



Iowa General Assembly
Daily Bills, Amendments & Study Bills
January 17, 2008

House File 2038 - Introduced

HOUSE FILE

BY H. MILLER, WHITAKER, MERTZ,
HEDDENS, FREVERT, KUHN, FOEGE,
MASCHER, LENSING, R. OLSON,
WESSEL-KROESCHELL, REASONER,
DAVITT, JOCHUM, ABDUL-SAMAD,
T. OLSON, THOMAS, WENTHE,
WENDT, SCHUELLER, GAYMAN,
BAILEY, JACOBY, SWAIM, and
STAED

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

Passed Senate, Date _____
Vote: Ayes _____ Nays _____

A BILL FOR

- 1 An Act creating a baby boom generation commission.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 3 TLSB 5272YH 82
- 4 tw/rj/8



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1 1 Section 1. NEW SECTION. 15.422 BABY BOOM GENERATION
1 2 COMMISSION.
1 3 1. A baby boom generation commission is established within
1 4 the department to advise and assist in the retention and
1 5 attraction of baby boomers in both rural and urban areas of
1 6 the state.
1 7 2. a. The commission shall consist of fifteen voting
1 8 members appointed by the governor, subject to confirmation by
1 9 the senate. Each voting member shall have been born no
1 10 earlier than 1946 and no later than 1964. The voting
1 11 membership shall reflect diversity within all of the following
1 12 areas:
1 13 (1) Geographic location within the state.
1 14 (2) Public, private, and nonprofit sector employment
1 15 experience.
1 16 (3) Urban and rural residency.
1 17 (4) Racial, ethnic, and cultural heritage.
1 18 (5) Full-time residency and residency in other states for
1 19 part of the year.
1 20 b. Four members of the general assembly shall serve as
1 21 nonvoting, ex officio members of the commission with two from
1 22 the senate and two from the house of representatives and not
1 23 more than one member from each chamber being from the same
1 24 political party. The two senators shall be appointed by the
1 25 president of the senate after consultation with the majority
1 26 and minority leaders of the senate. The two representatives
1 27 shall be appointed by the speaker of the house of
1 28 representatives after consultation with the majority and
1 29 minority leaders of the house of representatives.
1 30 c. The voting members shall be appointed in compliance
1 31 with the requirements of sections 69.16, 69.16A, and 69.19,
1 32 and shall serve staggered, three-year terms as designated by
1 33 the governor. Members may be reappointed by the governor
1 34 provided the requirements of subsection 2 are met.
1 35 d. The members of the commission are entitled to receive



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2 1 reimbursement for actual expenses incurred while engaged in
2 2 the performance of official duties. A member of the
2 3 commission may also be eligible to receive compensation as
2 4 provided in section 7E.6.

2 5 3. The commission shall annually elect a chairperson and a
2 6 vice chairperson from the voting members of the commission.

2 7 4. The commission shall do all of the following:

2 8 a. Develop and make available best practice guidelines for
2 9 employers to retain and attract baby boomer employees.

2 10 b. Advise and assist the department in activities designed
2 11 to retain and attract baby boomers.

2 12 c. (1) By January 15, 2009, submit a written report to
2 13 the governor and the general assembly. The report shall
2 14 include the commission's findings and recommendations
2 15 regarding the status of efforts to retain and attract baby
2 16 boomers in and to the state, including those who reside in
2 17 other states for part of the year, the career opportunities
2 18 available to baby boomers, the educational needs of baby
2 19 boomers, and the career experiences and productivity benefits
2 20 that baby boomers bring to Iowa's workforce. The commission
2 21 shall submit an updated report to the governor and the general
2 22 assembly by January 15, 2010, and by January 15 in every
2 23 even-numbered year thereafter.

2 24 (2) By January 15 in years when the report required in
2 25 subparagraph (1) is not updated, submit to the governor and
2 26 the general assembly a written status report which shall
2 27 include an analysis of progress made during the previous
2 28 calendar year on any recommendations in the report and any
2 29 available updates on data included in the report.

2 30 EXPLANATION

2 31 This bill creates a baby boom generation commission.

2 32 The bill establishes the commission within the department
2 33 of economic development in order to advise and assist in
2 34 retaining and attracting baby boomers in and to both rural and
2 35 urban areas of the state.



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3 1 The bill provides that the commission shall consist of 15
3 2 voting members appointed by the governor, subject to
3 3 confirmation by the senate, and four members of the general
3 4 assembly serving as nonvoting, ex officio members.

3 5 The bill requires the commission to advise and assist the
3 6 department in activities designed to retain and attract baby
3 7 boomers and to develop and make available best practice
3 8 guidelines to help employers retain and attract baby boomer
3 9 employees.

3 10 The bill requires the commission to annually file certain
3 11 reports with the governor and the general assembly regarding
3 12 the status of efforts to retain and attract baby boomers in
3 13 and to the state, including those who reside in other states
3 14 for part of the year, the career opportunities available to
3 15 baby boomers, the educational needs of baby boomers, and the
3 16 career experiences and productivity benefits that baby boomers
3 17 bring to Iowa's workforce.

3 18 LSB 5272YH 82

3 19 tw/rj/8



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House File 2039 - Introduced

HOUSE FILE
BY BERRY

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

A BILL FOR

- 1 An Act raising the compulsory education attendance age, providing
- 2 for related matters, and providing an effective date.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 5683HH 82
- 5 kh/nh/14



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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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2 1 Sec. 3. STATE MANDATE FUNDING SPECIFIED. In accordance
2 2 with section 25B.2, subsection 3, the state cost of requiring
2 3 compliance with any state mandate included in this Act shall
2 4 be paid by a school district from state school foundation aid
2 5 received by the school district under section 257.16. This
2 6 specification of the payment of the state cost shall be deemed
2 7 to meet all the state funding-related requirements of section
2 8 25B.2, subsection 3, and no additional state funding shall be
2 9 necessary for the full implementation of this Act by and
2 10 enforcement of this Act against all affected school districts.

2 11 Sec. 4. EFFECTIVE DATE. This Act takes effect July 1,
2 12 2009.

2 13 EXPLANATION

2 14 This bill raises the compulsory school attendance age from
2 15 16 to 18 years of age. The bill includes technical amendments
2 16 to eliminate a reference to the compulsory attendance age for
2 17 purposes of dual enrollment.

2 18 The bill may include a state mandate as defined in Code
2 19 section 25B.3. The bill requires that the state cost of any
2 20 state mandate included in the bill be paid by a school
2 21 district from state school foundation aid received by the
2 22 school district under Code section 257.16. The specification
2 23 is deemed to constitute state compliance with any state
2 24 mandate funding-related requirements of Code section 25B.2.
2 25 The inclusion of this specification is intended to reinstate
2 26 the requirement of political subdivisions to comply with any
2 27 state mandates included in the bill.

2 28 The bill takes effect July 1, 2009.

2 29 LSB 5683HH 82

2 30 kh/nh/14



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House File 2040 - Introduced

HOUSE FILE
BY PETTENGILL

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

A BILL FOR

- 1 An Act requiring certain new school buses to be equipped with
- 2 seat belts, requiring the use of such seat belts, and making a
- 3 penalty applicable.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 5 TLSB 5126YH 82
- 6 ak/nh/14



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House File 2040 - Introduced continued

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1 1 Section 1. Section 321.373, Code 2007, is amended by
1 2 adding the following new subsection:

1 3 NEW SUBSECTION. 8. A new school bus ordered for purchase
1 4 on or after July 1, 2008, shall be equipped with safety belts
1 5 and safety harnesses in conformance with C.F.R. }
1 6 571.209=571.210 for every seating position.

1 7 Sec. 2. Section 321.445, subsection 2, paragraph d, Code
1 8 2007, is amended to read as follows:

1 9 d. Passengers on a bus other than a school bus equipped
1 10 with safety belts or safety harnesses pursuant to section
1 11 321.373, subsection 8.

1 12 Sec. 3. Section 321.446, subsections 1, 2, and 3, Code
1 13 2007, are amended to read as follows:

1 14 1. a. A child under one year of age and weighing less
1 15 than twenty pounds who is being transported in a motor vehicle
1 16 subject to registration, except a ~~school bus or~~ motorcycle,
1 17 shall be secured during transit in a rear-facing child
1 18 restraint system that is used in accordance with the
1 19 manufacturer's instructions.

1 20 b. A child under six years of age who does not meet the
1 21 description in paragraph "a" and who is being transported in a
1 22 motor vehicle subject to registration, except a ~~school bus or~~
1 23 motorcycle, shall be secured during transit by a child
1 24 restraint system that is used in accordance with the
1 25 manufacturer's instructions.

1 26 2. A child at least six years of age but under eleven
1 27 years of age who is being transported in a motor vehicle
1 28 subject to registration, except a ~~school bus or~~ motorcycle,
1 29 shall be secured during transit by a child restraint system
1 30 that is used in accordance with the manufacturer's
1 31 instructions or by a safety belt or safety harness of a type
1 32 approved under section 321.445.

1 33 3. This section does not apply to peace officers acting on
1 34 official duty. This section also does not apply to the
1 35 transportation of children in 1965 model year or older



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2 1 vehicles, authorized emergency vehicles, buses other than
2 2 school buses equipped with seat belts pursuant to section
2 3 321.373, subsection 8, or motor homes, except when a child is
2 4 transported in a motor home's passenger seat situated directly
2 5 to the driver's right. This section does not apply to the
2 6 transportation of a child who has been certified by a
2 7 physician licensed under chapter 148, 150, or 150A as having a
2 8 medical, physical, or mental condition that prevents or makes
2 9 inadvisable securing the child in a child restraint system,
2 10 safety belt, or safety harness.

2 11 Sec. 4. IMPLEMENTATION OF ACT. Section 25B.2, subsection
2 12 3, shall not apply to this Act.

2 13 EXPLANATION

2 14 This bill requires that new school buses ordered for
2 15 purchase on or after July 1, 2008, be equipped with safety
2 16 belts and safety harnesses for every seating position. The
2 17 bill also requires the use of such safety belts and safety
2 18 harnesses by the driver and passengers on school buses so
2 19 equipped. Current requirements for the use of child restraint
2 20 systems for children under 11 years of age also apply for
2 21 school buses equipped with safety belts and safety harnesses
2 22 under the bill.

2 23 A violation of seat belt or restraint requirements is a
2 24 scheduled violation subject to a fine of \$25. Seat belt and
2 25 restraint violations are not a factor in establishing grounds
2 26 for license suspension or identifying a person as a habitual
2 27 violator.

2 28 The bill may include a state mandate as defined in Code
2 29 section 25B.3. The bill makes inapplicable Code section
2 30 25B.2, subsection 3, which would relieve a political
2 31 subdivision from complying with a state mandate if funding for
2 32 the cost of the state mandate is not provided or specified.
2 33 Therefore, political subdivisions are required to comply with
2 34 any state mandate included in the bill.

2 35 LSB 5126YH 82



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House File 2040 - Introduced continued

3 1 ak/nh/14



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House File 2041 - Introduced

HOUSE FILE
BY R. OLSON

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

A BILL FOR

- 1 An Act relating to the reconsideration of a misdemeanor sentence.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 3 TLSB 5581YH 82
- 4 jm/rj/8



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1 1 Section 1. Section 903.2, Code 2007, is amended to read as
1 2 follows:

1 3 903.2 RECONSIDERATION OF MISDEMEANANT'S SENTENCE.

1 4 For a period of ~~thirty~~ ninety days from the date when a
1 5 person convicted of a misdemeanor begins to serve a sentence
1 6 of confinement, the court may order the person to be returned
1 7 to the court, at which time the court may review its previous
1 8 action and reaffirm it or substitute for it any sentence
1 9 permitted by law. The sentencing court retains jurisdiction
1 10 for the limited purposes of conducting such review and
1 11 entering an appropriate order notwithstanding the timely
1 12 filing of a notice of appeal or an application for
1 13 discretionary review. The court's final order in the
1 14 proceeding shall be delivered to the defendant personally or
1 15 by regular mail. Such action is discretionary with the court
1 16 and its decision to take the action or not to take the action
1 17 is not subject to appeal. The other provisions of this
1 18 section notwithstanding, for the purposes of appeal a judgment
1 19 of conviction is a final judgment when pronounced.

1 20 EXPLANATION

1 21 This bill relates to the reconsideration of a misdemeanor
1 22 sentence.

1 23 The bill provides that a person's sentence to a term of
1 24 confinement for a misdemeanor may be reconsidered by the court
1 25 within 90 days from the date the person begins to serve the
1 26 sentence. Current law provides that a person serving a
1 27 misdemeanor sentence may be reconsidered within 30 days of the
1 28 date the person begins to serve the sentence.

1 29 Reconsideration of sentence occurs when the court sentences
1 30 a person to a term of confinement and then orders the person
1 31 returned to court, at which time the court reviews its
1 32 previous sentence and may substitute for the previous sentence
1 33 any other sentence permitted by law.

1 34 LSB 5581YH 82

1 35 jm/rj/8



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House Study Bill 514

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

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

Passed House, Date _____
Vote: Ayes _____ Nays _____

A BILL FOR

- 1 An Act relating to technical matters concerning the regulation of
- 2 motor vehicles by the department of transportation and
- 3 providing an effective date.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 5 TLSB 5477DP 82
- 6 dea/nh/24



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House Study Bill 514 continued

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1 1 Section 1. Section 321.1, subsection 6B, Code 2007, is
1 2 amended to read as follows:

1 3 6B. "Bona fide residence" or "bona fide address" means the
1 4 current street or highway address of an individual's
1 5 residence. The bona fide residence of a person with more than
1 6 one dwelling is the dwelling for which the person claims a
1 7 homestead tax credit under chapter 425, if applicable. The
1 8 bona fide residence of a homeless person is a primary
1 9 nighttime residence meeting one of the criteria listed in
1 10 section 48A.2, subsection 2.

1 11 Sec. 2. Section 321.10, unnumbered paragraph 1, Code 2007,
1 12 is amended to read as follows:

1 13 The director and officers of the department designated by
1 14 the director are authorized to prepare under the seal of the
1 15 department and provide upon request a certified copy of any
1 16 record of the department, charging a fee of fifty cents for
1 17 each document so authenticated, and every such certified copy
1 18 shall be admissible in any proceeding in any court in like
1 19 manner as the original and shall be considered to be true and
1 20 accurate unless shown otherwise by an objecting party. The
1 21 seal of the department may be applied electronically on
1 22 certified copies of records.

1 23 Sec. 3. Section 321.30, subsection 1, Code Supplement
1 24 2007, is amended by adding the following new paragraph:

1 25 NEW PARAGRAPH. m. If the applicant is under eighteen
1 26 years of age, unless the applicant has an Iowa driver's
1 27 license or the application is being made by more than one
1 28 applicant and one of the applicants is at least eighteen years
1 29 of age.

1 30 Sec. 4. Section 321.30, subsection 3, Code Supplement
1 31 2007, is amended to read as follows:

1 32 3. The department or the county treasurer shall refuse
1 33 registration of a vehicle ~~on the following grounds:~~

1 34 ~~a. If the applicant is under the age of eighteen years,~~
1 35 ~~unless the applicant has an Iowa driver's license or the~~



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~~House Study Bill 514 continued~~

~~2 1 application is being made by more than one applicant and one~~
~~2 2 of the applicants is at least eighteen years of age.~~
2 3 ~~b.~~ if the applicant for registration of the vehicle has
2 4 failed to pay the required registration fees of any vehicle
2 5 owned or previously owned when the registration fee was
2 6 required to be paid by the applicant, and for which vehicle
2 7 the registration was suspended or revoked under section
2 8 321.101, subsection 1, paragraph "d", or section 321.101A,
2 9 until the fees are paid together with any accrued penalties.
2 10 Sec. 5. Section 321.34, subsection 16, unnumbered
2 11 paragraph 1, Code Supplement 2007, is amended to read as
2 12 follows:
2 13 An owner referred to in subsection 12 who is a member of
2 14 the national guard, as defined in chapter 29A, may, upon
2 15 written application to the department, order special
2 16 registration plates with a national guard processed emblem
2 17 with the emblem designed by the department in cooperation with
2 18 the adjutant general which emblem signifies that the applicant
2 19 is a member of the national guard. The application shall be
2 20 approved by the department in consultation with the adjutant
2 21 general. The special plate fees collected by the director
2 22 under subsection 12, ~~paragraph~~ paragraphs "a" and "c", from
2 23 the issuance and annual validation of letter-number designated
2 24 and personalized national guard plates shall be paid monthly
2 25 to the treasurer of state and credited to the road use tax
2 26 fund. Notwithstanding section 423.43, and prior to the
2 27 crediting of revenues to the road use tax fund under section
2 28 423.43, subsection 1, paragraph "b", the treasurer of state
2 29 shall transfer monthly from those revenues to the veterans
2 30 license fee fund created in section 35A.11 the amount of the
2 31 special fees collected under subsection 12, paragraph "a", in
2 32 the previous month for national guard plates. Special
2 33 registration plates with a national guard processed emblem
2 34 shall be surrendered, as provided in subsection 12, in
2 35 exchange for regular registration plates upon termination of



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House Study Bill 514 continued

3 1 the owner's membership in the active national guard.
3 2 Sec. 6. Section 321.34, subsection 17, unnumbered
3 3 paragraph 1, Code Supplement 2007, is amended to read as
3 4 follows:
3 5 An owner referred to in subsection 12 who was at Pearl
3 6 Harbor, Hawaii, as a member of the armed services of the
3 7 United States on December 7, 1941, may, upon written
3 8 application to the department, order special registration
3 9 plates with a Pearl Harbor processed emblem. The emblem shall
3 10 be designed by the department in consultation with service
3 11 organizations. The application is subject to approval by the
3 12 department. The special plate fees collected by the director
3 13 under subsection 12, ~~paragraph~~ paragraphs "a" and "c", from
3 14 the issuance and annual validation of letter-number designated
3 15 and personalized Pearl Harbor plates shall be paid monthly to
3 16 the treasurer of state and credited to the road use tax fund.
3 17 Notwithstanding section 423.43, and prior to the crediting of
3 18 revenues to the road use tax fund under section 423.43,
3 19 subsection 1, paragraph "b", the treasurer of state shall
3 20 transfer monthly from those revenues to the veterans license
3 21 fee fund created in section 35A.11 the amount of the special
3 22 fees collected under subsection 12, paragraph "a", in the
3 23 previous month for Pearl Harbor plates.
3 24 Sec. 7. Section 321.34, subsection 18, unnumbered
3 25 paragraph 1, Code Supplement 2007, is amended to read as
3 26 follows:
3 27 An owner referred to in subsection 12 who was awarded a
3 28 purple heart medal by the United States government for wounds
3 29 received in military or naval combat against an armed enemy of
3 30 the United States may, upon written application to the
3 31 department and presentation of satisfactory proof of the award
3 32 of the purple heart medal, order special registration plates
3 33 with a purple heart processed emblem. The design of the
3 34 emblem shall include a representation of a purple heart medal
3 35 and ribbon. The application is subject to approval by the



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4 1 department in consultation with the adjutant general. The
4 2 special plate fees collected by the director under subsection
4 3 12, ~~paragraph~~ paragraphs "a" and "c", from the issuance and
4 4 annual validation of letter=number designated and personalized
4 5 purple heart plates shall be paid monthly to the treasurer of
4 6 state and credited to the road use tax fund. Notwithstanding
4 7 section 423.43, and prior to the crediting of revenues to the
4 8 road use tax fund under section 423.43, subsection 1,
4 9 paragraph "b", the treasurer of state shall transfer monthly
4 10 from those revenues to the veterans license fee fund created
4 11 in section 35A.11 the amount of the special fees collected
4 12 under subsection 12, paragraph "a", in the previous month for
4 13 purple heart plates.

4 14 Sec. 8. Section 321.34, subsection 19, unnumbered
4 15 paragraph 1, Code Supplement 2007, is amended to read as
4 16 follows:

4 17 An owner referred to in subsection 12 who is a retired
4 18 member of the United States armed forces may, upon written
4 19 application to the department and upon presentation of
4 20 satisfactory proof of membership, order special registration
4 21 plates with a United States armed forces retired processed
4 22 emblem. The emblem shall be designed by the department in
4 23 consultation with service organizations. The application is
4 24 subject to approval by the department. For purposes of this
4 25 subsection, a person is considered to be retired if the person
4 26 is recognized by the United States armed forces as retired
4 27 from the United States armed forces. The special plate fees
4 28 collected by the director under subsection 12, ~~paragraph~~
4 29 paragraphs "a" and "c", from the issuance and annual
4 30 validation of letter=number designated and personalized armed
4 31 forces retired plates shall be paid monthly to the treasurer
4 32 of state and credited to the road use tax fund.
4 33 Notwithstanding section 423.43, and prior to the crediting of
4 34 revenues to the road use tax fund under section 423.43,
4 35 subsection 1, paragraph "b", the treasurer of state shall



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5 1 transfer monthly from those revenues to the veterans license
5 2 fee fund created in section 35A.11 the amount of the special
5 3 fees collected under subsection 12, paragraph "a", in the
5 4 previous month for armed forces retired plates.

5 5 Sec. 9. Section 321.34, subsection 20, unnumbered
5 6 paragraph 1, Code Supplement 2007, is amended to read as
5 7 follows:

5 8 An owner referred to in subsection 12 who was awarded a
5 9 silver or a bronze star by the United States government, may,
5 10 upon written application to the department and presentation of
5 11 satisfactory proof of the award of the silver or bronze star,
5 12 order special registration plates with a silver or bronze star
5 13 processed emblem. The emblem shall be designed by the
5 14 department in consultation with the adjutant general. The
5 15 special plate fees collected by the director under subsection
5 16 12, ~~paragraph~~ paragraphs "a" and "c", from the issuance and
5 17 annual validation of letter=number designated and personalized
5 18 silver star and bronze star plates shall be paid monthly to
5 19 the treasurer of state and credited to the road use tax fund.

5 20 Notwithstanding section 423.43, and prior to the crediting of
5 21 revenues to the road use tax fund under section 423.43,
5 22 subsection 1, paragraph "b", the treasurer of state shall
5 23 transfer monthly from those revenues to the veterans license
5 24 fee fund created in section 35A.11 the amount of the special
5 25 fees collected under subsection 12, paragraph "a", in the
5 26 previous month for silver star and bronze star plates.

5 27 Sec. 10. Section 321.34, subsection 20A, unnumbered
5 28 paragraph 1, Code Supplement 2007, is amended to read as
5 29 follows:

5 30 An owner referred to in subsection 12 who was awarded a
5 31 distinguished service cross, a navy cross, or an air force
5 32 cross by the United States government may, upon written
5 33 application to the department and presentation of satisfactory
5 34 proof of the award, order special registration plates with a
5 35 distinguished service cross, navy cross, or air force cross



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6 1 processed emblem. The emblem shall be designed by the
6 2 department in consultation with the adjutant general. The
6 3 special plate fees collected by the director under subsection
6 4 12, ~~paragraph~~ paragraphs "a" and "c", from the issuance and
6 5 annual validation of letter=number designated and personalized
6 6 distinguished service cross, navy cross, and air force cross
6 7 plates shall be paid monthly to the treasurer of state and
6 8 credited to the road use tax fund. Notwithstanding section
6 9 423.43, and prior to the crediting of revenues to the road use
6 10 tax fund under section 423.43, subsection 1, paragraph "b",
6 11 the treasurer of state shall transfer monthly from those
6 12 revenues to the veterans license fee fund created in section
6 13 35A.11 the amount of the special fees collected under
6 14 subsection 12, paragraph "a", in the previous month for
6 15 distinguished service cross, navy cross, and air force cross
6 16 plates.

6 17 Sec. 11. Section 321.34, subsection 20B, unnumbered
6 18 paragraph 1, Code Supplement 2007, is amended to read as
6 19 follows:

6 20 An owner referred to in subsection 12 who was awarded a
6 21 soldier's medal, a navy and marine corps medal, or an airman's
6 22 medal by the United States government may, upon written
6 23 application to the department and presentation of satisfactory
6 24 proof of the award, order special registration plates with a
6 25 soldier's medal, navy and marine corps medal, or airman's
6 26 medal processed emblem. The emblem shall be designed by the
6 27 department in consultation with the adjutant general. The
6 28 special plate fees collected by the director under subsection
6 29 12, ~~paragraph~~ paragraphs "a" and "c", from the issuance and
6 30 annual validation of letter=number designated and personalized
6 31 soldier's medal, navy and marine corps medal, and airman's
6 32 medal plates shall be paid monthly to the treasurer of state
6 33 and credited to the road use tax fund. Notwithstanding
6 34 section 423.43, and prior to the crediting of revenues to the
6 35 road use tax fund under section 423.43, subsection 1,



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7 1 paragraph "b", the treasurer of state shall transfer monthly
7 2 from those revenues to the veterans license fee fund created
7 3 in section 35A.11 the amount of the special fees collected
7 4 under subsection 12, paragraph "a", in the previous month for
7 5 soldier's medal, navy and marine corps medal, and airman's
7 6 medal plates.

7 7 Sec. 12. Section 321.34, subsection 24, Code Supplement
7 8 2007, is amended to read as follows:

7 9 24. GOLD STAR PLATES. An owner referred to in subsection
7 10 12 who is the surviving spouse, parent, child, or sibling of a
7 11 deceased member of the United States armed forces who died
7 12 while serving on active duty during a time of military
7 13 conflict may order special registration plates bearing a gold
7 14 star emblem upon written application to the department
7 15 accompanied by satisfactory supporting documentation as
7 16 determined by the department. The gold star emblem shall be
7 17 designed by the department in cooperation with the commission
7 18 of veterans affairs. The special plate fees collected by the
7 19 director under subsection 12, ~~paragraph~~ paragraphs "a" and
7 20 "c", from the issuance and annual validation of letter-number
7 21 designated and personalized gold star plates shall be paid
7 22 monthly to the treasurer of state and credited to the road use
7 23 tax fund. Notwithstanding section 423.43, and prior to the
7 24 crediting of revenues to the road use tax fund under section
7 25 423.43, subsection 1, paragraph "b", the treasurer of state
7 26 shall transfer monthly from those revenues to the veterans
7 27 license fee fund created in section 35A.11 the amount of the
7 28 special fees collected under subsection 12, paragraph "a", in
7 29 the previous month for gold star plates.

7 30 Sec. 13. Section 321.52, subsection 4, paragraph c, Code
7 31 Supplement 2007, is amended to read as follows:

7 32 c. A salvage theft examination shall be made by a peace
7 33 officer who has been specially certified and recertified when
7 34 required by the Iowa law enforcement academy to do salvage
7 35 theft examinations. The Iowa law enforcement academy shall



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8 1 determine standards for training and certification, conduct
8 2 training, and may approve alternative training programs which
8 3 satisfy the academy's standards for training and
8 4 certification. The owner of the salvage vehicle shall make
8 5 the vehicle available for examination at a time and location
8 6 designated by the peace officer doing the examination. The
8 7 owner may obtain a permit to drive the vehicle to and from the
8 8 examination location by submitting a repair affidavit to the
8 9 agency performing the examination stating that the vehicle is
8 10 reasonably safe for operation and listing the repairs which
8 11 have been made to the vehicle. The owner must be present for
8 12 the examination and have available for inspection the salvage
8 13 title, bills of sale for all essential parts changed, if
8 14 applicable, and the repair affidavit. The examination shall
8 15 be for the purposes of determining whether the vehicle or
8 16 repair components have been stolen. The examination is not a
8 17 safety inspection and a signed salvage theft examination
8 18 certificate shall not be construed by any court of law to be a
8 19 certification that the vehicle is safe to be operated. There
8 20 shall be no cause of action against the peace officer or the
8 21 agency conducting the examination or the county treasurer for
8 22 failure to discover or note safety defects. If the vehicle
8 23 passes the theft examination, the peace officer shall indicate
8 24 that the vehicle passed examination on the salvage theft
8 25 examination certificate. The permit and salvage theft
8 26 examination certificate shall be on controlled forms
8 27 prescribed and furnished by the department. The owner shall
8 28 pay a fee of thirty dollars upon completion of the
8 29 examination. The agency performing the examinations shall
8 30 retain twenty dollars of the fee and shall pay five dollars of
8 31 the fee to the department and five dollars of the fee to the
8 32 treasurer of state for deposit in the general fund of the
8 33 state. Moneys deposited to the general fund under this
8 34 paragraph are subject to the requirements of section 8.60 and
8 35 shall be used by the Iowa law enforcement academy to provide



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9 1 for the special training, certification, and recertification
9 2 of officers as required by this subsection.
9 3 ~~The state department of transportation shall adopt rules in~~
~~9 4 accordance with chapter 17A to carry out this section.~~
9 5 Sec. 14. Section 321.52, Code Supplement 2007, is amended
9 6 by adding the following new subsection:
9 7 NEW SUBSECTION. 5. The department shall adopt rules in
9 8 accordance with chapter 17A to carry out this section.
9 9 Sec. 15. Section 321.90, subsection 2, paragraphs d and e,
9 10 Code 2007, are amended to read as follows:
9 11 d. If the abandoned motor vehicle is not reclaimed in
9 12 accordance with section 321.89, subsection 3, or no lienholder
9 13 objects to the disposal in the case of an owner=applicant, the
9 14 police authority shall give the applicant a certificate of
9 15 authority allowing the applicant to obtain a junking
9 16 certificate for the motor vehicle. The applicant shall make
9 17 application for a junking certificate to the county treasurer
9 18 within ~~fifteen~~ thirty days of purchase and surrender the
9 19 certificate of authority in lieu of the certificate of title.
9 20 The demolisher shall accept the junking certificate in lieu of
9 21 the certificate of title to the motor vehicle.
9 22 e. Notwithstanding any other provisions of this section
9 23 and sections 321.89 and 321.91, any person, firm, corporation,
9 24 or unit of government upon whose property or in whose
9 25 possession is found any abandoned motor vehicle, or any person
9 26 being the owner of a motor vehicle whose title certificate is
9 27 faulty, lost, or destroyed, may dispose of such motor vehicle
9 28 to a demolisher for junk without a title and without the
9 29 notification procedures of section 321.89, subsection 3, if
9 30 the motor vehicle lacks an engine or two or more wheels or
9 31 other structural part which renders the vehicle totally
9 32 inoperable. The police authority shall give the applicant a
9 33 certificate of authority. The owner shall apply to the county
9 34 treasurer for a junking certificate within ~~fifteen~~ thirty days
9 35 of purchase and shall surrender the certificate of authority



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10 1 in lieu of the certificate of title.

10 2 Sec. 16. Section 321.105, unnumbered paragraph 5, Code
10 3 2007, is amended to read as follows:

10 4 Seriously disabled veterans who have been provided with an
10 5 automobile or other vehicle by the United States government
10 6 under the provisions of sections 1901 to 1903, Title 38 of the
10 7 United States Code, 38 U.S.C. } 1901 et seq. (1970), shall be
10 8 exempt from payment of ~~any automobile~~ the registration fee
10 9 provided in this chapter for that vehicle, and shall be
10 10 provided, without fee, with a one set of regular registration
10 11 plate plates or one set of any type of special registration
10 12 plates associated with service in the United States armed
10 13 forces for which the disabled veteran qualifies under section
10 14 321.34. The disabled veteran, to be able to claim the above
10 15 benefit, must be a resident of the state of Iowa. ~~The~~ In lieu
10 16 of the set of regular or special military registration plates
10 17 available without fee, the disabled veteran may obtain a
10 18 special or personalized plate a set of nonmilitary special
10 19 registration plates or personalized plates issued under
10 20 section 321.34 by paying the difference between the fee for a
10 21 regular registration plate and the fee for the special or
10 22 personalized registration plate additional fees associated
10 23 with those plates.

10 24 Sec. 17. Section 321.173, Code 2007, is amended to read as
10 25 follows:

10 26 321.173 WHEN FEES RETURNABLE.

10 27 1. Whenever any application to the department is
10 28 accompanied by ~~any~~ a vehicle registration fee as required by
10 29 law and ~~such~~ the application is refused or rejected ~~said~~, the
10 30 fee shall be returned to ~~said~~ the applicant.

10 31 2. Whenever the department through error collects any
10 32 vehicle registration fee not required to be paid hereunder
10 33 under this chapter, the same fee shall be refunded, from the
10 34 refund account, to the person paying the same fee upon
10 35 application therefor made within ~~six months~~ one year after the



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11 1 date of such payment.

11 2 Sec. 18. Section 321.196, subsection 2, Code 2007, is
11 3 amended to read as follows:

11 4 2. Except as required in section 321.188, and except for a
11 5 motorcycle instruction permit issued in accordance with
11 6 section 321.180 or 321.180B, a driver's license is renewable
11 7 without a driving test, written examination, or penalty within
11 8 a period of ~~sixty days after its expiration date and without a~~
~~11 9 driving test within a period of one year after its expiration~~
11 10 date. A person shall not be considered to be driving with an
11 11 invalid license during a period of sixty days following the
11 12 license expiration date. However, for a license renewed
11 13 within the sixty-day period, the date of issuance shall be
11 14 considered to be the previous birthday anniversary on which it
11 15 expired.

11 16 Sec. 19. Section 321.210B, subsections 7 and 14, Code
11 17 Supplement 2007, are amended to read as follows:

11 18 7. a. ~~The A~~ civil penalty, ~~if~~ assessed pursuant to
11 19 section 321.218A, 321A.32A, or 321J.17 shall be added to the
11 20 amount owing under the installment agreement.

11 21 b. The clerk of the district court shall transmit to the
11 22 department, from the first moneys collected, an amount equal
11 23 to the amount of any civil penalty assessed pursuant to
11 24 section 321.218A or 321A.32A and added to the installment
11 25 agreement. The department shall transmit the money received
11 26 from the clerk of the district court pursuant to this
11 27 ~~subsection paragraph~~ to the treasurer of state for deposit in
11 28 the juvenile detention home fund created in section 232.142.

11 29 c. The clerk of the district court shall transmit to the
11 30 department, from the first moneys collected, an amount equal
11 31 to the amount of any civil penalty assessed pursuant to
11 32 section 321J.17 and added to the installment agreement. The
11 33 department shall transmit the money received from the clerk of
11 34 the district court pursuant to this paragraph to the treasurer
11 35 of state who shall deposit one-half of the money in the



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12 1 separate fund established in section 915.94 and one-half of
12 2 the money in the general fund of the state.
12 3 14. Except for ~~the~~ a civil penalty ~~if~~ assessed and
12 4 collected pursuant to subsection 7, any amount collected under
12 5 the installment agreement shall be distributed as provided in
12 6 section 602.8107, subsection 4.
12 7 Sec. 20. Section 321A.32A, Code Supplement 2007, is
12 8 amended to read as follows:
12 9 321A.32A CIVIL PENALTY == DISPOSITION == REINSTATEMENT.
12 10 When the department suspends, revokes, or bars a person's
12 11 driver's license or nonresident operating privilege under this
12 12 chapter, the department shall assess the person a civil
12 13 penalty of two hundred dollars. However, for persons age
12 14 nineteen or under, the civil penalty assessed shall be fifty
12 15 dollars. The money collected by the department under this
12 16 section shall be transmitted to the treasurer of state who
12 17 shall deposit the money in the juvenile detention home fund
12 18 created in section 232.142. A Except as provided in section
12 19 321.210B, a temporary restricted license shall not be issued
12 20 or a driver's license or nonresident operating privilege
12 21 reinstated until the civil penalty has been paid. A person
12 22 assessed a penalty under this section may remit the civil
12 23 penalty along with a processing fee of five dollars to a
12 24 county treasurer authorized to issue driver's licenses under
12 25 chapter 321M, or the civil penalty may be paid directly to the
12 26 department.
12 27 Sec. 21. Section 321J.17, subsection 1, Code 2007, is
12 28 amended to read as follows:
12 29 1. If the department revokes a person's driver's license
12 30 or nonresident operating privilege under this chapter, the
12 31 department shall assess the person a civil penalty of two
12 32 hundred dollars. The money collected by the department under
12 33 this section shall be transmitted to the treasurer of state
12 34 who shall deposit one-half of the money in the separate fund
12 35 established in section 915.94 and one-half of the money in the



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13 1 general fund of the state. A temporary restricted license
13 2 shall not be issued unless an ignition interlock device has
13 3 been installed pursuant to section 321J.4 ~~and the civil~~
~~13 4 penalty has been paid.~~ A driver's license or nonresident
13 5 operating privilege shall not be reinstated unless proof of
13 6 deinstallation of an ignition interlock device installed
13 7 pursuant to section 321J.4 has been submitted to the
13 8 department ~~and~~. Except as provided in section 321.210B, a
13 9 temporary restricted license shall not be issued or a driver's
13 10 license or nonresident operating privilege reinstated until
13 11 the civil penalty has been paid. A person assessed a penalty
13 12 under this section may remit the civil penalty along with a
13 13 processing fee of five dollars to a county treasurer
13 14 authorized to issue driver's licenses under chapter 321M, or
13 15 the civil penalty may be paid directly to the department.

13 16 Sec. 22. Section 321M.9, subsection 1, Code Supplement
13 17 2007, is amended to read as follows:
13 18 1. FEES TO COUNTIES. Notwithstanding any other provision
13 19 in the Code to the contrary, the county treasurer of a county
13 20 authorized to issue driver's licenses under this chapter shall
13 21 retain for deposit in the county general fund seven dollars of
13 22 fees received for each issuance or renewal of driver's
13 23 licenses and nonoperator's identification cards, but shall not
13 24 retain any moneys for the issuance of any persons with
13 25 disabilities identification devices. The five dollar
13 26 processing fee charged by a county treasurer for collection of
13 27 a civil penalty under section 321.218A, ~~or~~ 321A.32A, or
13 28 321J.17 shall be retained for deposit in the county general
13 29 fund. The county treasurer shall remit the balance of fees
13 30 and all civil penalties to the department.

13 31 Sec. 23. Section 322.29, subsection 6, Code Supplement
13 32 2007, is amended to read as follows:
13 33 6. Notwithstanding section 322.3, subsection 1, a person
13 34 licensed as a wholesaler under subsection 4 may be licensed as
13 35 a used motor vehicle dealer ~~solely for the purpose of dealing~~



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~~14 1 in used motor vehicles of the same make and model the person
14 2 is licensed to wholesale.~~

14 3 Sec. 24. Section 331.552, subsection 4, Code 2007, is
14 4 amended to read as follows:

14 5 4. Keep the official county seal provided by the county.
14 6 The official seal shall be an impression seal on the face of
14 7 which shall appear the name of the county, the word "county"
14 8 which may be abbreviated, the word "treasurer" which may be
14 9 abbreviated, and the word "Iowa". ~~The impression of the seal
14 10 shall be placed on each motor vehicle certificate of title
14 11 signed by the treasurer.~~

14 12 Sec. 25. Section 331.557A, subsection 4, Code Supplement
14 13 2007, is amended to read as follows:

14 14 4. Accept payment of civil penalties pursuant to sections
14 15 321.218A, ~~and~~ 321A.32A, ~~and~~ 321J.17 and remit the penalties to
14 16 the state department of transportation.

14 17 Sec. 26. CODIFICATION. The Code editor is requested to
14 18 transfer section 321.173 pertaining to the return of vehicle
14 19 registration fees, as amended in this Act, to section 321.129
14 20 or another suitable location to improve readability.

14 21 Sec. 27. EFFECTIVE DATE. The sections of this Act that
14 22 amend sections 321.210B, 321A.32A, 321J.17, 321M.9 and
14 23 331.557A, being deemed of immediate importance, take effect
14 24 upon enactment.

14 25 EXPLANATION

14 26 This bill contains provisions relating to the regulation of
14 27 motor vehicles by the department of transportation.

14 28 The bill amends the definition of "bona fide residence" in
14 29 Code section 321.1 to specify that if a person has more than
14 30 one dwelling and claims a homestead tax credit for one of the
14 31 dwellings, the bona fide residence is the dwelling for which
14 32 the person claims the tax credit.

14 33 The bill amends Code section 321.10 to provide that the
14 34 seal of the department may be applied electronically to
14 35 certified copies of records prepared by the department.



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15 1 The bill amends Code section 321.30 to require the
15 2 department to refuse to issue a vehicle certificate of title
15 3 to an applicant who is under age 18, unless the application is
15 4 made jointly with another applicant who is at least 18 years
15 5 of age. Currently, the department may issue a certificate of
15 6 title but must refuse to issue a vehicle registration in such
15 7 circumstances.

15 8 The bill amends Code section 321.34 to correctly identify
15 9 the revenue that is credited to the veterans license fee fund
15 10 from the sale of special registration plates associated with
15 11 military service.

15 12 A provision in Code section 321.52 is amended to clarify
15 13 that the owner of a vehicle subject to a salvage theft
15 14 examination is required to present bills of sale for all
15 15 essential parts changed only if applicable. The bill also
15 16 makes a technical amendment to the section to provide for
15 17 proper placement of the language relating to the department's
15 18 duty to adopt rules.

15 19 The bill amends Code section 321.90 to increase the time
15 20 limitation from 15 days to 30 days for a person with a
15 21 certificate of authority to apply to the county treasurer for
15 22 a junking certificate.

15 23 The bill amends a provision in Code section 321.105 to
15 24 clarify that a seriously disabled veteran who is entitled to
15 25 register a motor vehicle without fee may substitute, without
15 26 payment of an additional fee, a set of special registration
15 27 plates associated with military service for which the veteran
15 28 qualifies. The disabled veteran may also substitute a set of
15 29 any of the special nonmilitary plates or personalized plates
15 30 upon payment of the special fees associated with those plates.

15 31 The bill amends Code section 321.173 to increase from six
15 32 months to one year the time allowed to apply for a refund of
15 33 any vehicle registration fee collected by the department in
15 34 error. The bill makes technical revisions to clarify that the
15 35 section is intended to apply only to vehicle registration



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16 1 fees. In addition, the Code editor is requested to transfer
16 2 the Code section to another location to improve its
16 3 readability.
16 4 Code section 321.196 is amended to expand the 60-day grace
16 5 period currently allowed for renewal of an expired driver's
16 6 license without taking a written examination and paying a
16 7 penalty. The grace period is extended to one year, which
16 8 coincides with the grace period for renewal of an expired
16 9 license without taking a driving test.
16 10 The bill makes corrective amendments to several provisions
16 11 relating to the collection of civil penalties for
16 12 reinstatement of a driver's license. The amendment to Code
16 13 section 321.210B directs that civil penalties assessed in
16 14 connection with revocations for operating while intoxicated
16 15 and collected pursuant to an installment agreement shall be
16 16 deposited one-half in the victim compensation fund and
16 17 one-half in the general fund of the state. Code sections
16 18 321J.17, 321M.9, and 331.557A are amended to reflect that
16 19 county treasurers are authorized to collect civil penalties
16 20 required for reinstatement of a driver's license revoked for
16 21 operating while intoxicated and to charge a \$5 processing fee
16 22 to the licensee. Code section 321A.32A, relating to driver's
16 23 license sanctions under the motor vehicle financial
16 24 responsibility law, is amended to reference the collection of
16 25 civil penalties pursuant to installment agreements. All of
16 26 these provisions take effect upon enactment of the bill.
16 27 Code section 322.29 is amended to allow a person who
16 28 rebuilds new completed motor vehicles into ambulances, rescue
16 29 vehicles, fire vehicles, or towing or recovery vehicles to be
16 30 licensed as a used motor vehicle dealer for the purpose of
16 31 selling used vehicles of any make and model.
16 32 The amendment to Code section 331.552 eliminates an
16 33 obsolete provision requiring a county's official seal to be
16 34 impressed on each certificate of title issued by the county
16 35 treasurer.



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17 1 LSB 5477DP 82
17 2 dea/nh/24



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Senate File 2017 - Introduced

SENATE FILE
BY RIELLY

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

A BILL FOR

1 An Act relating to hybrid cats, by providing that a person may
2 possess, breed, and transport the offspring of a domestic cat
3 and a cat classified as a dangerous wild animal or a
4 subsequent generation originating from that offspring, and
5 providing an effective date.
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
7 TLSB 5648XS 82
8 da/nh/5



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Senate File 2017 - Introduced continued

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1 1 Section 1. Section 717F.1, subsection 5, paragraph b, Code
1 2 Supplement 2007, is amended to read as follows:

1 3 b. "Dangerous wild animal" includes an animal which is the
1 4 offspring of an animal provided in paragraph "a", and another
1 5 animal provided in that paragraph or any other animal. It
1 6 also includes animals which are the offspring of each
1 7 subsequent generation. However, a dangerous wild animal does
1 8 not include a hybrid which is any of the following:

1 9 (1) The offspring of a domestic dog and a wolf, or the
1 10 offspring from each subsequent generation in which at least
1 11 one parent is a domestic dog.

1 12 (2) The offspring of a domestic cat and a member of the
1 13 family felidae of the order carnivora, or the offspring from
1 14 each subsequent generation regardless of whether a parent is a
1 15 domestic cat or another member of the family felidae.

1 16 Sec. 2. EFFECTIVE DATE. This Act, being deemed of
1 17 immediate importance, takes effect upon enactment.

1 18 EXPLANATION

1 19 This bill provides that a hybrid cat is no longer
1 20 classified as a dangerous wild animal regulated under Code
1 21 chapter 717F. A hybrid cat is (1) the offspring of a domestic
1 22 cat and a lion, tiger, cougar, leopard, cheetah, ocelot,
1 23 serval, or other nondomestic cat taxonomically known as a
1 24 member of the family felidae of the order carnivora, or (2)
1 25 each subsequent generation of that offspring.

1 26 The bill would allow a person to possess, breed, or
1 27 transport the hybrid cat notwithstanding Code section 717F.3
1 28 which would otherwise apply to prohibit such conduct. The
1 29 bill does not affect provisions in Code chapter 717F that
1 30 prohibit a person from keeping the pure=stock parent of a
1 31 hybrid cat. The bill does not change current law which
1 32 provides that a person may own or possess a lion, tiger,
1 33 cougar, leopard, cheetah, ocelot, or serval, only under
1 34 certain conditions. For example, the person must have owned
1 35 or possessed the parent on July 1, 2007, and comply with a



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Senate File 2017 - Introduced continued

2 1 number of health and safety restrictions (see Code section
2 2 717F.4), or the person must obtain an appropriate license
2 3 issued by the United States department of agriculture and
2 4 register the parent with the department of agriculture and
2 5 land stewardship (see Code section 717F.7).
2 6 The bill takes effect upon enactment.
2 7 LSB 5648XS 82
2 8 da/nh/5



Iowa General Assembly
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Senate File 2018 - Introduced

SENATE FILE
BY APPEL

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

Passed House, Date _____
Vote: Ayes _____ Nays _____

A BILL FOR

- 1 An Act relating to the promotion of equines, by establishing an
- 2 equine industry promotional commission and an equine industry
- 3 promotional fund, and providing an appropriation.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 5 TLSB 5182SS 82
- 6 da/nh/5



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Senate File 2018 - Introduced continued

PAG LIN

1 1 Section 1. NEW SECTION. 175C.1 DEFINITIONS.
1 2 1. "Commission" means the equine industry promotional
1 3 commission established pursuant to section 175C.2.
1 4 2. "Department" means the department of agriculture and
1 5 land stewardship.
1 6 3. "Fund" means the equine industry promotional fund
1 7 created pursuant to section 175C.6.
1 8 4. "Secretary" means the secretary of agriculture.
1 9 Sec. 2. NEW SECTION. 175C.2 EQUINE INDUSTRY PROMOTIONAL
1 10 COMMISSION.
1 11 1. An equine industry promotional commission is
1 12 established within the department.
1 13 2. The commission shall be composed of the following
1 14 members:
1 15 a. Four nonvoting, ex officio members who shall include
1 16 all of the following:
1 17 (1) The secretary of agriculture or the secretary's
1 18 designee.
1 19 (2) The dean of the college of agriculture at Iowa state
1 20 university or the dean's designee.
1 21 (3) A licensed veterinarian associated with the veterinary
1 22 teaching hospital at the college of veterinary medicine at
1 23 Iowa state university who is appointed by the dean of the
1 24 college.
1 25 (4) A person appointed by the president of the Iowa
1 26 association of community college presidents. The person shall
1 27 be actively engaged in the care and management of equines as
1 28 part of a curriculum at a community college.
1 29 b. Eleven voting members who shall be appointed by the
1 30 governor. The voting members must be presently actively
1 31 engaged or have long been actively engaged in providing for
1 32 the care and management of equines, including breeds of equine
1 33 common in this state. Ten of the members shall be actively
1 34 engaged in areas of equine expertise, which shall include at
1 35 least all of the following:



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Senate File 2018 - Introduced continued

2 1 (1) Quarterhorse racing.
2 2 (2) Thoroughbred racing.
2 3 (3) Harness racing.
2 4 (4) Ring or arena events or judging competitions, which
2 5 may include shows, exhibitions, rodeos, or other contests.
2 6 (5) Recreational activities, which may include trail
2 7 riding.
2 8 (6) Activities which involve pulling wagons, carts,
2 9 carriages, or agricultural equipment or implements.
2 10 (7) Ranching activities such as herding and roping
2 11 livestock.
2 12 (8) Breeding equines.
2 13 (9) Support services providing for routine care and
2 14 management, which may include auctioneers, stables, trainers,
2 15 tack dealers, feed dealers, or ferrriers.
2 16 (10) The practice of veterinary medicine as a member in
2 17 good standing of the American association of equine
2 18 practitioners.
2 19 3. The governor shall appoint the voting members based on
2 20 a list of nominations submitted by organizations or
2 21 individuals representing areas of equine expertise.
2 22 Appointments of voting members are subject to the requirements
2 23 of sections 69.16 and 69.16A. In addition, the appointments
2 24 shall be geographically balanced. Unless the governor
2 25 determines that it is not feasible, at least one person
2 26 appointed as a voting member shall reside in each of the
2 27 state's congressional districts at the time of appointment.
2 28 4. Except for initial appointees, the voting members shall
2 29 serve three-year terms. However, the governor shall appoint
2 30 initial members to serve for two-year or three-year terms to
2 31 ensure the appointment of at least one member each year. A
2 32 member is eligible for reappointment but shall not serve for
2 33 more than two consecutive terms. A vacancy on the commission
2 34 shall be filled for the unexpired portion of the regular term
2 35 in the same manner as regular appointments are made. A member



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3 1 filling an unexpired term shall not serve for more than seven
3 2 consecutive years. A former member may be appointed to the
3 3 commission if the former member has not served on the
3 4 commission for two years.

3 5 5. The commission shall elect a chairperson and other
3 6 officers from among its voting members as provided by the
3 7 commission. The commission shall meet on a regular basis and
3 8 at the call of the chairperson or upon the written request to
3 9 the chairperson of five or more voting members. The
3 10 commission shall adopt rules for the conduct of its business
3 11 and may provide for the establishment of committees.

3 12 6. Members are not entitled to receive compensation but
3 13 shall receive reimbursement of expenses from the department as
3 14 provided in section 7E.6.

3 15 7. Six voting members constitute a quorum and the
3 16 affirmative vote of a majority of the voting members present
3 17 is necessary for any substantive action to be taken by the
3 18 commission. The majority shall not include any member who has
3 19 a conflict of interest and a statement by a member that the
3 20 member has a conflict of interest is conclusive for this
3 21 purpose. A vacancy in the membership does not impair the
3 22 duties of the commission.

3 23 Sec. 3. NEW SECTION. 175C.3 COMMISSION'S MISSION.

3 24 The commission is the principal public organization devoted
3 25 to promoting the collective interests of the state's equine
3 26 industry.

3 27 Sec. 4. NEW SECTION. 175C.4 COMMISSION DUTIES.

3 28 In carrying out its mission, as provided in section 175C.3,
3 29 the commission may do all of the following:

3 30 1. Market and promote the equine industry.

3 31 2. Maintain an accurate and current database regarding the
3 32 equine industry and equine communities.

3 33 3. Collect and disseminate accurate information regarding
3 34 equines to the equine industry and equine communities.

3 35 4. Initiate or support equine educational programs.



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Senate File 2018 - Introduced continued

4 1 5. Initiate or support equine research.
4 2 Sec. 5. NEW SECTION. 175C.5 DEPARTMENT DUTIES.
4 3 The department shall assist the commission in carrying out
4 4 its mission as provided in section 175C.3 by doing all of the
4 5 following:
4 6 1. Furnishing facilities, supplies, and clerical
4 7 assistance.
4 8 2. Assisting the commission in carrying out its duties as
4 9 provided in section 175C.4.
4 10 3. Administering the equine industry promotional fund as
4 11 provided in section 175C.6.
4 12 Sec. 6. NEW SECTION. 175C.6 EQUINE INDUSTRY PROMOTIONAL
4 13 FUND.
4 14 1. An equine industry promotional fund is created in the
4 15 state treasury under the administration of the department and
4 16 the control of the commission. The fund is composed of moneys
4 17 appropriated by the general assembly and moneys available to
4 18 and obtained or accepted by the department from the United
4 19 States or private sources for placement in the fund.
4 20 2. Moneys in the fund are appropriated to the commission
4 21 exclusively to assist the commission in carrying out its
4 22 duties as provided in section 175C.4, and the department in
4 23 carrying out its duties as provided in section 175C.5.
4 24 3. Section 8.33 shall not apply to moneys in the fund.
4 25 Notwithstanding section 12C.7, moneys earned as income or
4 26 interest from the fund shall remain in the fund until expended
4 27 as provided in this section.
4 28 Sec. 7. APPROPRIATION == EQUINE INDUSTRY PROMOTIONAL FUND.
4 29 There is appropriated from the general fund of the state to
4 30 the department of agriculture and land stewardship for the
4 31 fiscal year beginning July 1, 2008, and ending June 30, 2009,
4 32 the following amount, or so much thereof as is necessary, to
4 33 be used for the purposes designated:
4 34 For deposit in the equine industry promotional fund as
4 35 provided in section 175C.6, and for salaries, support,



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Senate File 2018 - Introduced continued

5 1 maintenance, miscellaneous purposes, and for not more than the
 5 2 following full-time equivalent positions:
 5 3 \$ 50,000
 5 4 FTEs 1.00

5 5 EXPLANATION

5 6 This bill establishes an equine industry promotional
 5 7 commission which is housed in the department of agriculture
 5 8 and land stewardship. The commission is composed of both
 5 9 nonvoting, ex officio members and voting members. The
 5 10 nonvoting, ex officio members include the secretary of
 5 11 agriculture or the secretary's designee, the dean of the
 5 12 college of agriculture at Iowa state university or the dean's
 5 13 designee, a licensed veterinarian appointed by the dean of the
 5 14 college of veterinary medicine at Iowa state university, and a
 5 15 person representing a community college who is actively
 5 16 engaged in equine management. The commission includes 11
 5 17 voting members appointed by the governor who are actively
 5 18 engaged or have long been actively engaged in providing for
 5 19 the care and management of equines. The bill requires that a
 5 20 number of the appointees have expertise in diverse areas of
 5 21 equine endeavors, including quarterhorse racing, thoroughbred
 5 22 racing, harness racing, ring, or arena events, recreational
 5 23 activities, power-related activities such as pulling wagons or
 5 24 plows, ranching, breeding, providing support services, and
 5 25 providing veterinary care. The bill provides a number of
 5 26 procedures for the appointment of members, voting, conduct of
 5 27 meetings, and reimbursement of members, which are consistent
 5 28 with other statutes establishing citizen-appointed bodies.

5 29 The bill states that the commission's mission is to promote
 5 30 the collective interests of the state's equine industry.

5 31 The bill authorizes the commission to perform a number of
 5 32 duties required to accomplish its mission, including marketing
 5 33 and promoting the equine industry, maintaining an accurate and
 5 34 current database regarding the equine industry, collecting and
 5 35 disseminating accurate information regarding equines, and



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6 1 initiating and supporting educational or research programs.
6 2 The bill establishes an equine industry promotional fund
6 3 under the control of the commission. Moneys in the fund are
6 4 appropriated to the commission exclusively to assist the
6 5 commission in carrying out its duties.
6 6 The bill appropriates moneys from the general fund for
6 7 deposit into the equine industry promotional fund to carry out
6 8 the provisions of the bill.
6 9 LSB 5182SS 82
6 10 da/nh/5



Iowa General Assembly
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Senate File 2019 - Introduced

SENATE FILE
BY RIELLY

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

A BILL FOR

1 An Act relating to land use district budgets by increasing the
2 maximum property tax levy rate and modifying the budget
3 certification date, and including an applicability date
4 provision.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
6 TL5B 5138XS 82
7 md/sc/5



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Senate File 2019 - Introduced continued

PAG LIN

1 1 Section 1. Section 303.66, unnumbered paragraphs 1 and 2,
1 2 Code 2007, are amended to read as follows:

1 3 The board of trustees of a land use district organized
1 4 under this subchapter may by ordinance levy annually for the
1 5 purpose of paying the administrative costs of the district, a
1 6 tax upon real property within the territorial limits of the
1 7 land use district not exceeding ~~twenty-seven~~ forty-five cents
1 8 per thousand dollars of the adjusted taxable valuation of the
1 9 property for the preceding fiscal year. The tax shall not be
1 10 levied on any tillable farmland, pastureland, timber pasture,
1 11 or forestland located within the district.

1 12 Taxes levied by the board shall be certified on or before
1 13 ~~the first day of~~ March 15 to the county auditor of each county
1 14 where any of the property included within the territorial
1 15 limits of the land use district is located, and shall be
1 16 placed upon the tax list for the current year, and the county
1 17 treasurer shall collect the taxes in the same manner as other
1 18 taxes, and when delinquent they shall draw the same interest
1 19 and penalties. All taxes so levied and collected shall be
1 20 paid over to the treasurer of the district.

1 21 Sec. 2. APPLICABILITY DATE. This Act applies to fiscal
1 22 years beginning July 1, 2009.

1 23 EXPLANATION

1 24 This bill increases the maximum allowable property tax levy
1 25 rate for land use districts from 27 cents per \$1,000 of the
1 26 adjusted taxable valuation of the property to 45 cents per
1 27 \$1,000 of the adjusted taxable valuation of the property. The
1 28 bill also changes the property tax certification date from
1 29 March 1 to March 15 to conform with Code section 24.17,
1 30 relating to local budgets.

1 31 The bill applies to fiscal years beginning July 1, 2009.

1 32 LSB 5138XS 82

1 33 md/sc/5



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Senate File 2020 - Introduced

SENATE FILE
BY ZIEMAN

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

Passed House, Date _____
Vote: Ayes _____ Nays _____

A BILL FOR

- 1 An Act relating to the issuance of special nonresident deer
- 2 hunting licenses.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 5219XS 82
- 5 av/rj/14



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Senate File 2020 - Introduced continued

PAG LIN

1 1 Section 1. Section 483A.24, subsection 3, Code Supplement
 1 2 2007, is amended to read as follows:
 1 3 3. The director shall provide up to ~~seventy-five~~ five
 1 4 hundred nonresident deer hunting licenses for allocation as
 1 5 requested by a majority of a committee consisting of the
 1 6 majority leader of the senate, speaker of the house of
 1 7 representatives, and director of the department of economic
 1 8 development, or their designees. At least two hundred fifty
 1 9 of the licenses issued pursuant to this subsection shall be
 1 10 issued to nonresidents who hunt with a family member who is a
 1 11 resident. The licenses provided pursuant to ~~the~~ this
 1 12 subsection shall be in addition to the number of nonresident
 1 13 licenses authorized pursuant to section 483A.8. ~~The~~ One
 1 14 purpose of the special nonresident licenses is to allow state
 1 15 officials and local development groups to promote the state
 1 16 and its natural resources to nonresident guests and
 1 17 dignitaries. Photographs, videotapes, or any other form of
 1 18 media resulting from the hunting visitation shall not be used
 1 19 for political campaign purposes. The nonresident licenses
 1 20 shall be issued without application upon payment of the
 1 21 nonresident deer hunting license fee and the wildlife habitat
 1 22 fee. The licenses are valid in all zones open to deer
 1 23 hunting. The hunter safety and ethics education certificate
 1 24 requirement pursuant to section 483A.27 is waived for a
 1 25 nonresident issued a license pursuant to this subsection.
 1 26 For purposes of this subsection, "family member" means a
 1 27 spouse, son, daughter, brother, sister, uncle, aunt, first
 1 28 cousin, nephew, niece, father-in-law, mother-in-law,
 1 29 son-in-law, daughter-in-law, brother-in-law, sister-in-law,
 1 30 father, mother, stepfather, stepmother, stepson, stepdaughter,
 1 31 stepbrother, stepsister, half brother, or half sister.

1 32 EXPLANATION
 1 33 This bill increases the number of special nonresident deer
 1 34 hunting licenses that may be issued from 75 to 500. At least
 1 35 250 of the licenses must be issued to nonresidents who hunt



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Senate File 2020 - Introduced continued

2 1 with a family member who is a resident. For purposes of this
2 2 subsection, "family member" means a spouse, son, daughter,
2 3 brother, sister, uncle, aunt, first cousin, nephew, niece,
2 4 father-in-law, mother-in-law, son-in-law, daughter-in-law,
2 5 brother-in-law, sister-in-law, father, mother, stepfather,
2 6 stepmother, stepson, stepdaughter, stepbrother, stepsister,
2 7 half brother, or half sister.
2 8 The licenses are issued upon the request of a majority of a
2 9 committee consisting of the majority leader of the senate,
2 10 speaker of the house of representatives, and director of the
2 11 department of economic development, or their designees. The
2 12 bill makes allowing state officials and local development
2 13 groups to promote the state and its natural resources to
2 14 nonresident guests and dignitaries only one purpose of issuing
2 15 the licenses.
2 16 LSB 5219XS 82
2 17 av/rj/14



Iowa General Assembly
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Senate File 2021 - Introduced

SENATE FILE
BY ZIEMAN

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

Passed House, Date _____
Vote: Ayes _____ Nays _____

A BILL FOR

- 1 An Act concerning the provision of commercial driver licensing
- 2 services in all Iowa counties.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 5166XS 82
- 5 dea/nh/8



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Senate File 2021 - Introduced continued

PAG LIN

1 1 Section 1. Section 321M.6, subsection 4, Code 2007, is
1 2 amended to read as follows:

1 3 4. The department ~~is not obligated to~~ shall provide
1 4 service in a county for issuance of commercial driver's
1 5 licenses, including service for hazardous materials
1 6 endorsements, if the county fails to meet certification
1 7 standards under this section or if the county does not
1 8 otherwise provide commercial driver licensing service.

1 9 EXPLANATION

1 10 This bill requires the department of transportation to
1 11 provide service for issuance of commercial driver's licenses
1 12 in any county that fails to meet the department's standards
1 13 for issuance or does not otherwise provide commercial driver
1 14 licensing service. The bill specifies that the service to be
1 15 provided shall include hazardous materials endorsements.
1 16 Currently, commercial driver's licenses, with all related
1 17 endorsements, are issued at all of the 18 driver licensing
1 18 stations operated by the department. County treasurers who
1 19 offer driver licensing services may issue commercial driver's
1 20 licenses only if certified to do so by the department.

1 21 LSB 5166XS 82

1 22 dea/nh/8



Iowa General Assembly
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Senate File 2022 - Introduced

SENATE FILE
BY HECKROTH

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

Passed House, Date _____
Vote: Ayes _____ Nays _____

A BILL FOR

- 1 An Act establishing a tool and die lien Act.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 3 TLSB 5741XS 82
- 4 rh/nh/24



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Senate File 2022 - Introduced continued

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1 1 Section 1. NEW SECTION. 572A.1 SHORT TITLE.
1 2 This chapter shall be known and may be cited as the "Tool
1 3 and Die Lien Act".
1 4 Sec. 2. NEW SECTION. 572A.2 DEFINITIONS.
1 5 For the purposes of this chapter, the following definitions
1 6 shall have the following meanings:
1 7 1. "Customer" means any person or entity who contracted
1 8 with or caused a plastic or metal processor to use a tool,
1 9 die, mold, jig, fixture, form, or pattern to manufacture,
1 10 assemble, or otherwise make plastic or metal components or
1 11 products.
1 12 2. "Processor" means any person or entity including but
1 13 not limited to a tool or die maker, who uses a tool, die,
1 14 mold, jig, fixture, form, or pattern to manufacture, assemble,
1 15 or otherwise make a plastic or metal product or products for a
1 16 customer, pursuant to a contract or otherwise.
1 17 3. "Special tool" means a tool, die, mold, jig, fixture,
1 18 form, pattern, or part used to manufacture, assemble, or
1 19 otherwise make plastic or metal components or products.
1 20 4. "Toolmaker" means a person including but not limited to
1 21 a mold builder, model maker, patternmaker, molder, die maker,
1 22 metal former, jig and fixture builder, die sinker, die caster,
1 23 mold designer, mold programmer, die designer, die programmer,
1 24 and mold or die engineer who fabricates, cuts, casts, forms,
1 25 or designs molds for the plastic industry or dies for the
1 26 metal forming industry.
1 27 Sec. 3. NEW SECTION. 572A.3 LIEN.
1 28 1. A processor shall have a lien on the tools, dies,
1 29 molds, jigs, fixtures, forms, or patterns in the processor's
1 30 possession belonging to a customer, for the balance due the
1 31 processor or person from such customer for plastic or metal
1 32 processing work, and for all materials related to such work.
1 33 The processor may retain possession of the tool, die, mold,
1 34 jig, fixture, form, or pattern until such balance is paid,
1 35 subject only to a security interest properly perfected



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Senate File 2022 - Introduced continued

2 1 pursuant to article 9 of the uniform commercial code as
2 2 provided in chapter 554.
2 3 2. A toolmaker has a lien on all special tools produced by
2 4 the toolmaker and on all proceeds from the assignment, sale,
2 5 transfer, exchange, or other disposition of the special tool
2 6 produced by the toolmaker until the toolmaker is paid in full
2 7 all amounts due the toolmaker for the production of the
2 8 special tool.
2 9 3. For the purposes of subsection 2, all of the following
2 10 shall apply:
2 11 a. The lien attaches when the special tool is delivered
2 12 from the toolmaker to the customer.
2 13 b. The amount of the lien is the amount that a customer or
2 14 processor owes the toolmaker for the fabrication, repair, or
2 15 modification of the special tool.
2 16 c. The toolmaker retains the lien even if the toolmaker is
2 17 not in possession of the special tool for which the lien is
2 18 claimed.
2 19 Sec. 4. NEW SECTION. 572A.4 NOTICE.
2 20 1. Before enforcing a lien as provided for in section
2 21 572A.3, subsection 1, an initial notice in writing shall be
2 22 given to the customer, either delivered personally or sent by
2 23 registered mail to the last known address of the customer.
2 24 The notice shall state that a lien is claimed in the amount
2 25 set forth in or in an attachment to the notice for processing
2 26 work contracted or performed for the customer. The notice
2 27 shall also include a demand for payment.
2 28 2. Before enforcing a lien as provided in section 572A.3,
2 29 subsection 2, an initial notice in writing shall be given to
2 30 the customer and processor, either delivered personally or
2 31 sent by registered mail to the last known address of the
2 32 customer and the processor. The notice shall state that a
2 33 lien is claimed in the amount set forth in or in an attachment
2 34 to the notice for the fabrication, repair, or modification of
2 35 the special tool. The notice shall also include a demand for



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Senate File 2022 - Introduced continued

3 1 payment.
3 2 Sec. 5. NEW SECTION. 572A.5 SALE OF SPECIAL TOOL ==
3 3 PROCESSOR.
3 4 If a processor has not been paid the amount due within
3 5 ninety days after the initial written notice has been received
3 6 by the customer as provided in section 572A.4, subsection 1,
3 7 the processor may sell the special tool at a public auction if
3 8 both of the following occur:
3 9 1. The special tool is still in the processor's
3 10 possession.
3 11 2. The processor complies with section 572A.7.
3 12 Sec. 6. NEW SECTION. 572A.6 POSSESSION OF SPECIAL TOOL
3 13 == TOOLMAKER.
3 14 1. If a toolmaker has not been paid the amount due within
3 15 ninety days after the initial notice is received by the
3 16 customer and by the processor, the toolmaker has a right to
3 17 possession of the special tool and may do any of the
3 18 following:
3 19 a. Enforce the right to possession of the special tool by
3 20 judgment, foreclosure, or any available judicial procedure.
3 21 b. Commence a civil action in district court to enforce
3 22 the lien, including by obtaining a judgment for the amount
3 23 owed and a judgment permitting the special tool to be sold at
3 24 an execution sale.
3 25 c. Take possession of the special tool, if possession
3 26 without judicial process can be taken without breach of the
3 27 peace.
3 28 d. Sell the special tool in a public auction if the
3 29 toolmaker complies with section 572A.8.
3 30 2. A toolmaker that suffers damages under this chapter may
3 31 obtain appropriate legal and equitable relief, including
3 32 damages, in a civil action. The court shall award a toolmaker
3 33 that is the prevailing party reasonable attorney fees, court
3 34 costs, and expenses related to enforcement of the lien.
3 35 Sec. 7. NEW SECTION. 572A.7 SECOND NOTICE == PUBLICATION



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Senate File 2022 - Introduced continued

4 1 == SALE BY PROCESSOR.

4 2 1. Before a processor sells the special tool, the
4 3 processor shall provide a second written notice to the
4 4 customer, by registered mail, return receipt requested. The
4 5 second notice shall include all of the following information:

4 6 a. The processor's intention to sell the special tool.

4 7 b. A description of the special tool to be sold.

4 8 c. The time and place of the sale.

4 9 d. An itemized statement for the amount due.

4 10 2. In addition to the notice by mail provided pursuant to
4 11 subsection 1, the processor shall publish in a newspaper of
4 12 general circulation in the location where the special tool is
4 13 being held for sale by the processor, notice of the
4 14 processor's intention to sell the special tool. The notice
4 15 shall include a description of the special tool and name of
4 16 the customer.

4 17 Sec. 8. NEW SECTION. 572A.8 SECOND NOTICE == PUBLICATION

4 18 == SALE BY TOOLMAKER.

4 19 1. Before a toolmaker may sell the special tool, the
4 20 toolmaker shall provide a second written notice to the
4 21 customer and processor, by registered mail, return receipt
4 22 requested. The second notice shall include all of the
4 23 following information:

4 24 a. The toolmaker's intention to sell the special tool.

4 25 b. A description of the special tool to be sold.

4 26 c. The time and place of the sale.

4 27 d. An itemized statement for the amount due.

4 28 2. In addition to the notice by mail provided pursuant to
4 29 subsection 1, the toolmaker shall publish in a newspaper of
4 30 general circulation in the location where the special tool is
4 31 being held for sale by the toolmaker, notice of the
4 32 toolmaker's intention to sell the special tool. The notice
4 33 shall include a description of the special tool and name of
4 34 the customer and processor.

4 35 Sec. 9. NEW SECTION. 572A.9 INSPECTION == SALE FOR



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Senate File 2022 - Introduced continued

5 1 AMOUNT EXCEEDING LIEN == FEDERAL PREEMPTION.

5 2 1. Prior to the sale of any special tool in accordance
5 3 with this chapter, such item must be available for inspection,
5 4 upon request, by members of the public during normal business
5 5 hours for a period of at least two weeks prior to the sale.

5 6 2. If the sale is for a sum greater than the amount of the
5 7 lien, the excess shall be paid to any prior lienholder and any
5 8 remainder to the customer and the processor.

5 9 3. A sale shall not be made or a possession shall not be
5 10 obtained under this chapter if it would be in violation of any
5 11 right of a customer or a processor under federal patent,
5 12 bankruptcy, or copyright law.

5 13 EXPLANATION

5 14 This bill creates the tool and die lien Act.

5 15 The bill creates a lien for a plastic or metal processor on
5 16 the tools, dies, molds, jigs, fixtures, forms, or patterns in
5 17 the plastic or metal processor's possession belonging to a
5 18 customer for the balance due from such customer for plastic or
5 19 metal processing work and for all materials related to such
5 20 work. The bill also creates a lien for a toolmaker on all
5 21 special tools produced by the toolmaker and on all proceeds
5 22 from the sale of the special tools. The bill provides that a
5 23 toolmaker must deliver the special tool to the customer to
5 24 create the lien.

5 25 The bill provides that prior to enforcing a lien under the
5 26 bill, the processor shall give an initial notice to the
5 27 customer. Such notice shall be delivered either personally or
5 28 by registered mail and shall state the amount owed and include
5 29 a demand for payment. The bill provides that if the processor
5 30 has not been paid within 90 days after receipt of the initial
5 31 notice, the processor may sell the special tool at a public
5 32 auction if the processor is in possession of the tool, has
5 33 sent a second notice to the customer informing the customer of
5 34 the sale, has published notice of the sale in a newspaper, and
5 35 has made the special tool available for public inspection.



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Senate File 2022 - Introduced continued

6 1 The bill provides that prior to enforcing a lien under the
6 2 bill, a toolmaker shall give an initial notice to the
6 3 customer. Such notice shall be delivered either personally or
6 4 by registered mail and shall state the amount owed and include
6 5 a demand for payment. The bill provides that if a toolmaker
6 6 has not been paid within 90 days after receipt of the initial
6 7 notice, the toolmaker may enforce the right to possession of
6 8 the special tool through court action, take possession of the
6 9 special tool, or sell the special tool at a public auction if
6 10 the processor is in possession of the tool, has sent a second
6 11 notice to the customer informing the customer of the sale, has
6 12 published notice of the sale in a newspaper, and has made the
6 13 special tool available for public inspection. The bill also
6 14 provides that a toolmaker who suffers damages under the bill
6 15 may obtain appropriate legal and equitable relief, including
6 16 damages and reasonable attorney fees and court costs.

6 17 A "processor" is defined as a person or entity including
6 18 but not limited to a tool or die maker, who uses a tool, die,
6 19 mold, jig, fixture, form, or pattern to manufacture, assemble,
6 20 or otherwise make a plastic or metal product or products for a
6 21 customer, pursuant to a contract or otherwise. A "toolmaker"
6 22 is defined as a person including but not limited to a mold
6 23 builder, model maker, patternmaker, molder, die maker, metal
6 24 former, jig and fixture builder, die sinker, die caster, mold
6 25 designer, mold programmer, die designer, die programmer, and
6 26 mold or die engineer who fabricates, cuts, casts, forms, or
6 27 designs molds for the plastic industry or dies for the metal
6 28 forming industry. A "special tool" is defined as a tool, die,
6 29 mold, jig, fixture, form, pattern, or part used to
6 30 manufacture, assemble, or otherwise make plastic or metal
6 31 components or products.

6 32 LSB 5741XS 82

6 33 rh/nh/24



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Senate File 2023 - Introduced

SENATE FILE
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO SSB 3024)

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 TLSB 5681SV 82
- 6 jp/rj/8



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Senate File 2023 - Introduced 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
1 23 generation tax revenues credited to the pool pursuant to
1 24 section 437A.8 or 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 File 2023 - Introduced 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 (MH/MR/DD) services for selected years in fiscal
4 18 year 1993=1994 or 1995=1996. The property tax relief fund
4 19 revenues distributed to counties are required to be credited
4 20 to county MH/MR/DD services funds to be used for such services
4 21 and county levies for MH/MR/DD services are reduced \$1=for=\$1
4 22 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 5681SV 82

5 26 jp/rj/8



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Senate File 2024 - Introduced

SENATE FILE

BY BEALL, KIBBIE, FRAISE,
DEARDEN, QUIRMBACH,
SCHMITZ, CONNOLLY, and
BOLKCOM

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

Passed House, Date _____
Vote: Ayes _____ Nays _____

A BILL FOR

1 An Act relating to the recycling of empty beverage containers by
2 increasing the reimbursement amount paid by distributors,
3 eliminating refusal of empty containers by dealers,
4 eliminating departmental approval of redemption centers, and
5 establishing civil penalties.
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
7 TLSB 5317SS 82
8 tw/rj/5



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Senate File 2024 - Introduced continued

PAG LIN

1 1 Section 1. Section 455C.2, subsection 2, Code 2007, is
1 2 amended to read as follows:

1 3 2. In addition to the refund value provided in subsection
1 4 ~~1 of this section~~, a dealer, ~~or~~ a person operating a
1 5 redemption center who redeems empty beverage containers, or a
1 6 dealer agent shall be reimbursed by the distributor required
1 7 to accept the empty beverage containers ~~an amount which is one~~
~~1 8 cent in the amount of two cents per container.~~ A dealer,
1 9 dealer agent, or person operating a redemption center may
1 10 compact empty metal beverage containers with the approval of
1 11 the distributor required to accept the containers.

1 12 Sec. 2. Section 455C.4, subsection 2, Code 2007, is
1 13 amended by striking the subsection.

1 14 Sec. 3. Section 455C.7, Code 2007, is amended to read as
1 15 follows:

1 16 455C.7 ~~UNAPPROVED~~ REDEMPTION CENTERS.

1 17 Any person may establish a redemption center ~~which has not~~
~~1 18 been approved by the department~~, at which a consumer may
1 19 return empty beverage containers and receive payment of the
1 20 refund value of the beverage containers. The establishment of
1 21 ~~an unapproved~~ a redemption center shall not relieve any dealer
1 22 from the responsibility of redeeming any empty beverage
1 23 containers of the kind and brand sold by the dealer.

1 24 Sec. 4. NEW SECTION. 455C.11 SCHEDULE OF PENALTIES ==
1 25 VIOLATIONS.

1 26 1. PENALTY ASSESSMENT. The commission shall establish by
1 27 rule a schedule for the administrative assessment of civil
1 28 penalties. The schedule shall provide procedures and criteria
1 29 for assessing penalties of not more than ten thousand dollars
1 30 for violations of this chapter or for violations of the rules,
1 31 permits, or orders adopted or issued under this chapter.
1 32 Violations not fitting within the schedule, or violations
1 33 which the commission determines should be referred to the
1 34 attorney general for legal action, shall not be governed by
1 35 the schedule established under this subsection. When adopting



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Senate File 2024 - Introduced continued

2 1 the schedule and when proposing or assessing a penalty, the
2 2 commission and the director shall consider the following:
2 3 a. The costs saved, or likely to be saved, by a violator's
2 4 noncompliance.
2 5 b. The gravity of the violation.
2 6 c. The degree of culpability of the violator.
2 7 d. The maximum penalty authorized for a violation of this
2 8 chapter.
2 9 e. Other relevant factors.
2 10 2. SCREENING OF VIOLATIONS. In establishing the schedule
2 11 of violations, the commission shall provide by rule a
2 12 procedure for screening alleged violations in order to
2 13 determine which cases may be appropriate for the
2 14 administrative assessment of penalties. However, the
2 15 screening procedure shall not limit the discretion of the
2 16 commission to refer any case to the attorney general for legal
2 17 action.
2 18 3. CONTESTED CASE HEARINGS. Penalties may be
2 19 administratively assessed under this section only after an
2 20 opportunity for a contested case hearing. The contested case
2 21 hearing may be combined with a hearing on the merits of the
2 22 alleged violation.
2 23 4. JUDICIAL REVIEW. When a person against whom a penalty
2 24 is assessed under this section seeks timely judicial review of
2 25 an order imposing the penalty, as provided under chapter 17A,
2 26 the order is not final for the purposes of this section until
2 27 all judicial review processes are completed. Additional
2 28 judicial review shall not be sought after the order becomes
2 29 final.
2 30 5. PAYMENT OF PENALTIES AND INTEREST.
2 31 a. A penalty assessed under this section shall be paid
2 32 within thirty days of the date the order assessing the penalty
2 33 becomes final.
2 34 b. A person who fails to timely pay a penalty assessed by
2 35 a final order of the department shall pay, in addition to the



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Senate File 2024 - Introduced continued

3 1 penalty, interest at the rate of one and one-half percent of
3 2 the unpaid balance of the assessed penalty for each month, or
3 3 part of a month, that the penalty remains unpaid.

3 4 c. The attorney general shall institute, at the request of
3 5 the department, summary proceedings to recover the penalty and
3 6 any accrued interest.

3 7 d. All penalties assessed by the department under this
3 8 section and interest on the penalties shall be deposited in
3 9 the general fund of the state.

3 10 6. This section does not require the commission or the
3 11 director to pursue an administrative remedy before seeking a
3 12 remedy in the courts of this state.

3 13 Sec. 5. Section 455C.12, Code 2007, is amended by adding
3 14 the following new subsection:

3 15 NEW SUBSECTION. 6. The state shall be precluded from
3 16 bringing a criminal action against a person under this chapter
3 17 if the department has initiated a civil enforcement proceeding
3 18 against the person pursuant to section 455C.11.

3 19 Sec. 6. Sections 455C.6 and 455C.10, Code 2007, are
3 20 repealed.

3 21 EXPLANATION

3 22 This bill relates to the recycling of empty beverage
3 23 containers.

3 24 The bill increases to 2 cents per container the amount
3 25 received by a dealer or a person operating a redemption
3 26 center. The redemption amount, commonly referred to as a
3 27 handling fee, is paid by the distributor who collects the
3 28 beverage containers from the dealer or the operator of the
3 29 redemption center.

3 30 Under current law, a dealer may refuse to accept empty
3 31 beverage containers if that dealer's place of business and the
3 32 kind of containers are included in an order of the department
3 33 of natural resources approving a redemption center. The bill
3 34 eliminates the ability of a dealer to refuse to accept
3 35 containers in this instance.



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Senate File 2024 - Introduced continued

4 1 The bill eliminates the approval of redemption centers by
4 2 the department and makes other related changes necessary to do
4 3 so.

4 4 The bill requires the department to establish a schedule of
4 5 civil penalties and provides for the administrative assessment
4 6 of penalties up to \$10,000 for violations of the Code chapter
4 7 or any rules, permits, or orders adopted or issued under it.
4 8 Violations not fitting within the schedule, or violations
4 9 referred to the attorney general, are not governed by the
4 10 schedule. The bill also provides factors to be considered in
4 11 the adoption of the schedule.

4 12 The bill requires the environmental protection commission
4 13 to adopt by rule a screening procedure that determines which
4 14 violations to refer to the attorney general and which
4 15 violations are more appropriate for administrative assessment.
4 16 The bill requires the department to provide a contested case
4 17 hearing before assessing any penalties. The bill also
4 18 provides for judicial review of administrative penalties and
4 19 requires the assessment of interest on penalties not timely
4 20 paid.

4 21 Finally, the bill precludes the department from seeking
4 22 criminal penalties if it has initiated a civil enforcement
4 23 proceeding under the Code chapter.

4 24 LSB 5317SS 82

4 25 tw/rj/5.1



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Senate Joint Resolution 2001 - Introduced

SENATE JOINT RESOLUTION

BY McKIBBEN, KETTERING, MULDER,
HAHN, SEYMOUR, ZIEMAN, HOUSER,
NOBLE, WARD, ZAUN, JOHNSON,
HARTSUCH, BOETTGER, BEHN,
WIECK, and McKINLEY

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

SENATE JOINT RESOLUTION

1 A Joint Resolution proposing an amendment to the Constitution of
2 the State of Iowa validating and recognizing only certain
3 marriages.
4 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 5287SS 82
6 pf/rj/14



**Iowa General Assembly
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Senate Joint Resolution 2001 - Introduced continued

PAG LIN

1 1 Section 1. The following amendment to the Constitution of
1 2 the State of Iowa is proposed:
1 3 Article I of the Constitution of the State of Iowa is
1 4 amended by adding the following new section:
1 5 MARRIAGE. SEC. 26. Only marriage between a man and a
1 6 woman shall be valid or recognized in the State of Iowa.
1 7 Sec. 2. REFERRAL AND PUBLICATION. The foregoing amendment
1 8 to the Constitution of the State of Iowa is referred to the
1 9 General Assembly to be chosen at the next general election for
1 10 members of the General Assembly and the Secretary of State is
1 11 directed to cause the same to be published for three
1 12 consecutive months previous to the date of that election as
1 13 provided by law.

1 14 EXPLANATION

1 15 This joint resolution proposes an amendment to the
1 16 Constitution of the State of Iowa regarding the validity and
1 17 recognition of marriages in Iowa only between a man and a
1 18 woman.

1 19 The joint resolution, if adopted, would be referred to the
1 20 next general assembly for adoption a second time before being
1 21 submitted to the electorate for ratification.

1 22 LSB 5287SS 82

1 23 pf/rj/14



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Senate Study Bill 3051

SENATE/HOUSE FILE
BY (PROPOSED DEPARTMENT OF
PUBLIC HEALTH/BOARD OF
NURSING BILL)

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

Passed House, Date _____
Vote: Ayes _____ Nays _____

A BILL FOR

- 1 An Act relating to the advanced practice registered nurse
- 2 licensure compact and providing an effective date.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 5173DP 82
- 5 jr/rj/5



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Senate Study Bill 3051 continued

PAG LIN

1 1 Section 1. Section 147.2, unnumbered paragraph 2, Code
1 2 Supplement 2007, is amended to read as follows:

1 3 For purposes of this section, a person who is licensed in
1 4 another state and recognized for licensure in this state
1 5 pursuant to the nurse licensure compact contained in section
1 6 152E.1 or pursuant to the advanced practice registered nurse
1 7 compact contained in section 152E.3 shall be considered to
1 8 have obtained a license to practice nursing ~~from the~~
~~1 9 department.~~

1 10 Sec. 2. 2005 Acts, chapter 53, section 11, is repealed.

1 11 Sec. 3. 2006 Acts, chapter 1010, section 176, is repealed.

1 12 Sec. 4. 2006 Acts, chapter 1030, section 88, is repealed.

1 13 Sec. 5. EFFECTIVE DATE. This Act, being deemed of
1 14 immediate importance, takes effect upon enactment.

1 15 EXPLANATION

1 16 This bill repeals the July 1, 2008, sunset of the advanced
1 17 practice registered nurse compact. That compact allows
1 18 advanced practice registered nurses to hold a license in the
1 19 state of residency and practice in other compact states
1 20 subject to each state's practice law and regulation. The bill
1 21 takes effect upon enactment.

1 22 LSB 5173DP 82

1 23 jr/rj/5



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Senate Study Bill 3052

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 providing for the establishment of a council on
- 2 homelessness.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 5333XD 82
- 5 md/rj/14



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Senate Study Bill 3052 continued

PAG LIN

1 1 Section 1. NEW SECTION. 16.100A COUNCIL ON HOMELESSNESS.

1 2 1. A council on homelessness is established consisting of
1 3 thirty=six voting members.

1 4 2. Members of the council shall consist of all of the
1 5 following:

1 6 a. Twenty=four members of the general public appointed to
1 7 two=year staggered terms by the governor in consultation with
1 8 the nominating committee under subsection 4, paragraph "a".

1 9 (1) Voting members from the general public may include,
1 10 but are not limited to the following types of individuals and
1 11 representatives of the following programs: homeless or
1 12 formerly homeless individuals and their family members, youth
1 13 shelters, faith=based organizations, local homeless service
1 14 providers, emergency shelters, transitional housing providers,
1 15 family and domestic violence shelters, private business, local
1 16 government, and community=based organizations.

1 17 (2) Five of the twenty=four voting members selected from
1 18 the general public shall be individuals who are homeless,
1 19 formerly homeless, or family members of homeless or formerly
1 20 homeless individuals.

1 21 b. Twelve agency director members consisting of all of the
1 22 following:

1 23 (1) The director of the department of education or the
1 24 director's designee.

1 25 (2) The director of the department of economic development
1 26 or the director's designee.

1 27 (3) The director of human services or the director's
1 28 designee.

1 29 (4) The attorney general or the attorney general's
1 30 designee.

1 31 (5) The director of the department of human rights or the
1 32 director's designee.

1 33 (6) The director of public health or the director's
1 34 designee.

1 35 (7) The director of the department of elder affairs or the



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Senate Study Bill 3052 continued

2 1 director's designee.
2 2 (8) The director of the department of corrections or the
2 3 director's designee.
2 4 (9) The director of the department of workforce
2 5 development or the director's designee.
2 6 (10) The director of the department of public safety or
2 7 the director's designee.
2 8 (11) The director of the department of veterans affairs or
2 9 the director's designee.
2 10 (12) The executive director of the Iowa finance authority
2 11 or the executive director's designee.
2 12 3. An agency director's designee may vote on council
2 13 matters in the absence of the director.
2 14 4. a. A nominating committee initially comprised of all
2 15 twelve agency director members shall nominate persons to the
2 16 governor to fill the general public member positions.
2 17 Following appointment of all twenty=four general public
2 18 members, the composition of the nominating committee may be
2 19 modified by rule.
2 20 b. The council may establish other committees and
2 21 subcommittees comprised of members of the council.
2 22 5. A vacancy on the council shall be filled in the same
2 23 manner as the original appointment. A member appointed to
2 24 fill a vacancy created other than by expiration of a term
2 25 shall be appointed for the remainder of the unexpired term.
2 26 6. a. A majority of the members of the council
2 27 constitutes a quorum. Any action taken by the council must be
2 28 adopted by the affirmative vote of a majority of its
2 29 membership.
2 30 b. The council shall elect a chairperson and vice
2 31 chairperson from the membership of the council. The
2 32 chairperson and vice chairperson shall serve two=year terms.
2 33 The chairperson and vice chairperson shall not both be either
2 34 general public members or agency directors. The chairperson
2 35 shall rotate between agency director members and general



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Senate Study Bill 3052 continued

- 3 1 public members.
- 3 2 c. The council shall meet at least six times per year.
- 3 3 Meetings of the council may be called by the chairperson or by
- 3 4 a majority of the members.
- 3 5 d. General public members shall be reimbursed for actual
- 3 6 and necessary expenses incurred while engaged in their
- 3 7 official duties. Expense payments shall be made from
- 3 8 appropriations made for purposes of this section.
- 3 9 7. The Iowa finance authority shall provide staff
- 3 10 assistance and administrative support to the council.
- 3 11 8. The duties of the council shall include but are not
- 3 12 limited to the following:
- 3 13 a. Develop a process for evaluating state policies,
- 3 14 programs, statutes, and rules to determine whether any state
- 3 15 policies, programs, statutes, or rules should be revised to
- 3 16 help prevent and alleviate homelessness.
- 3 17 b. Evaluate whether state agency resources could be more
- 3 18 efficiently coordinated with other state agencies to prevent
- 3 19 and alleviate homelessness.
- 3 20 c. Work to develop a coordinated and seamless service
- 3 21 delivery system to prevent and alleviate homelessness.
- 3 22 d. Use existing resources to identify and prioritize
- 3 23 efforts to prevent persons from becoming homeless and to
- 3 24 eliminate factors that keep people homeless.
- 3 25 e. Identify and use federal and other funding
- 3 26 opportunities to address and reduce homelessness within the
- 3 27 state.
- 3 28 f. Work to identify causes and effects of homelessness and
- 3 29 increase awareness among policymakers and the general public.
- 3 30 g. Advise the governor's office, the Iowa finance
- 3 31 authority, state agencies, and private organizations on
- 3 32 strategies to prevent and eliminate homelessness.
- 3 33 9. a. The council shall make annual recommendations to
- 3 34 the governor regarding matters which impact homelessness on or
- 3 35 before September 15.



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Senate Study Bill 3052 continued

5 1 shall not both be either general public members or agency
5 2 directors. The bill requires the chairperson to rotate
5 3 between general public members and agency director members.
5 4 The bill provides that meetings of the council may be
5 5 called by the chairperson or by a majority of the members.
5 6 The bill requires the council to meet at least six times per
5 7 year. The bill provides that council members shall be
5 8 reimbursed for actual and necessary expenses incurred while
5 9 engaged in their official duties.
5 10 The bill describes the duties of the council. In addition
5 11 to a list of duties described in the bill, the council is also
5 12 required to make annual recommendations to the governor
5 13 regarding matters which impact homelessness, prepare and file
5 14 with the governor and the general assembly in each
5 15 odd-numbered year, a report on homelessness in Iowa, and
5 16 assist in the completion of the state's continuum of care
5 17 application to the United States department of housing and
5 18 urban development.
5 19 The bill provides that the Iowa finance authority shall
5 20 provide staff assistance and administrative support to the
5 21 council. The bill requires the Iowa finance authority to
5 22 adopt rules under Code chapter 17A in consultation with the
5 23 council. The bill requires the council to adopt internal
5 24 rules of procedure and to comply with the open meeting and
5 25 records requirements of Code chapters 21 and 22. The bill
5 26 requires rules adopted by the Iowa finance authority or
5 27 internal rules of procedure established by the council to
5 28 comply with the federal McKinney-Vento Homeless Assistance
5 29 Act.
5 30 LSB 5333XD 82
5 31 md/rj/14.2



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Senate Study Bill 3053

SENATE/HOUSE FILE
BY (PROPOSED DEPARTMENT OF
PUBLIC HEALTH/BOARD OF
PHARMACY BILL)

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

Passed House, Date _____
Vote: Ayes _____ Nays _____

A BILL FOR

- 1 An Act relating to the practice of pharmacy, including provisions
- 2 governing tech=check=tech programs and specifying applicable
- 3 penalty provisions.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 5 TLSB 5359DP 82
- 6 jr/nh/14



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Senate Study Bill 3053 continued

PAG LIN

1 1 Section 1. Section 147.107, subsection 2, paragraph a,
1 2 Code Supplement 2007, is amended to read as follows:
1 3 a. A pharmacist, physician, dentist, or podiatric
1 4 physician who dispenses prescription drugs, including but not
1 5 limited to controlled substances, for human use, may delegate
1 6 nonjudgmental dispensing functions to staff assistants only
1 7 when verification of the accuracy and completeness of the
1 8 ~~prescription dispensing~~ is determined by the pharmacist or
1 9 practitioner in the pharmacist's or practitioner's physical
1 10 presence. However, the physical presence requirement does not
1 11 apply when a pharmacist or practitioner is utilizing an
1 12 automated dispensing system or when a pharmacist is utilizing
1 13 a tech=check=tech program, as defined in section 155A.3. When
1 14 using an automated dispensing system the pharmacist or
1 15 practitioner shall utilize an internal quality control
1 16 assurance plan that ensures accuracy for dispensing. When
1 17 using a tech=check=tech program the pharmacist shall utilize
1 18 an internal quality control assurance plan, in accordance with
1 19 rules adopted by the board of pharmacy that ensures accuracy
1 20 for dispensing. Verification of automated dispensing and
1 21 tech=check=tech accuracy and completeness remains the
1 22 responsibility of the pharmacist or practitioner and shall be
1 23 determined in accordance with rules adopted by the board of
1 24 pharmacy, the board of medicine, the dental board, and the
1 25 board of podiatry for their respective licensees.
1 26 Sec. 2. Section 155A.3, Code Supplement 2007, is amended
1 27 by adding the following new subsection:
1 28 NEW SUBSECTION. 39A. "Tech=check=tech program" means a
1 29 program formally established by a pharmacist in charge of a
1 30 pharmacy who has determined that one or more registered
1 31 pharmacy technicians are qualified to safely check the work of
1 32 other registered pharmacy technicians and thereby provide
1 33 final verification for drugs which are dispensed for
1 34 subsequent administration to patients in an institutional
1 35 setting.



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2 1 Sec. 3. Section 155A.6A, subsection 4, Code Supplement
2 2 2007, is amended to read as follows:
2 3 4. The board shall adopt rules in accordance with chapter
2 4 17A on matters pertaining to pharmacy technician registration,
2 5 application, forms, renewals, fees, termination of
2 6 registration, tech=check=tech programs, national
2 7 certification, training, and any other relevant matters.
2 8 Sec. 4. Section 155A.24, subsection 1, paragraph a, Code
2 9 Supplement 2007, is amended to read as follows:
2 10 a. If the prescription drug is a controlled substance, the
2 11 person shall be punished pursuant to section 124.401,
2 12 subsection 1, and other provisions of chapter 124, division
2 13 IV.
2 14 Sec. 5. Section 155A.33, Code 2007, is amended to read as
2 15 follows:
2 16 155A.33 DELEGATION OF TECHNICAL FUNCTIONS ~~== AUTOMATED~~
2 17 ~~DISPENSING SYSTEMS.~~
2 18 A pharmacist may delegate technical dispensing functions to
2 19 pharmacy technicians, but only if the pharmacist is physically
2 20 present to verify the accuracy and completeness of the
2 21 patient's prescription prior to the delivery of the
2 22 prescription to the patient or the patient's representative.
2 23 However, the physical presence requirement does not apply when
2 24 a pharmacist is utilizing an automated dispensing system or a
2 25 tech=check=tech program. When using an automated dispensing
2 26 system or a tech=check=tech program, the pharmacist shall
2 27 utilize an internal quality control assurance plan that
2 28 ensures accuracy for dispensing. Verification of automated
2 29 dispensing and tech=check=tech accuracy and completeness
2 30 remains the responsibility of the pharmacist and shall be
2 31 determined in accordance with rules adopted by the board.
2 32 Sec. 6. Section 155A.34, Code 2007, is amended to read as
2 33 follows:
2 34 155A.34 TRANSFER OF PRESCRIPTIONS.
2 35 A pharmacist or a pharmacist=intern may transfer a valid



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Senate Study Bill 3053 continued

3 1 prescription order to another pharmacist or a
3 2 pharmacist=intern pursuant to rules adopted by the board.

3 3 EXPLANATION

3 4 This bill relates to the practice of pharmacy by defining a
3 5 tech=check=tech program, directing the board of pharmacy to
3 6 adopt rules relating to tech=check=tech programs, and
3 7 authorizing pharmacists to implement tech=check=tech programs
3 8 pursuant to those rules. A pharmacist is responsible for the
3 9 accuracy and completeness of dispensing activities completed
3 10 as part of a tech=check=tech program.

3 11 The bill amends the penalty provisions in Code chapter 155A
3 12 relating to controlled substances by specifying the applicable
3 13 penalty provisions of the Iowa controlled substances Act, Code
3 14 chapter 124.

3 15 The bill also authorizes a pharmacist=intern to transfer
3 16 and to receive the transfer of a prescription order from a
3 17 pharmacist or a pharmacist=intern.

3 18 LSB 5359DP 82

3 19 jr/nh/14



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Senate Study Bill 3054

SENATE/HOUSE FILE
BY (PROPOSED BOARD OF
PHARMACY BILL)

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

Passed House, Date _____
Vote: Ayes _____ Nays _____

A BILL FOR

- 1 An Act relating to controlled substance schedules and the
- 2 reporting requirements to the board of pharmacy and making
- 3 penalties applicable.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 5 TL5B 5349DP 82
- 6 jm/nh/14



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Senate Study Bill 3054 continued

PAG LIN

1 1 Section 1. Section 124.206, subsection 2, paragraph a,
1 2 Code Supplement 2007, is amended by adding the following new
1 3 subparagraph:

1 4 NEW SUBPARAGRAPH. (18) Oripavine.

1 5 Sec. 2. Section 124.206, subsection 4, Code Supplement
1 6 2007, is amended by adding the following new paragraph:

1 7 NEW PARAGRAPH. e. Lisdexamfetamine, its salts, isomers,
1 8 and salts of its isomers.

1 9 Sec. 3. Section 124.208, subsection 3, Code Supplement
1 10 2007, is amended by adding the following new paragraph:

1 11 NEW PARAGRAPH. n. Embutramide.

1 12 Sec. 4. Section 124.208, subsection 9, Code Supplement
1 13 2007, is amended to read as follows:

1 14 9. HALLUCINOGENIC SUBSTANCES.

1 15 a. Dronabinol (~~synthetic~~) in sesame oil and encapsulated
1 16 in a soft gelatin capsule in a drug product approved for
1 17 marketing by the United States food and drug administration
1 18 approved product.

1 19 b. Any drug product in tablet or capsule form containing
1 20 natural dronabinol (derived from the cannabis plant) or
1 21 synthetic dronabinol (produced from synthetic materials) for
1 22 which an abbreviated new drug application (ANDA) has been
1 23 approved by the United States food and drug administration
1 24 under section 505(j) of the Federal Food, Drug, and Cosmetic
1 25 Act and which references as its listed drug the drug product
1 26 identified in paragraph "a".

1 27 c. Some other names for dronabinol: (6aR=trans)=6a, 7, 8,
1 28 10a=tetrahydro=6, 6, 9=trimethyl=3=pentyl=6H=dibenzo [b,d]
1 29 pyran=1=ol, or (=)=delta=9=(trans)=tetrahydrocannabinol.

1 30 Sec. 5. Section 124B.2, subsection 1, paragraphs j and l,
1 31 Code 2007, are amended by striking the paragraphs.

1 32 EXPLANATION

1 33 This bill relates to controlled substance schedules and the
1 34 requirements for reporting to the board of pharmacy.

1 35 The bill adds the substance "oripavine" to the list of



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2 1 schedule II controlled substances.

2 2 The bill also adds the substance "lisdexamfetamine", its
2 3 salts, isomers, and salts of its isomers to the list of
2 4 stimulants classified as schedule II controlled substances.

2 5 A schedule II controlled substance is a substance
2 6 appropriate for medical use but has a high potential for
2 7 abuse.

2 8 The bill adds the substance "embutramide" to the list of
2 9 depressants classified as schedule III controlled substances.

2 10 The bill makes any drug product in a tablet or capsule form
2 11 containing natural or synthetic "dronabinol" (derived from the
2 12 cannabis plant) a schedule III controlled substance. Current
2 13 law makes any product in capsule form containing synthetic
2 14 dronabinol approved by the F.D.A. a schedule III controlled
2 15 substance.

2 16 A schedule III controlled substance is a substance
2 17 appropriate for medical use but has a lower potential for
2 18 abuse than substances classified as schedule II controlled
2 19 substances.

2 20 The bill also strikes references to pseudoephedrine and
2 21 phenylpropanolamine as precursor substances which require
2 22 reporting to the board of pharmacy under Code chapter 124B.
2 23 Under the bill and in current law, pseudoephedrine and
2 24 phenylpropanolamine are regulated as schedule V controlled
2 25 substances pursuant to Code section 124.212.

2 26 The scheduling amendments in the bill conform with
2 27 scheduling actions of the federal Drug Enforcement Agency
2 28 (DEA).

2 29 The bill makes it a class "C" felony pursuant to Code
2 30 section 124.401, subsection 1, paragraph "c", subparagraph
2 31 (8), for any unauthorized person to manufacture, deliver, or
2 32 possess with the intent to manufacture or deliver, oripavine,
2 33 lisdexamfetamine, or embutramide, including its counterfeit or
2 34 simulated form, or to act with, enter into a common scheme or
2 35 design with, or conspire with one or more persons to



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3 1 manufacture, deliver, or possess with the intent to
3 2 manufacture or deliver oripavine, lisdexamfetamine, or
3 3 embutramide.
3 4 The bill also makes it a serious misdemeanor pursuant to
3 5 Code section 124.401, subsection 5, for any unauthorized
3 6 person to possess oripavine, lisdexamfetamine, or embutramide.
3 7 A class "C" felony is punishable by confinement for no more
3 8 than 10 years and a fine of at least \$1,000 but not more than
3 9 \$50,000 pursuant to Code section 124.401(1)(c). A serious
3 10 misdemeanor is punishable by confinement for no more than one
3 11 year and a fine of at least \$315 but not more than \$1,875.
3 12 LSB 5349DP 82
3 13 jm/nh/14.1



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Senate Study Bill 3055

SENATE/HOUSE FILE
BY (PROPOSED DEPARTMENT OF
INSPECTIONS AND APPEALS
BILL)

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

A BILL FOR

- 1 An Act relating to the annual renewal fee for licensure of
- 2 hospitals.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 5490DP 82
- 5 jr/rj/5



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Senate Study Bill 3055 continued

PAG LIN

1 1 Section 1. Section 135B.5, unnumbered paragraph 1, Code
1 2 2007, is amended to read as follows:
1 3 Upon receipt of an application for license and the license
1 4 fee, the department shall issue a license if the applicant and
1 5 hospital facilities comply with this chapter and the rules of
1 6 the department. Each licensee shall receive annual reapproval
1 7 upon payment of ~~ten~~ one hundred dollars and upon filing of an
1 8 application form which is available from the department.
1 9 Licenses shall be either general or restricted in form. Each
1 10 license shall be issued only for the premises and persons or
1 11 governmental units named in the application and is not
1 12 transferable or assignable except with the written approval of
1 13 the department. Licenses shall be posted in a conspicuous
1 14 place on the licensed premises as prescribed by rule of the
1 15 department.

1 16 EXPLANATION

1 17 Code chapter 135B provides for the establishment and
1 18 enforcement of basic standards for the care and treatment of
1 19 individuals in hospitals and for the construction,
1 20 maintenance, and operation of such hospitals. Under this
1 21 regulatory program all hospitals must be licensed by the
1 22 department.

1 23 This bill would increase the annual renewal fee for
1 24 hospital licensure from \$10 to \$100.

1 25 LSB 5490DP 82

1 26 jr/rj/5



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Senate Study Bill 3056

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

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

Passed House, Date _____
Vote: Ayes _____ Nays _____

A BILL FOR

- 1 An Act relating to the limit on tax credits available for
- 2 renewable energy research activities.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 5484XD 82
- 5 tw/rj/5



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Senate Study Bill 3056 continued

PAG LIN

1 1 Section 1. Section 15.331A, unnumbered paragraph 1, Code
1 2 2007, is amended to read as follows:
1 3 The eligible business shall be entitled to a refund of
1 4 ninety percent of the sales and use taxes paid under chapter
1 5 423 for gas, electricity, water, or sewer utility services,
1 6 goods, wares, or merchandise, or on services rendered,
1 7 furnished, or performed to or for a contractor or
1 8 subcontractor and used in the fulfillment of a written
1 9 contract relating to the construction or equipping of a
1 10 facility of the eligible business. Taxes attributable to
1 11 intangible property and furniture and furnishings shall not be
1 12 refunded. However, an eligible business shall be entitled to
1 13 a refund for taxes attributable to racks, shelving, and
1 14 conveyor equipment to be used in a warehouse or distribution
1 15 center subject to section 15.331C.
1 16 Sec. 2. Section 15.331C, subsection 1, Code 2007, is
1 17 amended to read as follows:
1 18 1. An eligible business may claim a corporate tax credit
1 19 in an amount equal to ninety percent of the sales and use
1 20 taxes paid by a third-party developer under chapter 423 for
1 21 gas, electricity, water, or sewer utility services, goods,
1 22 wares, or merchandise, or on services rendered, furnished, or
1 23 performed to or for a contractor or subcontractor and used in
1 24 the fulfillment of a written contract relating to the
1 25 construction or equipping of a facility of the eligible
1 26 business. Taxes attributable to intangible property and
1 27 furniture and furnishings shall not be included, but taxes
1 28 attributable to racks, shelving, and conveyor equipment to be
1 29 used in a warehouse or distribution center shall be included.
1 30 Any credit in excess of the tax liability for the tax year may
1 31 be credited to the tax liability for the following seven years
1 32 or until depleted, whichever occurs earlier. An eligible
1 33 business may elect to receive a refund of all or a portion of
1 34 an unused tax credit.
1 35 Sec. 3. Section 15.335, subsection 1, unnumbered paragraph



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Senate Study Bill 3056 continued

2 1 1, Code Supplement 2007, is amended to read as follows:
2 2 An eligible business may claim a corporate tax credit for
2 3 increasing research activities in this state during the period
2 4 the eligible business is participating in the program. For
2 5 purposes of this section, "research activities" includes the
2 6 development and deployment of innovative renewable energy
2 7 generation components manufactured or assembled in this state.
2 8 For purposes of this section, "innovative renewable energy
2 9 generation components" does not include a component with more
2 10 than two hundred megawatts of installed effective nameplate
2 11 capacity. The tax credits for innovative renewable energy
2 12 generation components shall not exceed ~~one~~ two million dollars
2 13 per fiscal year.

EXPLANATION

2 14
2 15 This bill relates to certain tax credits available as part
2 16 of the high quality job creation program and the enterprise
2 17 zone program. The bill raises the available research
2 18 activities tax credits for renewable energy generation
2 19 components from an aggregate amount of \$1 million to an annual
2 20 amount of \$2 million per fiscal year.

2 21 The bill reduces the percentage of certain sales and use
2 22 tax refunds and corporate tax credits to eligible businesses.

2 23 LSB 5484XD 82

2 24 tw/rj/5.1



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Senate Study Bill 3057

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

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

Passed House, Date _____
Vote: Ayes _____ Nays _____

A BILL FOR

- 1 An Act relating to the annual aggregate amount of tax credits
- 2 available under the endow Iowa program and to the amount of
- 3 credits a taxpayer may receive.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 5 TLSB 5485DP 82
- 6 tw/rj/8



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Senate Study Bill 3057 continued

PAG LIN

1 1 Section 1. Section 15E.305, subsection 2, Code Supplement
1 2 2007, is amended to read as follows:

1 3 2. The annual aggregate amount of tax credits authorized
1 4 pursuant to this section shall not exceed a total of ~~two~~ three
1 5 million dollars plus ~~such~~ the additional credit amount ~~as~~
~~1 6 provided by this section annually determined pursuant to~~
1 7 paragraph "c".

1 8 a. The maximum amount of tax credits granted annually to a
1 9 taxpayer shall not exceed ~~five~~ three and one-third percent of
1 10 the annual aggregate amount of tax credits authorized in this
1 11 subsection minus the additional credit amount from paragraph
1 12 "c".

1 13 b. Ten percent of the aggregate amount of tax credits
1 14 authorized in a calendar year shall be reserved for those
1 15 endowment gifts in amounts of thirty thousand dollars or less.
1 16 If by September 1 of a calendar year the entire ten percent of
1 17 the reserved tax credits is not distributed, the remaining tax
1 18 credits shall be available to any other eligible applicants.

1 19 c. For purposes of this subsection, the additional credit
1 20 amount shall be an amount for each applicable calendar year
1 21 determined by the department of revenue equal to the amount of
1 22 money credited as provided by section 99F.11, subsection 3,
1 23 paragraph "e", subparagraph (3), for the prior fiscal year.

1 24 EXPLANATION

1 25 This bill increases the annual aggregate amount of tax
1 26 credits available under the endow Iowa program from \$2 million
1 27 to \$3 million while also reducing the annual percentage amount
1 28 that can be granted to an individual taxpayer.

1 29 LSB 5485DP 82

1 30 tw/rj/8.1



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Senate Study Bill 3058

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

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

Passed House, Date _____
Vote: Ayes _____ Nays _____

A BILL FOR

1 An Act relating to the technical administration of the tax and
2 related laws by the department of revenue, including
3 administration of income, sales and use, property, motor fuel,
4 and tobacco taxes.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
6 TLSB 5494XD 82
7 mg/sc/5



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Senate Study Bill 3058 continued

PAG LIN

1 1 Section 1. Section 422.16, subsection 1, paragraph a, Code
1 2 Supplement 2007, is amended to read as follows:

1 3 a. Every withholding agent and every employer as defined
1 4 in this chapter and further defined in the Internal Revenue
1 5 Code, with respect to income tax collected at source, making
1 6 payment of wages to a nonresident employee working in Iowa, or
1 7 to a resident employee, shall deduct and withhold from the
1 8 wages an amount which will approximate the employee's annual
1 9 tax liability on a calendar year basis, calculated on the
1 10 basis of tables to be prepared by the department and schedules
1 11 or percentage rates, based on the wages, to be prescribed by
1 12 the department. Every employee or other person shall declare
1 13 to the employer or withholding agent the number of the
1 14 employee's or other person's personal ~~exemptions and~~
~~1 15 dependency exemptions or credits~~ allowances to be used in
1 16 applying the tables and schedules or percentage rates.
1 17 However, no greater number of ~~personal or dependency~~
~~1 18 exemptions or credits~~ allowances may be declared by the
1 19 employee or other person than the number to which the employee
1 20 or other person is entitled except as allowed under sections
1 21 3402(m)(1) and 3402(m)(3) of the Internal Revenue Code and as
1 22 allowed for the child and dependent care credit provided in
1 23 section 422.12C. The claiming of ~~exemptions or credits~~
1 24 allowances in excess of entitlement is a serious misdemeanor.

1 25 Sec. 2. Section 423.36, subsection 2, Code 2007, is
1 26 amended to read as follows:

1 27 2. To collect sales or use tax, the applicant must have a
1 28 permit for each place of business in the state of Iowa. The
1 29 department may deny a permit to an applicant who is
1 30 substantially delinquent in paying a tax due, or the interest
1 31 or penalty on the tax, administered by the department at the
1 32 time of application or if the applicant had a previous
~~1 33 delinquent liability with the department.~~ If the applicant is
1 34 a partnership, a permit may be denied if a partner is
1 35 substantially delinquent in paying any delinquent tax,



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2 1 penalty, or interest or if a partner had a previous delinquent
2 2 liability with the department. If the applicant is a
2 3 corporation, a permit may be denied if any officer having a
2 4 substantial legal or equitable interest in the ownership of
2 5 the corporation owes any delinquent tax, penalty, or interest
2 6 or if any officer having a substantial legal or equitable
2 7 interest in the ownership of the corporation had a previous
2 8 delinquent liability with the department.

2 9 Sec. 3. Section 423A.5, subsection 1, Code 2007, is
2 10 amended by adding the following new paragraph:

2 11 NEW PARAGRAPH. c. The sales price from transactions
2 12 exempt from state sales tax under section 423.3.

2 13 Sec. 4. Section 423A.5, subsection 2, Code 2007, is
2 14 amended by adding the following new paragraph:

2 15 NEW PARAGRAPH. c. The sales price from transactions
2 16 exempt from state sales tax under section 423.3.

2 17 Sec. 5. Section 423D.3, Code 2007, is amended to read as
2 18 follows:

2 19 423D.3 EXEMPTION.

2 20 The sales price on the lease or rental of equipment to
2 21 contractors for direct and primary use in construction is
2 22 exempt from the tax imposed by this chapter. The sales price
2 23 from transactions exempt from state sales tax under section
2 24 423.3 is also exempt from the tax imposed by this chapter.

2 25 Sec. 6. Section 427.1, subsection 7, Code Supplement 2007,
2 26 is amended to read as follows:

2 27 7. LIBRARIES AND ART GALLERIES. All grounds and buildings
2 28 used for public libraries, public art galleries, and libraries
2 29 and art galleries owned and kept by private individuals,
2 30 associations, or corporations, for public use and not for
2 31 private profit. Claims for exemption for libraries and art
2 32 galleries owned and kept by private individuals, associations,
2 33 or corporations for public use and not for private profit must
2 34 be filed with the local assessor by February 1 of the first
2 35 year the exemption is requested. Once the exemption is



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3 1 granted, the exemption shall continue to be granted for
3 2 subsequent assessment years without further filing of claims
3 3 as long as the property continues to be used as a library or
3 4 art gallery for public use and not for private profit.

3 5 Sec. 7. Section 452A.2, subsection 35, Code 2007, is
3 6 amended to read as follows:

3 7 35. "Supplier" means a person who acquires motor fuel or
3 8 special fuel by pipeline or marine vessel from a state,
3 9 territory, or possession of the United States, or from a
3 10 foreign country for storage at and distribution from a
3 11 terminal and who is registered under 26 U.S.C. } 4101 for
3 12 tax-free transactions in gasoline, a person who produces in
3 13 this state or acquires by truck, railcar, or barge for storage
3 14 at and distribution from a terminal, biofuel, biodiesel,
3 15 alcohol, or alcohol derivative substances, or a person who
3 16 produces, manufactures, or refines motor fuel or special fuel
3 17 in this state. "Supplier" includes a person who does not meet
3 18 the jurisdictional connection to this state but voluntarily
3 19 agrees to act as a supplier for purposes of collecting and
3 20 reporting the motor fuel or special fuel tax. "Supplier" does
3 21 not include a retail dealer or wholesaler who merely blends
3 22 alcohol with gasoline or biofuel with diesel before the sale
3 23 or distribution of the product or a terminal operator who
3 24 merely handles, in a terminal, motor fuel or special fuel
3 25 consigned to the terminal operator.

3 26 Sec. 8. Section 452A.59, Code 2007, is amended to read as
3 27 follows:

3 28 452A.59 ADMINISTRATIVE RULES.

3 29 The department of revenue and the state department of
3 30 transportation are authorized and empowered to adopt rules
3 31 under chapter 17A, relating to the administration and
3 32 enforcement of this chapter as deemed necessary by the
3 33 departments. However, when in the opinion of the director it
3 34 is necessary for the efficient administration of this chapter,
3 35 the director may regard persons in possession of motor fuel,



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Senate Study Bill 3058 continued

4 1 special fuel, biofuel, alcohol, or alcohol derivative
4 2 substances as blenders, dealers, eligible purchasers,
4 3 exporters, importers, restrictive suppliers, suppliers,
4 4 terminal operators, or nonterminal storage facility operators.

4 5 Sec. 9. Section 453A.46, subsection 7, Code Supplement
4 6 2007, is amended to read as follows:

4 7 7. The director may require by rule that ~~reports~~ returns
4 8 be filed by electronic transmission.

4 9 EXPLANATION

4 10 This bill makes changes relating to the technical
4 11 administration of the tax and related laws by the department
4 12 of revenue.

4 13 Code section 422.16 is amended to specify that allowances
4 14 are claimed by employees when determining the amount of Iowa
4 15 withholding tax, not personal or dependency exemptions or
4 16 credits.

4 17 Code section 423.36 is amended to allow the department to
4 18 deny an application for a sales or use tax permit if the
4 19 applicant had a previous delinquent liability with the
4 20 department.

4 21 Code section 423A.5 is amended to exempt from the state and
4 22 local hotel and motel tax transactions that are exempt from
4 23 state sales tax.

4 24 Code section 423D.3 is amended to exempt from the equipment
4 25 tax transactions that are exempt from the state sales tax.

4 26 Code section 427.1 is amended to require a claim for a
4 27 property tax exemption to be filed by privately owned
4 28 libraries and art galleries used for public purposes and not
4 29 for private profit to receive the property tax exemption.

4 30 Code section 452A.2 is amended to include in the definition
4 31 of "supplier" a person that produces or acquires biofuel or
4 32 biodiesel for storage and distribution from a terminal. The
4 33 definition is also amended to specify that "supplier" does not
4 34 include a retail dealer or wholesaler who merely blends
4 35 biofuel with diesel fuel before sale or distribution of the



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5 1 product.

5 2 Code section 452A.59 is amended to authorize the director
5 3 to regard persons dealing in various fuel products as defined
5 4 persons contained in Code chapter 452A if the director
5 5 determines it is necessary for the efficient administration of
5 6 the motor fuel chapter.

5 7 Code section 453A.46 is amended to make a technical
5 8 correction to clarify that the director may require by rule
5 9 that tobacco "returns" rather than "reports" be filed by
5 10 electronic transmission.

5 11 LSB 5494XD 82

5 12 mg/sc/5



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Senate Study Bill 3059

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

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

Passed House, Date _____
Vote: Ayes _____ Nays _____

A BILL FOR

- 1 An Act updating the Code references to the Internal Revenue Code
- 2 and including effective date and retroactive applicability
- 3 date provisions.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 5 TL5B 5496DP 82
- 6 sc/rj/5



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Senate Study Bill 3059 continued

PAG LIN

1 1 Section 1. Section 15.335, subsection 4, unnumbered
1 2 paragraph 2, Code Supplement 2007, is amended to read as
1 3 follows:
1 4 For purposes of this section, "Internal Revenue Code" means
1 5 the Internal Revenue Code in effect on January 1, ~~2007~~ 2008.
1 6 Sec. 2. Section 15A.9, subsection 8, paragraph e,
1 7 unnumbered paragraph 2, Code Supplement 2007, is amended to
1 8 read as follows:
1 9 For purposes of this subsection, "Internal Revenue Code"
1 10 means the Internal Revenue Code in effect on January 1, ~~2007~~
1 11 2008.
1 12 Sec. 3. Section 422.3, subsection 5, Code Supplement 2007,
1 13 is amended to read as follows:
1 14 5. "Internal Revenue Code" means the Internal Revenue Code
1 15 of 1954, prior to the date of its redesignation as the
1 16 Internal Revenue Code of 1986 by the Tax Reform Act of 1986,
1 17 or means the Internal Revenue Code of 1986 as amended to and
1 18 including January 1, ~~2007~~ 2008.
1 19 Sec. 4. Section 422.10, subsection 3, unnumbered paragraph
1 20 2, Code Supplement 2007, is amended to read as follows:
1 21 For purposes of this section, "Internal Revenue Code" means
1 22 the Internal Revenue Code in effect on January 1, ~~2007~~ 2008.
1 23 Sec. 5. Section 422.32, subsection 7, Code Supplement
1 24 2007, is amended to read as follows:
1 25 7. "Internal Revenue Code" means the Internal Revenue Code
1 26 of 1954, prior to the date of its redesignation as the
1 27 Internal Revenue Code of 1986 by the Tax Reform Act of 1986,
1 28 or means the Internal Revenue Code of 1986 as amended to and
1 29 including January 1, ~~2007~~ 2008.
1 30 Sec. 6. Section 422.33, subsection 5, paragraph d,
1 31 unnumbered paragraph 2, Code Supplement 2007, is amended to
1 32 read as follows:
1 33 For purposes of this subsection, "Internal Revenue Code"
1 34 means the Internal Revenue Code in effect on January 1, ~~2007~~
1 35 2008.



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Senate Study Bill 3060

SENATE/HOUSE FILE
BY (PROPOSED DEPARTMENT OF
INSPECTIONS AND APPEALS
BILL)

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

Passed House, Date _____
Vote: Ayes _____ Nays _____

A BILL FOR

- 1 An Act increasing license fees for the regulation of hotels, food
- 2 establishments, and food processing plants.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 5503DP 82
- 5 jr/nh/5



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Senate Study Bill 3060 continued

PAG LIN

1 1 Section 1. Section 137C.9, subsection 1, Code Supplement
1 2 2007, is amended to read as follows:
1 3 1. Either the department or the municipal corporation
1 4 shall collect the following annual license fees:
1 5 a. For a hotel containing fifteen guest rooms or less,
1 6 ~~twenty-seven~~ forty dollars.
1 7 b. For a hotel containing more than fifteen but less than
1 8 thirty-one guest rooms, ~~forty~~ sixty dollars ~~and fifty cents~~.
1 9 c. For a hotel containing more than thirty but less than
1 10 seventy-six guest rooms, ~~fifty-four~~ eighty dollars.
1 11 d. For a hotel containing more than seventy-five but less
1 12 than one hundred fifty guest rooms, ~~fifty-seven~~ one hundred
1 13 fifty dollars ~~and fifty cents~~.
1 14 e. For a hotel containing one hundred fifty or more guest
1 15 rooms, one hundred ~~one~~ fifty dollars ~~and twenty-five cents~~.
1 16 Sec. 2. Section 137D.2, subsection 1, Code Supplement
1 17 2007, is amended to read as follows:
1 18 1. A person shall not open or operate a home food
1 19 establishment until a license has been obtained from the
1 20 department of inspections and appeals. The department shall
1 21 collect a fee of ~~thirty-three~~ fifty dollars ~~and seventy-five~~
1 22 ~~cents~~ for a license. After collection, the fees shall be
1 23 deposited in the general fund of the state. A license shall
1 24 expire one year from date of issue. A license is renewable.
1 25 Sec. 3. Section 137F.3A, subsection 2, Code Supplement
1 26 2007, is amended to read as follows:
1 27 2. Notwithstanding chapter 137D, and sections 137C.9 and
1 28 137F.6, if the conditions described in this section are met,
1 29 fees imposed pursuant to that chapter and those sections shall
1 30 be retained by and are appropriated to the department of
1 31 inspections and appeals each fiscal year to provide for
1 32 salaries, support, maintenance, and miscellaneous purposes
1 33 associated with the additional inspections. ~~The appropriation~~
1 34 ~~made in this subsection is not applicable in a fiscal year for~~
1 35 ~~which the general assembly enacts an appropriation made for~~



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~~Senate Study Bill 3060 continued~~

~~2 1 the purposes described in this subsection.~~
2 2 Sec. 4. Section 137F.6, Code Supplement 2007, is amended
2 3 to read as follows:
2 4 137F.6 LICENSE FEES.
2 5 1. The regulatory authority shall collect the following
2 6 annual license fees:
2 7 a. For a mobile food unit or pushcart, ~~twenty-seven~~ one
2 8 hundred dollars.
2 9 b. For a temporary food establishment per fixed location,
2 10 ~~thirty-three~~ fifty dollars ~~and fifty cents~~.
2 11 c. For a vending machine, twenty dollars for the first
2 12 machine and five dollars for each additional machine.
2 13 d. For a food establishment which prepares or serves food
2 14 for individual portion service intended for consumption
2 15 on=the=premises, the annual license fee shall correspond to
2 16 the annual gross food and beverage sales of the food
2 17 establishment, as follows:
2 18 (1) Annual gross sales of under fifty thousand dollars,
2 19 ~~sixty-seven~~ one hundred dollars ~~and fifty cents~~.
2 20 (2) Annual gross sales of at least fifty thousand dollars
2 21 but less than one hundred thousand dollars, one hundred
2 22 ~~fourteen~~ seventy dollars ~~and fifty cents~~.
2 23 (3) Annual gross sales of at least one hundred thousand
2 24 dollars but less than two hundred fifty thousand dollars, ~~two~~
2 25 three hundred ~~thirty-six~~ fifty dollars ~~and twenty-five cents~~.
2 26 (4) Annual gross sales of two hundred fifty thousand
2 27 dollars but less than five hundred thousand dollars, ~~two~~ four
2 28 hundred ~~seventy-five~~ dollars.
2 29 (5) Annual gross sales of five hundred thousand dollars or
2 30 more, ~~three~~ four hundred ~~three~~ fifty dollars ~~and seventy-five~~
~~2 31 cents~~.
2 32 e. For a food establishment which sells food or food
2 33 products to consumer customers intended for preparation or
2 34 consumption off=the=premises, the annual license fee shall
2 35 correspond to the annual gross food and beverage sales of the



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3 1 food establishment, as follows:

3 2 (1) Annual gross sales of under ten thousand dollars,
3 3 ~~forty sixty~~ dollars and fifty cents.

3 4 (2) Annual gross sales of at least ten thousand dollars
3 5 but less than two hundred fifty thousand dollars, one hundred
3 6 ~~one fifty~~ dollars and twenty-five cents.

3 7 (3) Annual gross sales of at least two hundred fifty
3 8 thousand dollars but less than five hundred thousand dollars,
3 9 ~~one two hundred fifty-five~~ thirty ~~dollars and twenty-five~~
~~cents.~~

3 11 (4) Annual gross sales of at least five hundred thousand
3 12 dollars but less than seven hundred fifty thousand dollars,
3 13 ~~two three hundred two~~ dollars and fifty cents.

3 14 (5) Annual gross sales of seven hundred fifty thousand
3 15 dollars or more, ~~three four hundred three~~ fifty ~~dollars and~~
~~seventy-five cents.~~

3 17 f. For a food processing plant, the annual license fee
3 18 shall correspond to the annual gross food and beverage sales
3 19 of the food processing plant, as follows:

3 20 (1) Annual gross sales of under fifty thousand dollars,
3 21 ~~sixty-seven~~ one hundred ~~dollars and fifty cents.~~

3 22 (2) Annual gross sales of at least fifty thousand dollars
3 23 but less than two hundred fifty thousand dollars, ~~one two~~
3 24 ~~hundred~~ thirty-five ~~dollars.~~

3 25 (3) Annual gross sales of at least two hundred fifty
3 26 thousand dollars but less than five hundred thousand dollars,
3 27 ~~two three hundred two~~ dollars and fifty cents.

3 28 (4) Annual gross sales of five hundred thousand dollars or
3 29 more, ~~three five hundred thirty-seven~~ dollars and fifty cents.

3 30 g. For a farmers market where potentially hazardous food
3 31 is sold or distributed, one seasonal license fee of one
3 32 hundred dollars for each vendor on a countywide basis.

3 33 h. ~~A food establishment covered by paragraphs "d" and "e"~~
~~shall be assessed license fees not to exceed seventy-five~~
~~percent of the total fees applicable under both paragraphs.~~



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4 1 h. Upon transfer of ownership of an existing food
4 2 establishment or food processing plant subject to a license
4 3 fee under paragraph "d", "e", or "f", the new owner shall pay
4 4 the last license fee amount paid by the previous owner for the
4 5 first year of licensure. In subsequent years, the licensee
4 6 shall pay the fee specified for the licensee's annual gross
4 7 sales.

4 8 i. A new applicant subject to a license fee under
4 9 paragraph "d", "e", or "f" shall pay the license fee based on
4 10 projected gross sales under each of the applicable paragraphs
4 11 for the first year of licensure. In subsequent years, the
4 12 licensee shall pay the fee specified for the licensee's annual
4 13 gross sales.

4 14 j. For a food establishment or food processing plant that
4 15 is being remodeled or newly constructed and that is subject to
4 16 a license fee under paragraph "d", "e", or "f", the applicant
4 17 shall pay, in addition to any other fees assessed under this
4 18 chapter, a plan review fee of up to two hundred fifty dollars,
4 19 as determined by the regulatory authority.

4 20 k. For a food establishment or food processing plant that
4 21 is being remodeled and that is subject to a license fee under
4 22 paragraph "d", "e", or "f", the licensee shall pay, in
4 23 addition to any other fees assessed under this chapter, a plan
4 24 review fee of up to two hundred fifty dollars, as determined
4 25 by the regulatory authority.

4 26 l. If a routine inspection or a complaint investigation of
4 27 a food establishment or food processing plant subject to a
4 28 license fee under paragraph "d", "e", or "f" reveals the
4 29 presence of one or more critical violations and requires one
4 30 or more physical reinspections, a reinspection fee of fifty
4 31 dollars shall be assessed for each reinspection. Failure to
4 32 pay the reinspection fee shall subject a food establishment or
4 33 food processing plant to suspension or revocation of the food
4 34 establishment's or food processing plant's license pursuant to
4 35 section 137F.7 and to the penalty provisions of section



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5 1 137F.17.

5 2 2. If an establishment licensed under subsection 1,
5 3 paragraph "d" or "e", has had a person in charge for the
5 4 entire previous twelve-month period who holds an active
5 5 certified food protection manager certificate from a program
5 6 approved by the conference on food protection and the
5 7 establishment has not been issued a critical violation during
5 8 the previous twelve-month period, the establishment's license
5 9 fee for the current renewal period shall be reduced by fifty
5 10 dollars.

5 11 3. All fees imposed pursuant to this chapter shall be
5 12 increased annually in an amount equal to the greater of five
5 13 dollars, or the consumer price index for all urban consumers
5 14 for the immediately preceding calendar year, as published in
5 15 the federal register by the United States department of
5 16 labor's bureau of labor statistics and rounded to the nearest
5 17 increment of five dollars.

5 18 ~~3.~~ 4. Fees collected by the department shall be deposited
5 19 in the general fund of the state. Fees collected by a
5 20 municipal corporation shall be retained by the municipal
5 21 corporation for regulation of food establishments and food
5 22 processing plants licensed under this chapter.

5 23 ~~4.~~ 5. Each vending machine licensed under this chapter
5 24 shall bear a readily visible identification tag or decal
5 25 provided by the licensee, containing the licensee's business
5 26 address and phone number, and a company license number
5 27 assigned by the regulatory authority.

5 28 EXPLANATION

5 29 This bill increases the fees for the inspection or
5 30 reinspection of hotels, food establishments, and food
5 31 processing plants. The bill also provides for an automatic
5 32 annual adjustment of those fees in an amount equal to the
5 33 greater of \$5, or the consumer price index for all urban
5 34 consumers for the immediately preceding calendar year. The
5 35 bill also sets out a process for the calculation of fees for a



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Senate Study Bill 3060 continued

6 1 new food establishment or food processing plant or when a food
6 2 establishment or food processing plant changes ownership or is
6 3 remodeled.
6 4 LSB 5503DP 82
6 5 jr/nh/5



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Senate Study Bill 3061

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 relating to alarm system installer or contractor
- 2 certification and electrician licensure provisions, and
- 3 providing an effective date.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 5 TLSB 5354DP 82
- 6 rn/nh/5



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Senate Study Bill 3061 continued

PAG LIN

1 1 Section 1. Section 100C.3, Code Supplement 2007, is
1 2 amended by adding the following new subsection:
1 3 NEW SUBSECTION. 1A. An applicant for certification as an
1 4 alarm system contractor or an alarm system installer shall be
1 5 subject to a national criminal history check through the
1 6 federal bureau of investigation. The applicant shall provide
1 7 fingerprints to the department of public safety for submission
1 8 through the state criminal history repository to the federal
1 9 bureau of investigation. Fees for the national criminal
1 10 history check shall be paid by the applicant or the
1 11 applicant's employer. The results of a criminal history check
1 12 conducted pursuant to this subsection shall not be considered
1 13 a public record under chapter 22.

1 14 Sec. 2. Section 103.22, subsections 2 and 3, Code
1 15 Supplement 2007, are amended to read as follows:

1 16 2. Require employees of municipal ~~corporations~~ utilities,
1 17 electric membership or cooperative associations, ~~public~~
~~1 18 utility corporations~~ investor-owned utilities, rural water
1 19 associations or districts, railroads, telecommunications
1 20 companies, franchised cable television operators, or
1 21 commercial or industrial companies performing manufacturing,
1 22 installation, and repair work for such employer to hold
1 23 licenses while acting within the scope of their employment.
1 24 3. Require any person doing work for which a license would
1 25 otherwise be required under this chapter to hold a license
1 26 issued under this chapter if the person is the holder of a
1 27 valid license issued by any political subdivision, so long as
1 28 the person makes electrical installations only in the
1 29 jurisdictional limits of such political subdivision and such
1 30 license issued by the political subdivision ~~meets the~~
~~1 31 requirements~~ is based upon requirements that are substantially
1 32 equivalent to the licensing requirements of this chapter.

1 33 Sec. 3. 2007 Iowa Acts, chapter 197, section 40, is
1 34 amended to read as follows:

1 35 SEC. 40. NEW SECTION. 103.30 INSPECTIONS NOT REQUIRED.



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Senate Study Bill 3061 continued

2 1 Nothing in this chapter shall be construed to require the
2 2 work of employees of municipal ~~corporations~~ utilities,
2 3 railroads, electric membership or cooperative associations,
2 4 ~~public utility corporations~~ investor-owned utilities, rural
2 5 water associations or districts, or telecommunications systems
2 6 to be inspected while acting within the scope of their
2 7 employment.

2 8 Sec. 4. EFFECTIVE DATE. Sections 1 and 2 of this Act,
2 9 being deemed of immediate importance, take effect upon
2 10 enactment.

2 11 EXPLANATION

2 12 This bill relates to requirements pertaining to applicants
2 13 for alarm system contractor and installer certification, and
2 14 to specified exceptions to electrician licensure provisions.

2 15 The bill provides that applicants for certification as an
2 16 alarm system contractor or alarm system installer must provide
2 17 fingerprints to the department of public safety for submission
2 18 through the state criminal history repository to the federal
2 19 bureau of investigation for the purposes of conducting a
2 20 national criminal history check. The bill states that fees
2 21 for the history check shall be paid by the applicant or the
2 22 applicant's employer, and that the results of the check shall
2 23 not be considered a public record under Code chapter 22.

2 24 The bill also changes references to municipal corporations
2 25 in portions of Code chapter 103 providing exceptions from
2 26 electrician licensure requirements. The bill changes an
2 27 exception for municipal corporation employees acting within
2 28 the scope of their employment to refer to municipal utility
2 29 employees, and makes a corresponding clarification changing a
2 30 public utility corporations to investor-owned utilities. The
2 31 result of these changes is to clarify that employees of
2 32 investor-owned utilities, municipal utilities, and electric
2 33 membership or cooperative associations acting within the scope
2 34 of their employment are all exempt. References are changed in
2 35 current statutory law, and also in electrician licensure



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3 1 provisions not taking effect until January 1, 2009.
3 2 Additionally, the bill modifies an exception from
3 3 electrician licensure for persons holding a valid license
3 4 issued by a political subdivision and doing work only within
3 5 that political subdivision's jurisdictional limits.
3 6 Currently, the exception is available if the political
3 7 subdivision issues a license which meets the requirements of
3 8 Code chapter 103. The bill modifies this provision such that
3 9 the license issued by a political subdivision shall be based
3 10 upon requirements substantially equivalent to the licensing
3 11 requirements of the Code chapter.
3 12 Sections of the bill amending provisions currently in
3 13 effect take effect upon enactment.
3 14 LSB 5354DP 82
3 15 rn/nh/5



Iowa General Assembly
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Senate Study Bill 3062

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 finance procedures and requirements
- 2 and providing an effective date.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 5459DP 82
- 5 jr/rj/14



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Senate Study Bill 3062 continued

PAG LIN

1 1 Section 1. Section 68A.101, Code 2007, is amended to read
1 2 as follows:

1 3 68A.101 CITATION AND ADMINISTRATION.

1 4 This chapter may be cited as the "Campaign Disclosure ==
1 5 Income Tax Checkoff Act".

1 6 This chapter shall be administered by the Iowa ethics and
1 7 campaign disclosure board as provided in sections 68B.32,
1 8 68B.32A, 68B.32B, 68B.32C, and 68B.32D.

1 9 Sec. 2. Section 68A.201, subsection 5, Code Supplement
1 10 2007, is amended by striking the subsection.

1 11 Sec. 3. NEW SECTION. 68A.201A FILING BY OUT-OF-STATE AND
1 12 FEDERAL COMMITTEES.

1 13 1. When either a committee or organization not organized
1 14 as a committee under section 68A.201 makes a contribution to a
1 15 committee organized in Iowa, that committee or organization
1 16 shall disclose each contribution in excess of fifty dollars to
1 17 the board.

1 18 2. A committee or organization not organized as a
1 19 committee under section 68A.201 that is not registered and
1 20 filing full disclosure reports of all financial activities
1 21 with the federal election commission or another state's
1 22 disclosure commission shall register and file full disclosure
1 23 reports with the board pursuant to this chapter. The
1 24 committee or organization shall either appoint an eligible
1 25 Iowa elector as committee or organization treasurer, or shall
1 26 maintain all committee funds in an account in a financial
1 27 institution located in Iowa.

1 28 3. A committee that is currently filing a disclosure
1 29 report in another jurisdiction shall either file a statement
1 30 of organization under section 68A.201, subsections 1 and 2,
1 31 and file disclosure reports under section 68A.402, or shall
1 32 file one copy of a verified statement with the board within
1 33 fifteen days of the contribution being made.

1 34 4. The verified statement shall be on forms prescribed by
1 35 the board and shall attest that the committee is filing



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2 1 reports with the federal election commission or in a
2 2 jurisdiction with reporting requirements which are
2 3 substantially similar to those of this chapter, and that the
2 4 contribution is made from an account that does not accept
2 5 contributions that would be in violation of section 68A.503.
2 6 5. The verified statement shall include the complete name,
2 7 address, and telephone number of the contributing committee,
2 8 the state or federal jurisdiction under which it is registered
2 9 or operates, the identification of any parent entity or other
2 10 affiliates or sponsors, its purpose, the name and address of
2 11 an Iowa resident authorized to receive service of original
2 12 notice, the name and address of the receiving committee, the
2 13 amount of the cash or in-kind contribution, and the date the
2 14 contribution was made.

2 15 Sec. 4. Section 68A.303, subsection 6, Code 2007, is
2 16 amended to read as follows:

2 17 6. ~~An individual or a political committee~~ A person shall
2 18 not knowingly make transfers or contributions to a candidate
2 19 or candidate's committee for the purpose of transferring the
2 20 funds to another candidate or candidate's committee to avoid
2 21 the disclosure of the source of the funds pursuant to this
2 22 chapter. A candidate or candidate's committee shall not
2 23 knowingly accept transfers or contributions from ~~an individual~~
2 24 ~~or political committee~~ any person for the purpose of
2 25 transferring funds to another candidate or candidate's
2 26 committee as prohibited by this subsection. A candidate or
2 27 candidate's committee shall not accept transfers or
2 28 contributions which have been transferred to another candidate
2 29 or candidate's committee as prohibited by this subsection.
2 30 The board shall notify candidates of the prohibition of such
2 31 transfers and contributions under this subsection.

2 32 Sec. 5. Section 68A.402, subsection 1, Code Supplement
2 33 2007, is amended to read as follows:

2 34 1. FILING METHODS. Each committee shall file with the
2 35 board reports disclosing information required under this



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3 1 section on forms prescribed by rule. Reports shall be filed
3 2 on or before the required due dates by using any of the
3 3 following methods: mail bearing a United States postal
3 4 service postmark, hand-delivery, facsimile transmission,
3 5 electronic mail attachment, or electronic filing as prescribed
3 6 by rule. Any report that is required to be filed five days or
3 7 less prior to an election must be physically received by the
3 8 board to be considered timely filed. For purposes of this
3 9 section, "physically received" means the report is either
3 10 electronically filed using the board's electronic filing
3 11 system or is received by the board prior to 4:30 p.m. on the
3 12 report due date.

3 13 Sec. 6. Section 68A.402A, subsection 1, paragraph g, Code
3 14 2007, is amended to read as follows:

3 15 g. Disbursements made to a consultant, subvendor, or other
3 16 third party and disbursements made by the consultant,
3 17 subvendor, or other third party during the reporting period
3 18 disclosing the name and address of the recipient, amount,
3 19 purpose, and date. As used in this paragraph, "subvendor"
3 20 means a third party who makes an expenditure on behalf of a
3 21 candidate or a committee.

3 22 Sec. 7. Section 68A.404, subsection 2, paragraph a, Code
3 23 2007, is amended to read as follows:

3 24 a. The requirement to file an independent expenditure
3 25 statement under this section does not by itself mean that the
3 26 person filing the independent expenditure statement is
3 27 required to register and file reports under sections 68A.201,
3 28 68A.201A, and 68A.402.

3 29 Sec. 8. EFFECTIVE DATE. The section of this Act amending
3 30 section 68A.402, being deemed of immediate importance, takes
3 31 effect upon enactment.

3 32 EXPLANATION

3 33 This bill makes a number of technical changes to Iowa's
3 34 campaign disclosure law. The bill moves requirements dealing
3 35 with required filings by out-of-state and federal committees



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Senate Study Bill 3062 continued

4 1 into its own Code section.

4 2 The bill amends current restrictions concerning transfer of
4 3 contributions between candidates or candidate committees.

4 4 Under current law, an individual or a political committee
4 5 cannot knowingly make or accept transfers or contributions to
4 6 a candidate or candidate's committee for the purpose of
4 7 transferring the funds to another candidate or candidate's
4 8 committee to avoid the disclosure of the source of the funds.

4 9 The bill substitutes the term "person" in lieu of the phrase
4 10 "individual or a political committee".

4 11 The bill also revises a provision relating to the physical
4 12 receipt of reports that must be filed five days before the
4 13 election; that change establishes that physical receipt of the
4 14 report is required for any reports required to be filed less
4 15 than five days before the election. This provision is made
4 16 effective upon enactment.

4 17 The bill expands disbursement reporting requirements
4 18 relating to consultants to include a subvendor or other third
4 19 party.

4 20 LSB 5459DP 82

4 21 jr/rj/14



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Senate Study Bill 3063

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 providing for increases in dollar amount limitations
2 contained within specified provisions of the consumer credit
3 code, and providing for periodic adjustment of those amounts
4 pursuant to changes in the consumer price index.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
6 TLSB 5343DP 82
7 rn/nh/5



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Senate Study Bill 3063 continued

PAG LIN

1 1 Section 1. Section 537.1301, subsection 13, paragraph a,
1 2 subparagraph (5), Code 2007, is amended to read as follows:
1 3 (5) With respect to a sale of goods or services, the
1 4 amount financed does not exceed ~~twenty-five~~ seventy-five
1 5 thousand dollars, adjusted periodically to reflect changes in
1 6 the consumer price index as provided in section 537.1304.

1 7 Sec. 2. Section 537.1301, subsection 14, paragraph a,
1 8 subparagraph (4), Code 2007, is amended to read as follows:
1 9 (4) The amount payable under the lease does not exceed
1 10 ~~twenty-five~~ seventy-five thousand dollars, adjusted
1 11 periodically to reflect changes in the consumer price index as
1 12 provided in section 537.1304.

1 13 Sec. 3. Section 537.1301, subsection 15, paragraph a,
1 14 subparagraph (5), Code 2007, is amended to read as follows:
1 15 (5) The amount financed does not exceed ~~twenty-five~~
1 16 seventy-five thousand dollars, adjusted periodically to
1 17 reflect changes in the consumer price index as provided in
1 18 section 537.1304.

1 19 Sec. 4. NEW SECTION. 537.1304 DEFINED TERMS == CONSUMER
1 20 PRICE INDEX ADJUSTMENTS.

1 21 1. The designated dollar amounts specified in section
1 22 537.1301, subsections 13 through 15, in relation to consumer
1 23 credit sales, consumer leases, and consumer loans with regard
1 24 to amounts financed or leased, and in section 537.3604,
1 25 subsection 8, with regard to the amount payable under a
1 26 consumer rental purchase agreement, shall be subject to
1 27 periodic adjustment as provided in this section according to
1 28 and to the extent of changes in the consumer price index for
1 29 urban wage earners and clerical workers, United States city
1 30 average, all items, 1967=100, as published in the federal
1 31 register by the federal department of labor, bureau of labor
1 32 statistics, and hereafter referred to as the index. The index
1 33 for December of 1976 shall serve as the reference base index
1 34 for purposes of this section.

1 35 2. The designated dollar amounts shall change on the first



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2 1 day of July in each even-numbered year if the percentage of
2 2 change, calculated to the nearest whole percentage point,
2 3 between the index at the end of the preceding year and the
2 4 reference base index is ten percent or more, but the portion
2 5 of the percentage change in the index in excess of a multiple
2 6 of ten percent shall be disregarded and the dollar amounts
2 7 shall change only in multiples of ten percent of the amounts
2 8 designated in the applicable sections.

2 9 3. If the index is revised, the percentage of change
2 10 pursuant to this section shall be calculated on the basis of
2 11 the revised index. If a revision of the index changes the
2 12 reference base index, a revised reference base index shall be
2 13 determined by multiplying the reference base index then
2 14 applicable by the rebasing factor furnished by the bureau of
2 15 labor statistics. If the index is superseded, the index
2 16 referred to in this section shall be the one represented by
2 17 the bureau of labor statistics as reflecting most accurately
2 18 changes in the purchasing power of the dollar for consumers.

2 19 4. The administrator, as defined in section 537.6103,
2 20 shall publish a notice in the Iowa administrative bulletin on
2 21 or before the thirtieth day of April of each year in which
2 22 dollar amounts are to change of the amount of the change as
2 23 required pursuant to subsection 2. Within thirty days after
2 24 the changes occur, the administrator shall publish changes in
2 25 the index required pursuant to subsection 3, including, if
2 26 applicable, the numerical equivalent of the reference base
2 27 index under a revised reference base index and the designation
2 28 or title of any index superseding the index.

2 29 Sec. 5. Section 537.3604, subsection 8, paragraph e, Code
2 30 2007, is amended to read as follows:

2 31 e. The amount payable under the consumer rental purchase
2 32 agreement does not exceed ~~twenty-five~~ seventy-five thousand
2 33 dollars, adjusted periodically to reflect changes in the
2 34 consumer price index as provided in section 537.1304.

2 35 EXPLANATION



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
January 17, 2008**

Senate Study Bill 3063 continued

3 1 This bill provides for increases in dollar amount
3 2 limitations specified in certain sections of the consumer
3 3 credit code, and also provides for periodic adjustment of
3 4 those limitations pursuant to changes in the consumer price
3 5 index.

3 6 The increases relate to limitations contained in Code
3 7 sections concerning consumer credit sales, consumer leases,
3 8 and consumer loans with regard to amounts financed or leased,
3 9 and regarding the amount payable under a consumer rental
3 10 purchase agreement, with an increase in the limitations from
3 11 currently specified levels of \$25,000 to \$75,000.

3 12 The bill additionally provides that these dollar amounts
3 13 shall be subject to periodic adjustment according to and to
3 14 the extent of changes in the consumer price index for all
3 15 urban consumers, United States city average, as published in
3 16 the federal register by the federal department of labor,
3 17 bureau of labor statistics, pursuant to a formula specified in
3 18 the bill. The bill provides for published notice of the
3 19 changes.

3 20 LSB 5343DP 82

3 21 rn/nh/5