3 33 implementation of the statewide real-time central repository  
3 34 established under section 124.212B to monitor sales of  
3 35 pseudoephedrine. The board shall specify the duties,



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Senate Study Bill 3015 continued

4 1 responsibilities, and other related matters of the advisory  
4 2 council.

4 3 2. The council shall consist of four licensed pharmacists.  
4 4 The board shall solicit recommendations for membership on the  
4 5 council from the Iowa pharmacy association and shall appoint  
4 6 members from the recommendations. The council shall include a  
4 7 member from an independent pharmacy, a member from a regional  
4 8 chain pharmacy, and a member from a national chain pharmacy.  
4 9 The license of any member must be current and not subject to  
4 10 disciplinary sanctions.

4 11 3. The council may make recommendations regarding the  
4 12 implementation of the statewide real-time central repository  
4 13 monitoring system under section 124.212B.

4 14 4. The council shall do the following:

4 15 a. Assist the board in implementing the statewide  
4 16 real-time central repository monitoring system.

4 17 b. Assist the board in developing utilization guidance  
4 18 related to the statewide real-time central repository  
4 19 monitoring system and disseminating such guidance.

4 20 c. Assist the board in developing guidelines to ensure  
4 21 patient confidentiality and the integrity of the relationship  
4 22 established by the patient and the patient's health care  
4 23 provider.

4 24 5. Each member of the council shall receive per diem  
4 25 compensation at the rate specified in section 7E.6 for each  
4 26 day spent in the performance of the member's duties. All  
4 27 members of the council shall receive actual and necessary  
4 28 expenses incurred in the performance of their duties.

4 29 6. This section is repealed when the establishment of the  
4 30 statewide real-time central repository is complete.

4 31 Sec. 5. Section 124.213, Code 2007, is amended by striking  
4 32 the section and inserting in lieu thereof the following:

4 33 124.213 PSEUDOEPHEDRINE PURCHASE RESTRICTIONS FROM  
4 34 PHARMACY OR RETAILER == PENALTY.

4 35 1. A person shall not purchase more than three thousand



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Senate Study Bill 3015 continued

5 1 six hundred milligrams of pseudoephedrine, either separately  
5 2 or collectively, within a twenty=four=hour period from a  
5 3 pharmacy, or more than one package of a product containing  
5 4 pseudoephedrine within a twenty=four=hour period from a  
5 5 retailer in violation of section 126.23A.

5 6 2. A person shall not purchase more than seven thousand  
5 7 five hundred milligrams of pseudoephedrine, either separately  
5 8 or collectively, within a thirty=day period from a pharmacy or  
5 9 from a retailer in violation of section 126.23A.

5 10 3. A person who violates this section commits a serious  
5 11 misdemeanor.

5 12 Sec. 6. Section 126.23A, subsection 1, paragraph a,  
5 13 subparagraph (1), Code 2007, is amended by striking the  
5 14 subparagraph and inserting in lieu thereof the following:

5 15 (1) Sell more than seven thousand five hundred milligrams  
5 16 of pseudoephedrine to the same person within a thirty=day  
5 17 period.

5 18 Sec. 7. Section 126.23A, subsection 1, paragraph b, Code  
5 19 2007, is amended to read as follows:

5 20 b. A retailer or an employee of a retailer shall do the  
5 21 following:

5 22 (1) Provide for the sale of a pseudoephedrine product in a  
5 23 locked cabinet or behind a sales counter where the public is  
5 24 unable to reach the product and where the public is not  
5 25 permitted.

5 26 (2) Require a purchaser to present a ~~government=issued~~  
5 27 ~~photo driver's license or other state=issued photo~~  
5 28 identification card identifying the purchaser prior to  
5 29 purchasing a pseudoephedrine product.

5 30 (3) Require the purchaser to sign a logbook and to also  
5 31 require the purchaser to legibly print the purchaser's name  
5 32 and address in the logbook.

5 33 (4) Print the name of the pseudoephedrine product  
5 34 purchased and quantity sold next to the name of each purchaser  
5 35 in the logbook.





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Senate Study Bill 3015 continued

7 1 This bill relates to the sale of a pseudoephedrine product  
7 2 by a pharmacy or retailer.

7 3 PENALTIES. The bill provides that a person shall not  
7 4 purchase more than 3,600 milligrams of pseudoephedrine, either  
7 5 collectively or separately, within a 24-hour period from a  
7 6 pharmacy unless the person has a prescription. A person who  
7 7 violates this provision of the bill commits a serious  
7 8 misdemeanor. Under current law and the bill, a person commits  
7 9 a serious misdemeanor if the person purchases more than 7,500  
7 10 milligrams of pseudoephedrine within a 30-day period from a  
7 11 pharmacy or retailer.

7 12 PHARMACY. The bill requires a purchaser of a  
7 13 pseudoephedrine product from a pharmacy to present a driver's  
7 14 license or other state-issued photo identification card prior  
7 15 to purchase, and sign an electronic logbook. Current law does  
7 16 not require an electronic logbook and requires a purchaser to  
7 17 present a government-issued photo identification card prior to  
7 18 purchase. The bill also provides that if the electronic  
7 19 logbook is unavailable, the pharmacy is required to keep an  
7 20 alternative record that complies with rules adopted by the  
7 21 state board of pharmacy.

7 22 The bill requires a pharmacy, an employee of a pharmacy, or  
7 23 a licensed pharmacist, to enter a purchaser's name, address,  
7 24 date of purchase, time of purchase, name of pseudoephedrine  
7 25 product, and quantity sold into an electronic logbook. If the  
7 26 electronic logbook is unavailable for use, the bill requires  
7 27 the pharmacy to keep written records of the transaction  
7 28 including a signature.

7 29 The bill requires a pharmacy to keep electronic logbook  
7 30 records for a period of 24 months from the date of the last  
7 31 entry. Current law requires the pharmacy to keep the logbook  
7 32 12 months from the date of the last entry.

7 33 The bill provides that the state board of pharmacy shall  
7 34 implement a statewide real-time central repository to track  
7 35 pseudoephedrine product sales at pharmacies. The bill



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Senate Study Bill 3015 continued

8 1 requires a pharmacy dispensing pseudoephedrine products to  
8 2 report all such sales electronically to the central repository  
8 3 under the control of the state board of pharmacy. If the  
8 4 pharmacy has written records, the records are also to be  
8 5 reported for entry into the repository. If the electronic  
8 6 logbook is unavailable for use, the bill requires the pharmacy  
8 7 to keep written records of the transaction including a  
8 8 signature.

8 9 The bill makes confidential the information collected in  
8 10 the central repository unless otherwise ordered by a court, or  
8 11 the records are released by the custodian of the records  
8 12 pursuant to new Code section 124.212B.

8 13 The bill provides that a pharmacy, an employee of a  
8 14 pharmacy, or a licensed pharmacist shall not be liable to any  
8 15 person for any claim which may arise when reporting  
8 16 pseudoephedrine sales to the central repository.

8 17 The bill also requires a pharmacy to comply with training  
8 18 requirements pursuant to federal law.

8 19 A person who discloses information stored in the central  
8 20 repository in violation of the bill commits a simple  
8 21 misdemeanor.

8 22 RETAILER. The bill requires a purchaser of a  
8 23 pseudoephedrine product from a retailer to present a driver's  
8 24 license or other state-issued photo identification card prior  
8 25 to purchase. Current law requires a purchaser to present a  
8 26 government-issued photo identification card prior to purchase.

8 27 The bill requires a retailer or an employee of a retailer  
8 28 to print the name of the pseudoephedrine product purchased and  
8 29 the quantity sold next to the name of each purchaser in the  
8 30 logbook.

8 31 The bill requires the retailer to keep the logbook 24  
8 32 months from the date of the last entry. Current law requires  
8 33 the retailer to keep the logbook 12 months from the date of  
8 34 the last entry. The bill does not require a retailer to keep  
8 35 an electronic logbook of pseudoephedrine purchases.



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Senate Study Bill 3015 continued

9 1 The bill also requires a retailer to comply with training  
9 2 requirements pursuant to federal law.

9 3 ADVISORY COMMITTEE. The bill requires the board of  
9 4 pharmacy to establish a pseudoephedrine advisory committee to  
9 5 provide input and advise the board regarding the  
9 6 implementation of the statewide real-time central repository.  
9 7 The advisory committee shall consist of four licensed  
9 8 pharmacists including a pharmacist from an independent  
9 9 pharmacy, a regional chain pharmacy, and a national chain  
9 10 pharmacy. Code section 124.212C establishing the advisory  
9 11 committee is repealed when the establishment of the statewide  
9 12 real-time repository is complete.

9 13 CONTINGENT APPLICABILITY. New Code sections 124.212A and  
9 14 124.212B created in the bill do not become applicable until  
9 15 sufficient funding is received and the central repository  
9 16 under the control of the state board of pharmacy examiners is  
9 17 established on a statewide basis. However, Code section  
9 18 124.212A, subsection 1, paragraph "h", in the bill, which  
9 19 requires a pharmacy to keep logbook records 24 months from the  
9 20 date of the last entry, is applicable upon the effective date  
9 21 of the bill.

9 22 LSB 5464XD 82

9 23 jm/rj/14.1



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Senate Study Bill 3016

SENATE/HOUSE FILE  
BY (PROPOSED JUDICIAL  
BRANCH BILL)

Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved

Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

A BILL FOR

1 An Act relating to filing and docketing fees collected by the  
2 clerk of the district court for parking violations and tribal  
3 judgments, fees for examination and admission to practice law,  
4 appropriations from the jury and witness fee revolving fund,  
5 and providing an effective date.  
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
7 TLSB 5469DP 82  
8 jm/rj/5



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Senate Study Bill 3016 continued

PAG LIN

1 1 Section 1. Section 602.1302, subsection 3, Code 2007, is  
1 2 amended to read as follows:

1 3 3. A revolving fund is created in the state treasury for  
1 4 the payment of jury and witness fees, mileage, costs related  
1 5 to providing information to, supporting, and summoning jurors  
1 6 by the judicial branch, and attorney fees paid by the state  
1 7 public defender for counsel appointed pursuant to section  
1 8 600A.6A. The judicial branch shall deposit any reimbursements  
1 9 to the state for the payment of jury and witness fees and  
1 10 mileage in the revolving fund. In each calendar quarter the  
1 11 judicial branch shall reimburse the state public defender for  
1 12 attorney fees paid pursuant to section 600A.6B.

1 13 Notwithstanding section 8.33, unencumbered and unobligated  
1 14 receipts in the revolving fund at the end of a fiscal year do  
1 15 not revert to the general fund of the state. The judicial  
1 16 branch shall on or before February 1 file a financial  
1 17 accounting of the moneys in the revolving fund with the  
1 18 legislative services agency. The accounting shall include an  
1 19 estimate of disbursements from the revolving fund for the  
1 20 remainder of the fiscal year and for the next fiscal year.

1 21 Sec. 2. Section 602.8105, subsection 1, Code Supplement  
1 22 2007, is amended by adding the following new paragraph:

1 23 NEW PARAGRAPH. aa. For filing a tribal judgment, one  
1 24 hundred dollars.

1 25 Sec. 3. Section 602.8106, subsection 1, paragraph c, Code  
1 26 Supplement 2007, is amended to read as follows:

1 27 c. For filing and docketing a complaint or information or  
1 28 uniform citation and complaint for parking violations under  
1 29 sections 321.236, 321.239, 321.358, 321.360, and 321.361,  
1 30 eight twenty-five dollars, effective January 1, 2009.

1 31 ~~The court costs in cases of parking meter and overtime parking~~  
1 32 ~~violations which are denied, and charged and collected~~  
1 33 ~~pursuant to section 321.236, subsection 1, or pursuant to a~~  
1 34 ~~uniform citation and complaint, are eight dollars per~~  
1 35 ~~information or complaint or per uniform citation and complaint~~





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Senate Study Bill 3016 continued

3 1 controlled by Code section 602.8108.

3 2     The bill permits the distribution of funds from the jury  
3 3 and witness fee revolving fund created in Code section  
3 4 602.1302 for costs related to providing information to and  
3 5 supporting potential jurors called for service. Under current  
3 6 law the distribution of funds to jurors is limited to juror  
3 7 fees, mileage, and costs related to summoning potential  
3 8 jurors.

3 9     The bill increases the filing and docketing fee, effective  
3 10 January 1, 2009, from \$8 to \$25 for a complaint, information,  
3 11 or uniform citation and complaint for parking violations under  
3 12 Code sections 321.236 (violations of local ordinances),  
3 13 321.239 (violations of county ordinances), 321.358 (unlawful  
3 14 parking in certain places), 321.360 (parking near theaters or  
3 15 hotels), and 321.361 (additional parking regulations).

3 16     The bill also eliminates the assessment of court costs in  
3 17 the amount of \$8 if a person challenges a parking violation  
3 18 under Code section 321.236.

3 19     The bill transfers the authority to set fees for  
3 20 examination and admission to practice law in Iowa from the  
3 21 board of law examiners to the supreme court. The bill also  
3 22 directs the fees collected for examination and admission be  
3 23 used to offset the costs of administering the examination and  
3 24 admission process to practice law. Current law requires the  
3 25 examination and admission fees to be deposited into the  
3 26 general fund of the state.

3 27 LSB 5469DP 82

3 28 jm/rj/5



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**Senate Study Bill 3017**

SENATE/HOUSE FILE  
BY (PROPOSED JUDICIAL  
BRANCH BILL)

Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved

Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

**A BILL FOR**

- 1 An Act relating to the regulation and certification of shorthand
- 2 reporters and the appropriation of fees to offset costs.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 5476DP 82
- 5 jm/rj/8



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Senate Study Bill 3017 continued

PAG LIN

1 1 Section 1. Section 602.3101, subsection 2, Code 2007, is  
1 2 amended by striking the subsection and inserting in lieu  
1 3 thereof the following:

1 4 2. The supreme court shall appoint an administrator to  
1 5 manage the functions of the board.

1 6 Sec. 2. Section 602.3106, subsection 2, Code 2007, is  
1 7 amended by striking the subsection and inserting in lieu  
1 8 thereof the following:

1 9 2. The fees collected shall be used to offset the expenses  
1 10 of the board, including the costs of administering the  
1 11 examination.

1 12 EXPLANATION

1 13 This bill relates to the regulation and certification of  
1 14 shorthand reporters and the appropriation of fees to offset  
1 15 costs.

1 16 The bill authorizes the supreme court to appoint the  
1 17 administrator for the board of examiners of shorthand  
1 18 reporters. Current law designates the state court  
1 19 administrator or a designee of the state court administrator  
1 20 to act as administrator to the board.

1 21 The bill provides that the fees collected for shorthand  
1 22 certification examinations shall be used to offset the  
1 23 expenses of the board of examiners of shorthand reporters,  
1 24 including the costs of administering the examination. Current  
1 25 law provides that the state court administrator collect and  
1 26 account for all the examination fees collected.

1 27 Under current law, the fees shall be based upon the annual  
1 28 cost of administering the examinations and upon the  
1 29 administrative costs of maintaining the board.

1 30 LSB 5476DP 82

1 31 jm/rj/8



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Senate Study Bill 3018

SENATE/HOUSE FILE  
BY (PROPOSED GOVERNOR'S  
OFFICE OF DRUG CONTROL  
POLICY BILL)

Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved

Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

A BILL FOR

- 1 An Act adding hallucinogenic substances to the list of schedule I
- 2 controlled substances, and providing penalties.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 5313DP 82
- 5 jm/nh/5



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Senate Study Bill 3018 continued

PAG LIN

1 1 Section 1. Section 124.204, subsection 4, Code Supplement  
1 2 2007, is amended by adding the following new paragraphs:

1 3 NEW PARAGRAPH. ai. Salvia divinorum.

1 4 NEW PARAGRAPH. aj. Salvinorin A.

1 5 EXPLANATION

1 6 This bill adds hallucinogenic substances to the list of  
1 7 schedule I controlled substances.

1 8 The bill adds "salvia divinorum" and "salvinorin A", also  
1 9 known as "divinorin A", to the list of schedule I controlled  
1 10 substances.

1 11 A schedule I controlled substance is considered to have a  
1 12 high potential for abuse and no medical purpose in treatment  
1 13 in the United States.

1 14 The bill makes it a class "C" felony pursuant to Code  
1 15 section 124.401, subsection 1, paragraph c, subparagraph (8),  
1 16 for any unauthorized person to manufacture, deliver, or  
1 17 possess with the intent to manufacture or deliver, salvia  
1 18 divinorum or salvinorin A, including its counterfeit or a  
1 19 simulated form, or to act with, enter into a common scheme or  
1 20 design with, or conspire with one or more other persons to  
1 21 manufacture, deliver, or possess with the intent to  
1 22 manufacture or deliver salvia divinorum or salvinorin A.

1 23 The bill also makes it a serious misdemeanor pursuant to  
1 24 Code section 124.401, subsection 5, for any unauthorized  
1 25 person to possess salvia divinorum or salvinorin A.

1 26 A class "C" felony is punishable by confinement for no more  
1 27 than 10 years and a fine of at least \$1,000 but not more than  
1 28 \$10,000. A serious misdemeanor is punishable by confinement  
1 29 for no more than one year and a fine of at least \$315 but not  
1 30 more than \$1,875.

1 31 LSB 5313DP 82

1 32 jm/nh/5



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**Senate Study Bill 3019**

SENATE/HOUSE FILE  
BY (PROPOSED DEPARTMENT OF  
HUMAN RIGHTS BILL)

Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
                  Approved

Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

**A BILL FOR**

1 An Act relating to the division of criminal and juvenile justice  
2     planning of the department of human rights by making changes  
3     to the membership of the council, permitting access to the  
4     records of the department of workforce development, and  
5     modifying the sex offender treatment and supervision task  
6     force.  
7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
8 TL5B 5175DP 82  
9 jm/rj/8



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Senate Study Bill 3019 continued

PAG LIN

1 1 Section 1. Section 216A.132, subsection 1, Code Supplement  
1 2 2007, is amended to read as follows:

1 3 1. A criminal and juvenile justice planning advisory  
1 4 council is established consisting of ~~twenty-two~~ twenty-three  
1 5 members.

1 6 Sec. 2. Section 216A.132, subsection 1, paragraph b, Code  
1 7 Supplement 2007, is amended to read as follows:

1 8 b. The departments of human services, corrections, and  
1 9 public safety, the division on the status of  
1 10 African-Americans, the Iowa department of public health, the  
1 11 chairperson of the board of parole, the attorney general, the  
1 12 state public defender, the governor's office of drug control  
1 13 policy, and the chief justice of the supreme court shall each  
1 14 designate a person to serve on the council. The person  
1 15 appointed by the Iowa department of public health shall be  
1 16 from the departmental staff who administer the comprehensive  
1 17 substance abuse program under chapter 125.

1 18 Sec. 3. Section 216A.136, unnumbered paragraph 1, Code  
1 19 2007, is amended to read as follows:

1 20 The division shall maintain an Iowa statistical analysis  
1 21 center for the purpose of coordinating with data resource  
1 22 agencies to provide data and analytical information to  
1 23 federal, state, and local governments, and assist agencies in  
1 24 the use of criminal and juvenile justice data.  
1 25 Notwithstanding any other provision of state law, unless  
1 26 prohibited by federal law or regulation, the division shall be  
1 27 granted access, for purposes of research and evaluation, to  
1 28 criminal history records, official juvenile court records,  
1 29 juvenile court social records, and any other data collected or  
1 30 under control of the board of parole, department of  
1 31 corrections, department of workforce development, district  
1 32 departments of correctional services, department of human  
1 33 services, judicial branch, and department of public safety.  
1 34 However, intelligence data and peace officer investigative  
1 35 reports maintained by the department of public safety shall



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Senate Study Bill 3019 continued

2 1 not be considered data for the purposes of this section. Any  
2 2 record, data, or information obtained by the division under  
2 3 this section and the division itself is subject to the federal  
2 4 and state confidentiality laws and regulations which are  
2 5 applicable to the original record, data, or information  
2 6 obtained by the division and to the original custodian of the  
2 7 record, data, or information. The access shall include but is  
2 8 not limited to all of the following:

2 9 Sec. 4. Section 216A.136, Code 2007, is amended by adding  
2 10 the following new subsection:

2 11 NEW SUBSECTION. 13. Employment records maintained under  
2 12 section 96.11.

2 13 Sec. 5. NEW SECTION. 216A.139 SEX OFFENDER RESEARCH  
2 14 COUNCIL.

2 15 1. The division shall establish and maintain a council to  
2 16 study and make recommendations for treating and supervising  
2 17 adult and juvenile sex offenders in institutions,  
2 18 community-based programs, and in the community.

2 19 2. Members of the council shall include members of the  
2 20 general assembly selected by the legislative council and one  
2 21 representative of each of the following:

- 2 22 a. The department of corrections.
- 2 23 b. The department of human services.
- 2 24 c. The department of public safety.
- 2 25 d. The state public defender.
- 2 26 e. The department of public health.
- 2 27 f. The juvenile court appointed by the judicial branch.
- 2 28 g. A judicial district department of correctional  
2 29 services.
- 2 30 h. The board of parole.
- 2 31 i. The department of justice.
- 2 32 j. The Iowa county attorneys association.
- 2 33 k. The Iowa civil liberties union.
- 2 34 l. The Iowa state sheriffs' and deputies' association.
- 2 35 m. The Iowa coalition against sexual assault.



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Senate Study Bill 3019 continued

- 3 1       3. The council shall study the following:
- 3 2       a. The effectiveness of electronically monitoring sex
- 3 3 offenders.
- 3 4       b. The cost and effectiveness of special sentences
- 3 5 pursuant to chapter 903B.
- 3 6       c. Risk assessment models created for sex offenders.
- 3 7       d. Determining the best treatment programs available for
- 3 8 sex offenders and the efforts of Iowa and other states to
- 3 9 implement treatment programs.
- 3 10       e. The efforts of Iowa and other states to prevent sex
- 3 11 abuse related crimes including child sex abuse.
- 3 12       f. Any other issues the council deems necessary, including
- 3 13 but not limited to computer and internet sex-related crimes,
- 3 14 sex offender case management, best practices for sex offender
- 3 15 supervision, the sex offender registry, and the effectiveness
- 3 16 of safety zones.
- 3 17       4. The council shall submit a report, beginning January
- 3 18 15, 2009, and every year thereafter by January 15, to the
- 3 19 governor and general assembly regarding actions taken, issues
- 3 20 studied, and council recommendations.
- 3 21       5. Members of the council shall receive actual and
- 3 22 necessary expenses incurred while attending any meeting of the
- 3 23 council and may also be eligible to receive compensation as
- 3 24 provided in section 7E.6. All expense moneys paid to the
- 3 25 nonlegislative members shall be paid from funds appropriated
- 3 26 to the division. Legislative members shall receive
- 3 27 compensation as provided in sections 2.10 and 2.12.
- 3 28       6. Vacancies shall be filled by the original appointing
- 3 29 authority in the manner of the original appointments.
- 3 30       Sec. 6. 2005 Iowa Acts, chapter 158, section 52, is
- 3 31 repealed.

EXPLANATION

3 32       This bill relates to the division of criminal and juvenile

3 33 justice and planning of the department of human rights by

3 34 making changes to the membership of the council, permitting

3 35



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Senate Study Bill 3019 continued

4 1 access to the records of the department of workforce  
4 2 development, and modifying the sex offender treatment and  
4 3 supervision task force.  
4 4 Under the bill, the governor's office of drug control is  
4 5 granted authority to appoint a representative to serve on the  
4 6 criminal and juvenile justice planning advisory council.  
4 7 If not prohibited by any other state or federal law, the  
4 8 bill gives the division of criminal and juvenile justice  
4 9 planning access to the department of workforce development  
4 10 records for the purpose of research and evaluation.  
4 11 The bill repeals the sex offender treatment and supervision  
4 12 task force established by the division of criminal juvenile  
4 13 justice and planning pursuant to H.F. 619 during the 2005  
4 14 legislative session, and establishes a new permanent sex  
4 15 offender research council within the division. The new  
4 16 council shall study the cost and effectiveness of special  
4 17 sentences established under Code chapter 903B, risk assessment  
4 18 models created for sex offenders, determining the best  
4 19 treatment options for sex offenders, and the efforts by other  
4 20 states to prevent sexual abuse, and other issues.  
4 21 The bill provides that members of the council shall be  
4 22 reimbursed for their actual and necessary expenses while  
4 23 attending meetings of the council, and that expense moneys  
4 24 shall be paid from the funds appropriated to the division of  
4 25 criminal juvenile justice and planning. Legislative members  
4 26 on the council shall receive payment as provided in Code  
4 27 sections 2.10 and 2.12.  
4 28 LSB 5175DP 82  
4 29 jm/rj/8.2



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**Senate Study Bill 3020**

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

Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved

Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

**A BILL FOR**

- 1 An Act establishing a central warehouse fund under the control of
- 2 the department of corrections.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 5214XD 82
- 5 jm/rj/5



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Senate Study Bill 3020 continued

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1 1 Section 1. NEW SECTION. 904.118A CENTRAL WAREHOUSE FUND.  
1 2 The department shall establish a fund for maintaining and  
1 3 operating a central warehouse and supply depot and  
1 4 distribution facility for surplus government products, canned  
1 5 goods, paper products, other staples, and for such other items  
1 6 as determined by the department. The fund shall be permanent  
1 7 and shall be composed of the receipts from the sales of  
1 8 merchandise and the recovery of handling, operating, and  
1 9 delivery charges for such merchandise. Notwithstanding  
1 10 section 8.33, moneys credited to the fund shall not revert to  
1 11 any other fund. Notwithstanding section 12C.7, interest and  
1 12 earnings deposited in the fund shall be credited to the fund.

1 13 EXPLANATION

1 14 This bill establishes a central warehouse fund under the  
1 15 control of the department of corrections.  
1 16 The bill provides that the department of corrections shall  
1 17 establish a fund for maintaining and operating a central  
1 18 warehouse and supply depot and distribution facility for  
1 19 surplus government products, canned goods, paper products,  
1 20 other staples, and for other items as determined by the  
1 21 department. The fund shall be composed of the receipts from  
1 22 the sales of merchandise and recovery of handling, operating,  
1 23 and delivery charges for such merchandise.  
1 24 Notwithstanding Code section 8.33, moneys in the fund shall  
1 25 not revert. Notwithstanding Code section 12C.7, the interest  
1 26 and earnings deposited in the fund shall also be credited to  
1 27 the fund.  
1 28 LSB 5214XD 82  
1 29 jm/rj/5



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Senate Study Bill 3021

SENATE/HOUSE FILE  
BY (PROPOSED ATTORNEY GENERAL  
BILL)

Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved

Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

A BILL FOR

- 1 An Act relating to the criminal offense of enticing a minor, and
- 2 providing penalties.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 5230DP 82
- 5 jm/rj/24



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Senate Study Bill 3021 continued

PAG LIN

1 1 Section 1. Section 692A.1, subsection 5, paragraph n, Code  
1 2 2007, is amended to read as follows:

1 3 n. Enticing ~~away~~ a minor in violation of section 710.10,  
1 4 subsection 1.

1 5 Sec. 2. Section 710.10, Code 2007, is amended to read as  
1 6 follows:

1 7 710.10 ENTICING ~~AWAY~~ A MINOR.

1 8 1. A person commits a class "C" felony when, without  
1 9 authority and with the intent to commit sexual abuse or sexual  
1 10 exploitation upon a minor under the age of ~~thirteen~~ sixteen,  
1 11 the person entices ~~away~~ or attempts to entice the minor under  
1 12 the age of ~~thirteen~~ sixteen for the purpose of committing  
1 13 sexual abuse or sexual exploitation, or entices ~~away~~ or  
1 14 attempts to entice a person reasonably believed to be under  
1 15 the age of ~~thirteen~~ sixteen for the purpose of committing  
1 16 sexual abuse or sexual exploitation.

1 17 2. A person commits a class "D" felony when, without  
1 18 authority and with the intent to commit ~~an illegal act upon a~~  
~~1 19 minor under the age of sixteen, the person entices away a~~  
~~1 20 minor under the age of sixteen, or entices away a person~~  
~~1 21 reasonably believed to be under the age of sixteen sexual~~  
1 22 exploitation, the person entices or attempts to entice a minor  
1 23 who is sixteen or seventeen years of age for the purpose of  
1 24 committing sexual exploitation or entices or attempts to  
1 25 entice a person reasonably believed to be a minor who is  
1 26 sixteen or seventeen years of age for the purpose of  
1 27 committing sexual exploitation.

1 28 3. A person commits a class "D" felony when, without  
1 29 authority and with the intent to commit an illegal act upon a  
1 30 minor under the age of sixteen, the person entices or attempts  
1 31 to entice a minor under the age of sixteen for the purpose of  
1 32 committing an illegal act, or entices or attempts to entice a  
1 33 person reasonably believed to be under the age of sixteen for  
1 34 the purpose of committing the illegal act.

1 35 ~~3.~~ 4. A person commits an aggravated misdemeanor when,



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Senate Study Bill 3021 continued

2 1 without authority and with the intent to commit an illegal act  
 2 2 upon a minor ~~under the age of sixteen, the person attempts to~~  
~~2 3 entice away a minor under the age of sixteen, or attempts to~~  
~~2 4 entice away a person reasonably believed to be under the age~~  
~~2 5 of sixteen who is sixteen or seventeen years of age, the~~  
~~2 6 person entices or attempts to entice a minor who is sixteen or~~  
~~2 7 seventeen years of age for the purpose of committing an~~  
~~2 8 illegal act, or entices or attempts to entice a person~~  
~~2 9 reasonably believed to be a minor who is sixteen or seventeen~~  
~~2 10 years of age for the purpose of committing an illegal act.~~

2 11 ~~4. 5.~~ A person's intent to commit ~~a violation of this~~  
~~2 12 section sexual abuse, sexual exploitation, or an illegal act~~  
~~2 13 upon a minor~~ may be inferred when the person is not known to  
~~2 14 the person being enticed away~~ minor whom the person is  
~~2 15 enticing or attempting to entice~~ and the person does not have  
~~2 16 the permission of the parent, guardian, or custodian to~~  
~~2 17 contact the person being enticed away~~ minor whom the person is  
~~2 18 enticing or attempting to entice.~~

2 19 ~~5- 6.~~ For purposes of determining jurisdiction under  
 2 20 section 803.1, an offense is considered committed in this  
 2 21 state if the communication to entice ~~away~~ or to attempt to  
~~2 22 entice~~ a minor or a person believed to be a minor who is  
~~2 23 present in this state originates from another state, or the~~  
~~2 24 communication to entice away~~ or to attempt to entice a minor  
 2 25 or a person believed to be a minor is sent from this state.

2 26 Sec. 3. Section 901A.1, subsection 1, paragraph c, Code  
 2 27 2007, is amended to read as follows:

2 28 c. Enticing a minor ~~away~~ in violation of section 710.10,  
 2 29 subsection 1.

EXPLANATION

2 31 This bill relates to criminal offense of enticing a minor.

2 32 The bill renames the criminal offense of enticing away a  
 2 33 minor to enticing a minor, and eliminates the provisions  
 2 34 related to enticing "away" a minor.

2 35 Under the bill, it is a class "C" felony if a person



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Senate Study Bill 3021 continued

3 1 without authority and with the intent to commit sexual abuse  
3 2 or sexual exploitation upon a minor under the age of 16,  
3 3 entices or attempts to entice the minor for the purpose of  
3 4 committing sexual abuse or sexual exploitation. The bill also  
3 5 makes it a class "C" felony if the person being enticed is  
3 6 believed to be a minor under the age of 16. Current law makes  
3 7 it a class "C" felony to entice away a minor under the age of  
3 8 13 or reasonably believed to be under the age of 13 for the  
3 9 purpose of committing sexual abuse or sexual exploitation.

3 10 The bill makes it a class "D" felony if a person, without  
3 11 authority, and with the intent to commit sexual abuse or  
3 12 sexual exploitation upon a minor 16 or 17 years of age,  
3 13 entices or attempts to entice the minor for the purpose of  
3 14 committing sexual exploitation. The bill also makes it a  
3 15 class "D" felony if the person being enticed is believed to be  
3 16 a minor 16 or 17 years of age. Current law makes it a class  
3 17 "D" felony to entice away a minor under the age of 16 or  
3 18 reasonably believed to be under the age of 16 for the purpose  
3 19 of committing an illegal act.

3 20 The bill makes it a class "D" felony if a person, without  
3 21 authority and with the intent to commit an illegal act upon a  
3 22 minor under the age of 16, entices or attempts to entice the  
3 23 minor for the purpose of committing an illegal act. The bill  
3 24 also makes it a class "D" felony if the person being enticed  
3 25 is believed to be a minor under the age of 16. Current law  
3 26 makes it an aggravated misdemeanor to entice away a minor  
3 27 under the age of 16 or reasonably believed to be under the age  
3 28 of 16 for the purpose of committing an illegal act.

3 29 The bill makes it an aggravated misdemeanor if a person,  
3 30 without authority and with the intent to commit an illegal act  
3 31 upon a minor 16 or 17 years of age, entices or attempts to  
3 32 entice the minor for the purpose of committing an illegal act.  
3 33 The bill also makes it an aggravated misdemeanor if the person  
3 34 being enticed is believed to be a minor 16 or 17 years of age.  
3 35 Under current law, a person does not commit enticing away a



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Senate Study Bill 3021 continued

4 1 minor for illegal acts upon a minor 16 or 17 years of age.  
4 2     A class "C" felony is punishable by confinement for no more  
4 3 than 10 years and a fine of at least \$1,000 but not more than  
4 4 \$10,000. A class "D" felony is punishable by confinement for  
4 5 no more than five years and a fine of at least \$750 but not  
4 6 more than \$7,500. An aggravated misdemeanor is punishable by  
4 7 confinement for no more than two years and a fine of at least  
4 8 \$625 but not more than \$6,250.  
4 9 LSB 5230DP 82  
4 10 jm/rj/24



Iowa General Assembly  
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January 15, 2008

**Senate Study Bill 3022**

SENATE/HOUSE FILE  
BY (PROPOSED ATTORNEY GENERAL  
BILL)

Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved

Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

**A BILL FOR**

- 1 An Act creating a criminal offense for impeding the normal
- 2 breathing or circulation of the blood of another, and
- 3 providing penalties.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 5 TL5B 5231DP 82
- 6 jm/rj/14



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Senate Study Bill 3022 continued

PAG LIN

1 1 Section 1. Section 702.11, subsection 2, paragraph a, Code  
1 2 2007, is amended to read as follows:

1 3 a. Willful injury in violation of section 708.4,  
1 4 subsection ~~2~~ 3.

1 5 Sec. 2. Section 708.4, Code 2007, is amended to read as  
1 6 follows:

1 7 708.4 WILLFUL INJURY.

1 8 Any person who does an act which is not justified and which  
1 9 is intended to cause serious injury to another commits the  
1 10 following:

1 11 1. A class "C" felony, if the person causes serious injury  
1 12 to another.

1 13 2. A class "C" felony, if the person knowingly impedes the  
1 14 normal breathing or circulation of the blood of another by  
1 15 applying pressure to the throat or neck, regardless of whether  
1 16 injury results.

1 17 ~~2.~~ 3. A class "D" felony, if the person causes bodily  
1 18 injury to another.

1 19 EXPLANATION

1 20 This bill modifies the definition of the criminal offense  
1 21 of willful injury. Under the bill, a person commits a class  
1 22 "C" felony if the person who performs an act that is intended  
1 23 to cause serious injury knowingly impedes the normal breathing  
1 24 or circulation of blood of another by applying pressure to the  
1 25 throat or neck, regardless of whether injury results.

1 26 The new offense under the bill is also classified as a  
1 27 forcible felony under Code section 702.11. Under current law  
1 28 and the bill, a person who commits a forcible felony is  
1 29 required to be sentenced to prison without the possibility of  
1 30 receiving a deferred judgment, deferred sentence, or suspended  
1 31 sentence.

1 32 A class "C" felony is punishable by confinement for no more  
1 33 than 10 years and a fine of at least \$1,000 but not more than  
1 34 \$10,000.

1 35 LSB 5231DP 82



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Senate Study Bill 3022 continued

2 1 jm/rj/14.1



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Senate Study Bill 3023

SENATE/HOUSE FILE  
BY (PROPOSED ATTORNEY  
GENERAL BILL)

Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved

Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

A BILL FOR

- 1 An Act modifying the definition of sexual abuse by including
- 2 certain deceptive acts, and providing penalties.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 5235DP 82
- 5 jm/rj/5



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Senate Study Bill 3023 continued

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1 1 Section 1. Section 709.1, subsection 1, Code 2007, is  
1 2 amended to read as follows:  
1 3 1. The act is done by force or against the will of the  
1 4 other. If the consent or acquiescence of the other is  
1 5 procured by threats of violence toward any person, or by  
1 6 deception as to the sexual nature of the act, or if the act is  
1 7 done while the other is under the influence of a drug inducing  
1 8 sleep or is otherwise in a state of unconsciousness, the act  
1 9 is done against the will of the other.

1 10 EXPLANATION

1 11 This bill modifies the definition of sexual abuse. The  
1 12 bill provides that a person commits sexual abuse if the person  
1 13 performs a sex act upon another if the consent to perform the  
1 14 sex act is procured by deception as to the sexual nature of  
1 15 the act. A "sex act" is defined in Code section 702.17.

1 16 Under the bill, the modification of the definition of  
1 17 "sexual abuse" results in changes to the elements of the  
1 18 following criminal offenses: sexual abuse in the first degree  
1 19 (709.2), sexual abuse in the second degree (709.3), sexual  
1 20 abuse in the third degree (709.4), and assault with intent to  
1 21 commit sexual abuse (709.11).

1 22 The modification to the definition of "sexual abuse" also  
1 23 results in changes to the elements of "kidnapping" under Code  
1 24 section 710.1, and changes the definition of "kidnapping" in  
1 25 the first degree (710.2), enticing a minor away (710.10),  
1 26 burglary in the first degree (713.3), and child endangerment  
1 27 (726.6).

1 28 Under the bill, the modification to the definition of  
1 29 "sexual abuse" also changes enhancements to criminal penalties  
1 30 in Code sections 702.11 (forcible felony), 902.12 (minimum  
1 31 sentences for certain felonies == 70 percent sentences), and  
1 32 902.14 (enhanced penalties for sexual abuse and lascivious  
1 33 acts).

1 34 The term "sexual abuse" also appears in numerous Code  
1 35 sections including the following: 13.31 (victim assistance



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2 1 programs), 29B.116 (military justice), 80F.1 (rights of peace  
2 2 officers and public safety personnel), 81.10 (DNA profiling),  
2 3 135.118 (child protection center grant programs), 135L.3  
2 4 (parental notification of abortion), 229A.2 (commitment of  
2 5 sexually violent predators), 232.2 (juvenile justice  
2 6 definitions), 232.48 (predisposition and investigation  
2 7 report), 232.49 (physical and mental examinations), 232.83  
2 8 (child sexual abuse), 232.97 (social investigation report),  
2 9 232.116 (grounds for termination of parental rights), 232.181  
2 10 (social history report), 237A.5 (child care facilities),  
2 11 252B.9 (child support recovery), 256.9 (duties of director of  
2 12 department of education), 260C.14 (authority of community  
2 13 college directors), 261.9 (college student aid commission),  
2 14 262.9 (board of regents), 272.2 (educational examiners board),  
2 15 331.802 (deaths reported), 595.3A (marriage application),  
2 16 611.23 (civil actions), 614.1 (limitations of actions), 614.8A  
2 17 (damages for child sexual abuse), 668.15 (damages resulting  
2 18 from sexual abuse), 692A.1 (sex offender registry), 701.11  
2 19 (evidence of sexual abuse), 708.3 (assault while participating  
2 20 in a felony), 709.5 (resistance to sexual abuse), 709.6 (jury  
2 21 instructions), 709.10 (sexual abuse evidence), 802.2  
2 22 (limitations of criminal actions), 802.10 (DNA profile of  
2 23 accused), 811.1 (bail and bail restrictions), 903B.10  
2 24 (hormonal intervention therapy), 915.20A (victim counselor  
2 25 privilege), and 915.40 (victim rights).  
2 26 The bill is in response to an Iowa supreme court case,  
2 27 State v. Bolsinger, 709 N.W.2d 560 (2006).  
2 28 LSB 5235DP 82  
2 29 jm/rj/5



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**Senate Study Bill 3024**

SENATE FILE  
 BY (PROPOSED COMMITTEE ON  
 APPROPRIATIONS BILL BY  
 CHAIRPERSON DVORSKY)

Passed Senate, Date \_\_\_\_\_  
 Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
           Approved

Passed House, Date \_\_\_\_\_  
 Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

**A BILL FOR**

- 1 An Act relating to the distribution to counties of certain
- 2 utility replacement tax revenues credited to the property tax
- 3 relief fund and providing an effective date.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 5 TL5B 5681XC 82
- 6 jp/rj/8



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Senate Study Bill 3024 continued

PAG LIN

1 1 Section 1. Section 426B.2, subsection 1, unnumbered  
1 2 paragraph 2, Code 2007, is amended to read as follows:  
1 3 1A. Moneys provided distributed to a county for property  
1 4 tax relief in a fiscal year, excluding replacement taxes in  
~~1 5 the property tax relief fund, in accordance with this~~  
1 6 ~~subsection~~ section shall not be less than the amount provided  
1 7 for property tax relief in the previous fiscal year.  
1 8 Sec. 2. Section 426B.2, subsection 3, Code 2007, is  
1 9 amended to read as follows:  
1 10 3. The director of human services shall draw warrants on  
1 11 the property tax relief fund, payable to the county treasurer  
1 12 in the amount due to a county in accordance with subsection 1  
1 13 and mail the warrants to the county auditors in July and  
1 14 January of each year. ~~Any replacement generation tax in the~~  
~~1 15 property tax relief fund as of November 1 shall be paid to the~~  
~~1 16 county treasurers in July and January of the fiscal year~~  
~~1 17 beginning the following July 1.~~  
1 18 Sec. 3. Section 426B.5, subsection 2, paragraphs b and h,  
1 19 Code Supplement 2007, are amended to read as follows:  
1 20 b. A risk pool is created in the property tax relief fund.  
1 21 The pool shall consist of the moneys credited to the pool by  
1 22 law, including but not limited to utility replacement tax  
1 23 revenues credited to the pool pursuant to section 437A.8 or  
1 24 437A.15.  
1 25 h. The total amount of risk pool assistance available for  
1 26 distribution for a fiscal year shall be limited to the amount  
1 27 available in the risk pool for a of the unencumbered and  
1 28 unobligated balance of the risk pool as of February 1 of that  
1 29 fiscal year. Any unencumbered and unobligated balance in the  
1 30 risk pool at the close of a fiscal year shall remain in the  
1 31 risk pool for distribution in the succeeding fiscal year.  
1 32 Sec. 4. Section 437A.8, subsection 4, paragraph d, Code  
1 33 2007, is amended to read as follows:  
1 34 d. Notwithstanding paragraph "a", a taxpayer who owns or  
1 35 leases a new electric power generating plant and who has no



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Senate Study Bill 3024 continued

2 1 other operating property in the state of Iowa except for  
2 2 operating property directly serving the new electric power  
2 3 generating plant as described in section 437A.16 shall pay the  
2 4 replacement generation tax associated with the allocation of  
2 5 the local amount to the county treasurer of the county in  
2 6 which the local amount is located and shall remit the  
2 7 remaining replacement generation tax, if any, to the director  
2 8 according to paragraph "a" for remittance of the tax to county  
2 9 treasurers. The director shall notify each taxpayer on or  
2 10 before August 31 following a tax year of its remaining  
2 11 replacement generation tax to be remitted to the director.  
2 12 All remaining replacement generation tax revenues received by  
2 13 the director shall be ~~deposited in~~ credited to the risk pool  
2 14 of the property tax relief fund created in section 426B.1  
2 15 426B.5, and shall be distributed as provided ~~in section 426B.2~~  
2 16 by law.

2 17 Sec. 5. Section 437A.15, subsection 3, paragraph f, Code  
2 18 Supplement 2007, is amended to read as follows:

2 19 f. Notwithstanding the provisions of this section, if a  
2 20 taxpayer is a municipal utility or a municipal owner of an  
2 21 electric power facility financed under the provisions of  
2 22 chapter 28F or 476A, the assessed value, other than the local  
2 23 amount, of a new electric power generating plant shall be  
2 24 allocated to each taxing district in which the municipal  
2 25 utility or municipal owner is serving customers and has  
2 26 electric meters in operation in the ratio that the number of  
2 27 operating electric meters of the municipal utility or  
2 28 municipal owner located in the taxing district bears to the  
2 29 total number of operating electric meters of the municipal  
2 30 utility or municipal owner in the state as of January 1 of the  
2 31 tax year. If the municipal utility or municipal owner of an  
2 32 electric power facility financed under the provisions of  
2 33 chapter 28F or 476A has a new electric power generating plant  
2 34 but the municipal utility or municipal owner has no operating  
2 35 electric meters in this state, the municipal utility or



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3 1 municipal owner shall pay the replacement generation tax  
3 2 associated with the new electric power generating plant  
3 3 allocation of the local amount to the county treasurer of the  
3 4 county in which the local amount is located and shall remit  
3 5 the remaining replacement generation tax, if any, to the  
3 6 director at the times contained in section 437A.8, subsection  
3 7 4, for remittance of the tax to the county treasurers. All  
3 8 remaining replacement generation tax revenues received by the  
3 9 director shall be ~~deposited in~~ credited to the risk pool of  
3 10 the property tax relief fund created in section ~~426B.1~~ 426B.5,

3 11 and shall be distributed as provided in ~~section 426B.2~~ by law.

3 12 Sec. 6. EFFECTIVE DATE.

3 13 1. This Act, being deemed of immediate importance, takes  
3 14 effect upon enactment.

3 15 2. Any replacement generation tax revenues deposited in  
3 16 the property tax relief fund during the fiscal year beginning  
3 17 July 1, 2007, and prior to the effective date of this Act  
3 18 shall be credited to the risk pool of the property tax relief  
3 19 fund created in section 426B.5 for distribution as provided by  
3 20 law.

3 21 3. For purposes of distributing risk pool assistance for  
3 22 the fiscal year beginning July 1, 2007, notwithstanding  
3 23 section 426B.5, subsection 2, paragraph "d", the application  
3 24 deadline for assistance shall be February 25, 2008, and the  
3 25 risk pool board shall make its final decisions regarding  
3 26 acceptance or rejection of applications on or before March 25,  
3 27 2008.

3 28 EXPLANATION

3 29 This bill relates to the distribution to counties of  
3 30 certain utility replacement tax revenues credited to the  
3 31 property tax relief fund.

3 32 Under current law in Code chapter 437A, electrical power  
3 33 generating plants are centrally assessed by the state for  
3 34 property tax purposes and these property tax revenues are  
3 35 distributed to counties using a formula that reflects the



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4 1 consumers of the electricity in the taxing district. However,  
4 2 under Code sections 437A.8 and 437A.15, when the owner of a  
4 3 new electrical generating plant property either does not have  
4 4 other operating property in the state except for property  
4 5 directly serving the plant and there is excess revenue or does  
4 6 not have operating electrical meters in the state, the  
4 7 property tax revenues from the plant are deposited in the  
4 8 property tax relief fund created in Code section 426B.1 and  
4 9 distributed as provided in Code section 426B.2.

4 10 Under current law, moneys distributed from the property tax  
4 11 relief fund in accordance with Code section 426B.2 are  
4 12 allocated to counties using a three-factor formula reflecting  
4 13 a county's proportion of the state's general population, the  
4 14 state's total assessed property tax valuations in the previous  
4 15 fiscal year, and all counties' base year expenditures for  
4 16 mental health, mental retardation, and developmental  
4 17 disabilities services (MH/MR/DD) services for selected years  
4 18 in fiscal year 1993=1994 or 1995=1996. The property tax  
4 19 relief fund revenues distributed to counties are required to  
4 20 be credited to county MH/MR/DD services funds to be used for  
4 21 such services and county levies for MH/MR/DD services are  
4 22 reduced \$1=for=\$1 for the revenue credited.

4 23 The bill provides that the utility replacement tax revenues  
4 24 deposited in the property tax relief fund are to be credited  
4 25 to the risk pool in the fund and distributed in accordance  
4 26 with law. Under current law in Code section 426B.5, moneys in  
4 27 the risk pool are distributed to counties using basic  
4 28 eligibility criteria formulas that reflect the counties'  
4 29 compliance with reporting requirements, maximum use of  
4 30 MH/MR/DD levy authority, and relatively low ending balances  
4 31 for MH/MR/DD services funds. A county that meets the basic  
4 32 eligibility criteria applies to the risk pool board for risk  
4 33 pool assistance based on the need to continue support for  
4 34 mandated MH/MR/DD services, avoid the need to reduce or  
4 35 eliminate critical services or emergency services which



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5 1 reduction or elimination would place consumers' or the public  
5 2 health or safety at risk, or avoid the need to reduce or  
5 3 eliminate services or other support provided to entire  
5 4 disability populations or provided to maintain consumers in a  
5 5 community setting. Moneys distributed from the risk pool are  
5 6 required to be credited to the county MH/MR/DD services funds  
5 7 and used for such services but there is not a levy reduction  
5 8 required.

5 9 The bill also amends the risk pool provisions to provide  
5 10 that the amount available for distribution from the risk pool  
5 11 for a fiscal year is limited to the unencumbered and  
5 12 unobligated balance of the risk pool as of February 1 of that  
5 13 fiscal year.

5 14 The bill takes effect upon enactment and provides that  
5 15 replacement generation tax revenues deposited in the property  
5 16 tax relief fund during fiscal year 2007=2008 prior to the  
5 17 bill's effective date are to be credited to the risk pool for  
5 18 distribution in accordance with law. For purposes of  
5 19 distributing risk pool assistance for fiscal year 2007=2008,  
5 20 the effective date provision extends the application deadline  
5 21 for assistance by 30 calendar days to February 25, 2008, and  
5 22 extends the risk pool board deadline for its final decisions  
5 23 regarding acceptance or rejection of applications by 30  
5 24 calendar days to March 25, 2008.

5 25 LSB 5681XC 82

5 26 jp/rj/8



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Senate Study Bill 3025

SENATE/HOUSE FILE  
BY (PROPOSED IOWA FINANCE  
AUTHORITY BILL)

Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved

Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

A BILL FOR

- 1 An Act relating to private activity bond allocation procedures.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 3 TLSB 5325XD 82
- 4 md/rj/8



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Senate Study Bill 3025 continued

PAG LIN

1 1 Section 1. Section 7C.7, Code 2007, is amended to read as  
1 2 follows:

1 3 7C.7 CERTIFICATION OF ALLOCATION.

1 4 Upon the receipt of a completed application pursuant to  
1 5 section 7C.6, the governor's designee shall promptly certify  
1 6 to the political subdivision the amount of the state ceiling  
1 7 allocated to the bonds for the purpose or project with respect  
1 8 to which the application was submitted. The allocation shall  
1 9 remain valid for ~~thirty~~ one hundred twenty days from the date  
1 10 the allocation was certified, subject to the following  
1 11 conditions:

1 12 1. If the bonds are issued and delivered for the purpose  
1 13 or project within the ~~thirty-day~~ one-hundred-twenty-day period  
1 14 or the ~~forty-five-day~~ thirty-day extension period provided in  
1 15 subsection 2, the political subdivision or its representative  
1 16 shall within ten days following the issuance and delivery of  
1 17 the bonds or not later than June 30 of that year, if the bonds  
1 18 were issued and delivered on or before that date, file with  
1 19 the governor's designee, in the form or manner the governor's  
1 20 designee may prescribe, a notification of the date of issuance  
1 21 and the delivery of the bonds, and the actual principal amount  
1 22 of bonds issued and delivered. The filing of the notification  
1 23 shall be done by actual delivery or by posting in a United  
1 24 States post office depository with correct first class postage  
1 25 paid. If the actual principal amount of bonds issued and  
1 26 delivered is less than the amount of the allocation, the  
1 27 amount of the allocation is automatically reduced to the  
1 28 actual principal amount of the bonds issued and delivered.

1 29 2. If the political subdivision does not reasonably expect  
1 30 to issue and deliver the bonds within the ~~thirty-day~~  
1 31 one-hundred-twenty-day period and evidence of an executed,  
1 32 valid and binding agreement to purchase the bonds is obtained  
1 33 from an entity with the legal ability to purchase and this  
1 34 agreement is filed with the governor's designee, the  
1 35 ~~thirty-day~~ one-hundred-twenty-day allocation period is



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Senate Study Bill 3025 continued

2 1 automatically extended for an additional ~~forty=~~thirty  
2 2 days. The allocation period shall not be extended beyond that  
2 3 additional ~~forty=~~thirty days.

2 4 3. The allocation is no longer valid unless the bonds are  
2 5 issued and delivered prior to December 24 or in the case of  
2 6 bonds described in section 7C.11 are issued and delivered  
2 7 prior to December 31 of the calendar year in which the  
2 8 allocation is certified, except as provided in section 7C.8.

2 9 Sec. 2. Section 7C.9, Code 2007, is amended to read as  
2 10 follows:

2 11 7C.9 NONBUSINESS DAYS.

2 12 If the expiration date of either the ~~thirty=~~day  
2 13 one=hundred=twenty=~~day~~ period or the ~~forty=~~thirty=~~day~~  
2 14 extension period described in subsection 1 or 2 of section  
2 15 7C.7 is a Saturday, Sunday or any day on which the offices of  
2 16 the state, banking institutions or savings and loan  
2 17 associations in the state are authorized or required to close,  
2 18 the expiration date is extended to the first day thereafter  
2 19 which is not a Saturday, Sunday or other previously described  
2 20 day.

2 21 EXPLANATION

2 22 A political subdivision that proposes to issue bonds for a  
2 23 particular project or purpose for which an allocation of the  
2 24 state ceiling is required and has not already been made, must  
2 25 submit an application to the governor's designee before  
2 26 issuance of the bonds. This bill increases the length of the  
2 27 validity period following certification of the allocation by  
2 28 the governor's designee from 30 days to 120 days. The bill  
2 29 also decreases the extension period from 45 days to 30 days in  
2 30 situations where the political subdivision does not reasonably  
2 31 expect to issue and deliver the bonds within the 120=day  
2 32 certification period and evidence of an executed, valid, and  
2 33 binding agreement to purchase the bonds is obtained from an  
2 34 entity with the legal ability to purchase and the agreement is  
2 35 filed with the governor's designee.



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3 1 LSB 5325XD 82  
3 2 md/rj/8



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**Senate Study Bill 3026**

SENATE/HOUSE FILE  
 BY (PROPOSED IOWA FINANCE  
 AUTHORITY BILL)

Passed Senate, Date \_\_\_\_\_  
 Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
           Approved

Passed House, Date \_\_\_\_\_  
 Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

**A BILL FOR**

- 1 An Act relating to allowable investments by the treasurer of
- 2 state and other authorized state agencies.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 5386XD 82
- 5 md/rj/8



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Senate Study Bill 3026 continued

PAG LIN

1 1 Section 1. Section 12B.10, subsection 4, paragraph a, Code  
1 2 2007, is amended by adding the following new subparagraph:  
1 3 NEW SUBPARAGRAPH. (9) Obligations of the Iowa finance  
1 4 authority issued pursuant to chapter 16, bearing interest at  
1 5 market rates, provided that at the time of purchase the Iowa  
1 6 finance authority has an issuer credit rating within the two  
1 7 highest classifications or the obligations to be purchased are  
1 8 rated within the two highest classifications, as established  
1 9 by at least one of the standard rating services approved by  
1 10 the superintendent of banking by rule adopted pursuant to  
1 11 chapter 17A.

1 12 Sec. 2. Section 12C.9, subsection 1, Code 2007, is amended  
1 13 to read as follows:

1 14 1. The treasurer of state and all other state agencies  
1 15 authorized to invest funds and the treasurer or other  
1 16 designated financial officer of each political subdivision  
1 17 including each school corporation shall invest the proceeds of  
1 18 notes, bonds, refunding bonds, and other evidences of  
1 19 indebtedness, and funds being accumulated for the payment of  
1 20 principal and interest or reserves in investments set out in  
1 21 section 12B.10, subsection 4, paragraph "a", subparagraphs (1)  
1 22 through ~~(7)~~ (9), section 12B.10, subsection 5, paragraph "a",  
1 23 subparagraphs (1) through (7), an investment contract, or  
1 24 tax-exempt bonds. The investment shall be as defined and  
1 25 permitted by section 148 of the Internal Revenue Code and  
1 26 applicable regulations under that section. An investment  
1 27 contract or tax-exempt bonds shall be rated within the two  
1 28 highest classifications as established by at least one of the  
1 29 standard rating services approved by the superintendent of  
1 30 banking by rule adopted pursuant to chapter 17A.

1 31 EXPLANATION

1 32 Code section 12B.10, subsection 4, paragraph "a", restricts  
1 33 the types of investments that the treasurer of state and other  
1 34 authorized state agencies may invest in or purchase. This  
1 35 bill adds obligations of the Iowa finance authority issued



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2 1 pursuant to Code chapter 16, bearing interest at market rates,  
2 2 to the list of allowable investments. The bill also provides  
2 3 that obligations of the Iowa finance authority may only be  
2 4 purchased if at the time of purchase the Iowa finance  
2 5 authority has an issuer credit rating within the two highest  
2 6 classifications or the obligations to be purchased are rated  
2 7 within the two highest classifications as established by the  
2 8 superintendent of banking.

2 9 The bill also updates an internal reference to Code section  
2 10 12B.10.

2 11 LSB 5386XD 82

2 12 md/rj/8



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**Senate Study Bill 3027**

SENATE/HOUSE FILE  
BY (PROPOSED CITIZENS' AIDE/  
OMBUDSMAN BILL)

Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved

Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

**A BILL FOR**

1 An Act relating to the Iowa civil rights Act by expanding the  
2 public accommodations protections of the Act to include  
3 correctional facilities.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
5 TLSB 5460DP 82  
6 rh/nh/5



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Senate Study Bill 3027 continued

PAG LIN

1 1 Section 1. Section 216.2, subsection 13, unnumbered  
1 2 paragraph 2, Code Supplement 2007, is amended to read as  
1 3 follows:  
1 4 "Public accommodation" includes each state and local  
1 5 government unit or tax-supported district of whatever kind,  
1 6 nature, or class that offers services, facilities, benefits,  
1 7 grants or goods to the public, gratuitously or otherwise.  
1 8 "Public accommodation" also includes each jail or other penal,  
1 9 correctional, or detention facility of the state or a  
1 10 political subdivision of the state and each community-based  
1 11 correctional program of a judicial district department of  
1 12 correctional services. This paragraph shall not be construed  
1 13 by negative implication or otherwise to restrict any part or  
1 14 portion of the preexisting definition of the term "public  
1 15 accommodation".

1 16

EXPLANATION

1 17 This bill amends the Iowa civil rights Act by expanding the  
1 18 definition of "public accommodation" to include jails and  
1 19 other penal, correctional, and detention facilities of the  
1 20 state and its political subdivisions. Community-based  
1 21 correctional programs are also included in the definition.  
1 22 The Iowa civil rights commission has jurisdiction over  
1 23 unfair and discriminatory practices with respect to public  
1 24 accommodations.

1 25 LSB 5460DP 82

1 26 rh/nh/5



Iowa General Assembly  
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**Senate Study Bill 3028**

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 expanding the time period during which a complaint may be
- 2 filed with the Iowa civil rights commission.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 5324XD 82
- 5 rh/rj/8



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Senate Study Bill 3028 continued

PAG LIN

1 1 Section 1. Section 216.15, subsection 12, Code Supplement  
1 2 2007, is amended to read as follows:  
1 3 12. Except as provided in section 614.8, a claim under  
1 4 this chapter shall not be maintained unless a complaint is  
1 5 filed with the commission within ~~one~~ three hundred ~~eighty~~  
1 6 after the alleged discriminatory or unfair practice occurred.

1 7 EXPLANATION

1 8 This bill expands the time period during which a complaint  
1 9 may be filed with the Iowa civil rights commission from 180 to  
1 10 300 days after the alleged discriminatory or unfair practice  
1 11 occurred.

1 12 The Iowa civil rights commission enforces state and federal  
1 13 statutes that prohibit discrimination in employment, public  
1 14 accommodations, housing, education, and credit by  
1 15 investigating and litigating civil rights complaints.

1 16 LSB 5324XD 82

1 17 rh/rj/8



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Senate Study Bill 3029

SENATE/HOUSE FILE  
BY (PROPOSED DEPARTMENT OF  
PUBLIC SAFETY BILL)

Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved

Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

A BILL FOR

- 1 An Act providing for changes in electrician licensure
- 2 requirements for specified licensure classifications, and
- 3 providing an effective date.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 5 TLSB 5366DP 82
- 6 rn/rj/8



Iowa General Assembly  
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Senate Study Bill 3029 continued

PAG LIN

1 1 Section 1. Section 103.10, subsection 3, paragraph a, Code  
1 2 Supplement 2007, is amended to read as follows:

1 3 a. An applicant who can provide proof acceptable to the  
1 4 board that the applicant has been working in the electrical  
1 5 business and involved in planning for, laying out,  
1 6 supervising, and installing electrical wiring, apparatus, or  
1 7 equipment for light, heat, and power ~~prior to 1990~~ since  
1 8 January 1, 1998, and for a total of at least sixteen thousand  
1 9 hours, of which at least eight thousand hours shall have been  
1 10 accumulated since January 1, 1998, may be granted a class B  
1 11 master electrician license without taking an examination. An  
1 12 applicant who is issued a class B master electrician license  
1 13 pursuant to this section shall not be authorized to plan, lay  
1 14 out, or supervise the installation of electrical wiring,  
1 15 apparatus, and equipment in a political subdivision which,  
1 16 prior to or after January 1, 2008, establishes licensing  
1 17 standards which preclude such work by class B master  
1 18 electricians in the political subdivision. The board shall  
1 19 adopt rules establishing procedures relating to the  
1 20 restriction of a class B master electrician license pursuant  
1 21 to this subsection.

1 22 Sec. 2. Section 103.12, subsection 3, paragraph a, Code  
1 23 Supplement 2007, is amended to read as follows:

1 24 a. An applicant who can provide proof acceptable to the  
1 25 board that the applicant has been employed as a journeyman  
1 26 electrician ~~since 1990~~ since January 1, 1998, and for a total of at  
1 27 least sixteen thousand hours, of which at least eight thousand  
1 28 hours shall have been accumulated since January 1, 1998, may  
1 29 be granted a class B journeyman electrician license without  
1 30 taking an examination. An applicant who is issued a class B  
1 31 journeyman electrician license pursuant to this section shall  
1 32 not be authorized to wire for or install electrical wiring,  
1 33 apparatus, and equipment in a political subdivision which,  
1 34 prior to or after January 1, 2008, establishes licensing  
1 35 standards which preclude such work by class B journeyman



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2 1 electricians in the political subdivision. The board shall  
2 2 adopt rules establishing procedures relating to the  
2 3 restriction of a class B journeyman electrician license  
2 4 pursuant to this subsection.

2 5 Sec. 3. EFFECTIVE DATE. This Act, being deemed of  
2 6 immediate importance, takes effect upon enactment.

2 7 EXPLANATION

2 8 This bill modifies requirements applicable for licensure as  
2 9 a Class B master electrician or a Class B journeyman  
2 10 electrician pursuant to Code chapter 103. Currently, an  
2 11 applicant who can provide proof that the applicant has been  
2 12 working in the electrical business and involved in planning  
2 13 for, laying out, supervising, and installing electrical  
2 14 wiring, apparatus, or equipment for light, heat, and power  
2 15 prior to 1990 may be granted a Class B master electrician  
2 16 license by the electrical examining board without taking an  
2 17 examination. The bill changes the condition for licensure  
2 18 without an examination to performing the applicable work  
2 19 activities since January 1, 1998, and for a total of at least  
2 20 16,000 hours, of which at least 8,000 hours shall have been  
2 21 accumulated since January 1, 1998. Similarly, an applicant  
2 22 who can provide proof that the applicant has been employed as  
2 23 a journeyman electrician may currently be granted licensure as  
2 24 a Class B journeyman electrician without taking an examination  
2 25 if so employed since 1990. The bill makes a corresponding  
2 26 change in the condition for licensure as a Class B journeyman  
2 27 electrician without an examination to employment since January  
2 28 1, 1998, and for a total of at least 16,000 hours, of which at  
2 29 least 8,000 hours shall have been accumulated since January 1,  
2 30 1998.

2 31 The bill takes effect upon enactment.

2 32 LSB 5366DP 82

2 33 rn/rj/8.1



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**Senate Study Bill 3030**

SENATE/HOUSE FILE  
BY (PROPOSED DEPARTMENT OF  
CULTURAL AFFAIRS BILL)

Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved

Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

**A BILL FOR**

- 1 An Act relating to the administration of the department of
- 2 cultural affairs.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 5309DP 82
- 5 ak/nh/24



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1 1 Section 1. Section 303.2, subsection 3, paragraph b, Code  
1 2 2007, is amended by striking the paragraph.

1 3 Sec. 2. Section 303.9A, subsection 1, Code 2007, is  
1 4 amended to read as follows:

1 5 1. An Iowa heritage fund is created in the state treasury  
1 6 to be administered by the state historical society ~~board of~~  
~~1 7 trustees~~. The fund shall consist of all moneys allocated to  
1 8 the fund by the treasurer of state.

1 9 Sec. 3. Sections 304A.21, 304A.22, 304A.23, 304A.24,  
1 10 304A.25, 304A.26, 304A.27, 304A.28, 304A.29, and 304A.30, Code  
1 11 2007, are repealed.

1 12 EXPLANATION

1 13 This bill makes the state historical society of Iowa  
1 14 responsible for administering the Iowa heritage fund. The  
1 15 bill also removes division III from Code chapter 304A. The  
1 16 division contains an indemnification program for special  
1 17 exhibit items lost or damaged while on loan to nonprofit  
1 18 organizations or governmental entities in Iowa.

1 19 LSB 5309DP 82

1 20 ak/nh/24



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Senate Study Bill 3031

SENATE/HOUSE FILE  
BY (PROPOSED ETHICS AND  
CAMPAIGN DISCLOSURE  
BOARD BILL)

Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved

Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

A BILL FOR

- 1 An Act relating to campaign signs and contributions.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 3 TLSB 5458DP 82
- 4 jr/rj/24



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1 1 Section 1. Section 53.10, unnumbered paragraph 3, Code  
1 2 Supplement 2007, is amended to read as follows:  
1 3 During the hours when absentee ballots are available in the  
1 4 office of the commissioner, ~~the posting of political signs is~~  
~~1 5 prohibited within three hundred feet of the absentee voting~~  
~~1 6 site. No electioneering shall not~~ be allowed within the sight  
1 7 or hearing of voters at the absentee voting site.  
1 8 Sec. 2. Section 53.11, subsection 4, Code Supplement 2007,  
1 9 is amended to read as follows:  
1 10 4. During the hours when absentee ballots are available at  
1 11 a satellite absentee voting station, ~~the posting of political~~  
~~1 12 signs is prohibited within three hundred feet of the satellite~~  
~~1 13 absentee voting station. Electioneering electioneering~~ shall  
1 14 not be allowed within the sight or hearing of voters at the  
1 15 satellite absentee voting station.  
1 16 Sec. 3. Section 68A.404, subsection 1, Code 2007, is  
1 17 amended to read as follows:  
1 18 1. As used in this section, "independent expenditure"  
1 19 means one or more expenditures in excess of ~~seven hundred~~  
~~1 20 fifty~~ one hundred dollars in the aggregate for a communication  
1 21 that expressly advocates the nomination, election, or defeat  
1 22 of a clearly identified candidate or the passage or defeat of  
1 23 a ballot issue that is made without the prior approval or  
1 24 coordination with a candidate, candidate's committee, or a  
1 25 ballot issue committee.  
1 26 Sec. 4. Section 68A.404, subsection 3, paragraph a, Code  
1 27 2007, is amended to read as follows:  
1 28 a. An independent expenditure statement shall be filed  
1 29 within forty-eight hours of the making of an independent  
1 30 expenditure in excess of ~~seven hundred fifty~~ one hundred  
1 31 dollars in the aggregate.  
1 32 Sec. 5. Section 68A.406, Code Supplement 2007, is amended  
1 33 to read as follows:  
1 34 68A.406 CAMPAIGN SIGNS == YARD SIGNS.  
1 35 1. Campaign signs may be placed with the permission of the



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2 1 property owner or lessee on any of the following:

2 2 a. Residential property.

2 3 b. Agricultural land owned by individuals or by a family  
2 4 farm operation as defined in section 9H.1, subsections 8, 9,  
2 5 and 10.

2 6 c. Property leased for residential purposes including, but  
2 7 not limited to, apartments, condominiums, college housing  
2 8 facilities, and houses if placed only on leased property space  
2 9 that is actually occupied.

2 10 d. Vacant lots owned by a ~~private individual~~ person who is  
2 11 not a prohibited contributor under section 68A.503.

2 12 e. Property owned by an organization that is not a  
2 13 prohibited contributor under section 68A.503.

2 14 f. Property leased by a candidate, committee, or an  
2 15 organization established to advocate the nomination, election,  
2 16 or defeat of a candidate or the passage or defeat of a ballot  
2 17 issue that has not yet registered pursuant to section 68A.201,  
2 18 when the property is used as campaign headquarters or a  
2 19 campaign office and the placement of the sign is limited to  
2 20 the space that is actually leased.

2 21 2. a. Campaign signs shall not be placed on any of the  
2 22 following:

2 23 ~~a-~~ (1) Any property owned by the state or the governing  
2 24 body of a county, city, or other political subdivision of the  
2 25 state, including all property considered the public  
2 26 right-of-way. Upon a determination by the board that a sign  
2 27 has been improperly placed, the sign shall be removed by  
2 28 highway authorities as provided in section 318.5, or by county  
2 29 or city law enforcement authorities in a manner consistent  
2 30 with section 318.5.

2 31 ~~b-~~ (2) Property owned, leased, or occupied by a  
2 32 prohibited contributor under section 68A.503 unless the sign  
2 33 advocates the passage or defeat of a ballot issue or is  
2 34 exempted under subsection 1.

2 35 ~~c-~~ (3) On any property without the permission of the



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3 1 property owner or lessee.

3 2 ~~d.~~ (4) On election day either on the premises of any  
3 3 polling place or within three hundred feet of any outside door  
3 4 of any building affording access to any room where the polls  
3 5 are held, or of any outside door of any building affording  
3 6 access to any hallway, corridor, stairway, or other means of  
3 7 reaching the room where the polls are held.

3 8 ~~e.~~ (5) Within On the premises of or within three hundred  
3 9 feet of any outside door of any building affording access to  
3 10 an absentee voting site during the hours when absentee ballots  
3 11 are available in the office of the county commissioner of  
3 12 elections as provided in section 53.10.

3 13 ~~f.~~ (6) Within On the premises of or within three hundred  
3 14 feet of any outside door of any building affording access to a  
3 15 satellite absentee voting station during the hours when  
3 16 absentee ballots are available at the satellite absentee  
3 17 voting station as provided in section 53.11.

3 18 ~~b. Paragraphs "d", "e", and "f"~~ Paragraph "a",  
3 19 subparagraphs (4), (5), and (6) shall not apply to the posting  
3 20 of signs on private property not a polling place, except that  
3 21 the placement of a sign on a motor vehicle, trailer, or  
3 22 semitrailer, or any attachment to a motor vehicle, trailer, or  
3 23 semitrailer parked on public property within three hundred  
3 24 feet of any outside door of any building affording access to  
3 25 any room serving as a polling place, which sign is more than  
3 26 ninety square inches in size, is prohibited.

3 27 3. Campaign signs with dimensions of thirty-two square  
3 28 feet or less are exempt from the attribution statement  
3 29 requirement in section 68A.405. Campaign signs in excess of  
3 30 thirty-two square feet, or signs that are affixed to buildings  
3 31 or vehicles regardless of size except for bumper stickers, are  
3 32 required to include the attribution statement required by  
3 33 section 68A.405. The placement or erection of campaign signs  
3 34 shall be exempt from the requirements of chapter 480 relating  
3 35 to underground facilities information.



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4 1 Sec. 6. Section 68A.503, subsection 5, Code Supplement  
4 2 2007, is amended by striking the subsection and inserting in  
4 3 lieu thereof the following:

4 4 5. For purposes of this section:

4 5 a. "Committee" includes a statutory political committee  
4 6 organized under chapter 43 and a nonparty political  
4 7 organization organized under chapter 44.

4 8 b. "Corporation" includes a limited liability company or S  
4 9 corporation, but does not include a family farm operation as  
4 10 defined in section 9H.1, subsections 8, 9, and 10.

4 11 EXPLANATION

4 12 This bill moves current restrictions concerning campaign  
4 13 signs near absentee voting sites and satellite absentee voting  
4 14 stations from Code chapter 53 to Code chapter 68A, and  
4 15 specifies that the 300 foot restriction is measured from the  
4 16 outside door of the voting premises. Code chapter 53  
4 17 provisions continue to prohibit electioneering within the  
4 18 sight or hearing of voters.

4 19 The bill lowers the reporting threshold for independent  
4 20 expenditures from \$750 to \$100.

4 21 The bill adds a definition for the term "corporation" to  
4 22 include limited liability companies and S corporations as that  
4 23 term relates to limitations on political campaign  
4 24 contributions.

4 25 The bill specifies restrictions on yard signs, providing  
4 26 that signs may be placed on property leased for college  
4 27 housing facilities on leased property space that is actually  
4 28 occupied, and on vacant lots owned by a person who is not a  
4 29 prohibited contributor.

4 30 LSB 5458DP 82

4 31 jr/rj/24