



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 26, 2014

H8159	2
H8160	3
H8161	4
H8162	5
H8163	7
H8164	9
H8165	10
H8166	13
H8167	14
H8168	15
HSB683	16
S5089	34
S5090	35
S5091	36
S5092	38
S5093	56
S5094	57
S5095	58
S5096	59
S5097	60
S5098	62
S5099	63
SSB3211	64
SSB3212	77



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 26, 2014

House File 2458

H-8159

- 1 Amend House File 2458 as follows:
- 2 1. Page 16, after line 28 by inserting:
- 3 <5A. FIELD AND STREAM BUFFERS
- 4 For purposes of installing field and stream buffers,
- 5 and providing associated support to buffer technicians
- 6 in cooperation with soil and water conservation
- 7 districts and the natural resources conservation
- 8 service of the United States department of agriculture:
- 9 \$ 500,000>
- 10 2. Page 18, line 2, by striking <800,000> and
- 11 inserting <300,000>
- 12 3. Page 18, line 4, by striking <600,000> and
- 13 inserting <225,000>
- 14 4. Page 18, line 10, by striking <200,000> and
- 15 inserting <75,000>
- 16 5. By renumbering as necessary.

RUFF of Clayton



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 26, 2014

House File 475

H-8160

- 1 Amend the Senate amendment, H-8131, to House File
2 475, as passed by the House, as follows:
3 1. Page 1, after line 2 by inserting:
4 <___. Page 1, before line 1 by inserting:
5 <Section 1. Section 808.1, Code 2014, is amended by
6 adding the following new subsection:
7 NEW SUBSECTION. 01. "*Global positioning device*"
8 means a global positioning device or any other tracking
9 device.>>
10 2. Page 1, line 19, by striking <person, place,>
11 and inserting <place>
12 3. Page 1, line 38, after <3.> by inserting <a.>
13 4. Page 1, after line 43 by inserting:
14 <b. Upon a finding of probable cause to issue such
15 a warrant, the global positioning device shall not be
16 placed upon a person in order to track or monitor that
17 person.>>
18 5. By renumbering as necessary.

SHEETS of Appanoose

H8131.3570 (2) 85

-1-

jm/rj

1/1



**Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 26, 2014**

Senate File 2195

H-8161

- 1 Amend the amendment, H-8151, to Senate File 2195, as
 2 passed by the Senate, as follows:
 3 1. Page 8, after line 9 by inserting:
 4 <Sec. _____. Section 478.6, Code 2014, is amended by
 5 adding the following new unnumbered paragraph:
 6 NEW UNNUMBERED PARAGRAPH. A petition seeking
 7 the use of the right of eminent domain shall not
 8 be considered to serve a public use, as determined
 9 pursuant to this section or under section 6A.22, if
 10 the franchise involves the proposed construction of a
 11 direct current transmission line which extends across
 12 state boundaries.>
 13 2. Page 8, after line 11 by inserting:
 14 <Sec. _____. EFFECTIVE UPON ENACTMENT. The section
 15 of this Act amending section 478.6, being deemed of
 16 immediate importance, takes effect upon enactment.
 17 Sec. _____. RETROACTIVE APPLICABILITY. The
 18 section of this Act amending section 478.6 applies
 19 retroactively to January 1, 2014.>
 20 3. Page 8, line 15, after <commerce> by inserting
 21 <, and including effective date and retroactive
 22 applicability provisions>
 23 4. By renumbering as necessary.

WATTS of Dallas



**Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 26, 2014**

Senate File 2195

H-8162

1 Amend the amendment, H-8151, to Senate File 2195, as
 2 passed by the Senate, as follows:
 3 1. Page 8, after line 9 by inserting:
 4 <Sec. _____. Section 478.3, subsection 2, Code 2014,
 5 is amended by adding the following new paragraph:
 6 NEW PARAGRAPH. *Ob.* Petitions for transmission
 7 lines capable of operating at more than one hundred
 8 kilovolts direct current and either extending a
 9 distance of not less than one mile or extending across
 10 state boundaries shall also demonstrate that prior to
 11 filing the petition the proposed construction has been
 12 examined, accepted, and identified in appendix A of
 13 the most recent annual midcontinent independent system
 14 operator transmission expansion plan as approved by
 15 the midcontinent independent system operator board of
 16 directors, or approved as part of the expansion plan
 17 of any successor regional transmission organization
 18 representing the area in which the proposed lines will
 19 be constructed. Notwithstanding paragraph "b", this
 20 requirement shall not be subject to waiver by the
 21 utilities board.
 22 Sec. _____. Section 478.13, Code 2014, is amended by
 23 adding the following new subsection:
 24 NEW SUBSECTION. 6. If an extension is sought
 25 for transmission lines capable of operating at more
 26 than one hundred kilovolts direct current and either
 27 extending a distance of not less than one mile or
 28 extending across state boundaries, the application
 29 shall be subject to the requirement in section 478.3,
 30 subsection 2, paragraph "ob".>
 31 2. Page 8, after line 11 by inserting:
 32 <Sec. _____. EFFECTIVE UPON ENACTMENT. The following
 33 provision or provisions of this Act, being deemed of
 34 immediate importance, take effect upon enactment:
 35 1. The section of this Act enacting section 478.3,
 36 subsection 2, paragraph "ob".
 37 2. The section of this Act enacting section 478.13,
 38 subsection 6.
 39 Sec. _____. RETROACTIVE APPLICABILITY. The following
 40 provision or provisions of this Act apply retroactively
 41 to January 1, 2014:
 42 1. The section of this Act enacting section 478.3,
 43 subsection 2, paragraph "ob".
 44 2. The section of this Act enacting section 478.13,
 45 subsection 6.>
 46 3. Page 8, line 15, after <commerce> by inserting
 47 <, and including effective date and retroactive
 48 applicability provisions>
 49 4. By renumbering as necessary.

H8151.3597 (2) 85

-1-

rn/rn

1/2



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 26, 2014

WATTS of Dallas



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 26, 2014

Senate File 2195

H-8163

1 Amend the amendment, H-8151, to Senate File 2195, as
2 passed by the Senate, as follows:
3 1. Page 2, after line 25 by inserting:
4 <Sec. _____. NEW SECTION. 476.10C Solar panel
5 installation — annual analysis.
6 1. The division shall enter into an agreement with
7 the department of administrative services to contract
8 with an independent engineer selected by the department
9 to conduct an analysis regarding the performance of
10 solar panels installed at the energy-efficient building
11 constructed pursuant to section 476.10B. The analysis
12 shall be conducted on an annual basis commencing on
13 December 31 of the year following a full year of solar
14 panel operation and December 31 each year thereafter,
15 and shall continue until the panels are removed from
16 service. A report summarizing the annual analysis
17 shall be submitted to the general assembly by March 31
18 following each annual analysis period.
19 2. The annual analysis shall include or encompass
20 the following factors:
21 a. The total actual cost to acquire, install, test,
22 and commission the installation project.
23 b. The total operating and maintenance costs
24 incurred, including but not limited to internal
25 and external labor, repairs, panel cleaning, and
26 replacement parts.
27 c. The actual kilowatt hours of alternating-current
28 generation produced by the project and the associated
29 capacity factor.
30 d. The performance ratio for the project.
31 e. The actual project availability.
32 f. The sale of any renewable energy credits
33 generated by the project.
34 g. The calculated annual degradation rate for the
35 project.
36 h. The alternating current output in comparison to
37 solar insolation.
38 i. The actual electricity and demand charge savings
39 resulting from the project.
40 j. Financing costs incurred to support the project.
41 k. Estimated project decommissioning costs, net of
42 any expected salvage value.
43 l. The projected and actual internal rate of return
44 and payback of the project including tax impacts, to
45 the extent applicable over the twenty-five-year period
46 following installation.
47 3. In conducting the analysis, each of the factors
48 listed in subsection 2 shall be compared to and
49 reconciled with the pro forma document developed when
50 the project was originally proposed.

H8151.3596 (1) 85

-1-

rn/nh

1/2



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 26, 2014

- 1 4. The amount to be expended by the division for
2 purposes of conducting the analysis shall not exceed
3 ten thousand dollars annually.>
4 2. By renumbering as necessary.

WATTS of Dallas



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 26, 2014

House File 2448

H-8164

1 Amend the amendment, H-8148, to House File 2448 as
2 follows:

3 1. Page 1, after line 4 by inserting:

4 <___. Page 8, by striking lines 33 and 34 and
5 inserting:

6 (1) Rehabilitation, repair, or redevelopment at
7 a brownfield or grayfield site that results in new
8 dwelling units.>>

KAUFMANN of Cedar



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 26, 2014

House File 2458

H-8165

1 Amend House File 2458 as follows:

2 1. Page 25, after line 5 by inserting:

3 <DIVISION _____
4 RELATED STATUTORY CHANGES FOR CODIFICATION IN 2014
5 REGULATION OF SNOWMOBILES

6 Sec. ____ . Section 321G.3, Code 2014, is amended to
7 read as follows:

8 **321G.3 Registration Resident registration and user**
9 **permit required — farm exemption — penalties.**

10 1. Each snowmobile used by a resident on public
11 land, public ice, or a designated snowmobile trail
12 of this state shall be currently registered in this
13 state pursuant to section 321G.4. A person resident
14 shall not operate, maintain, or give permission for
15 the operation or maintenance of a snowmobile on public
16 land, public ice, or a designated snowmobile trail
17 unless the snowmobile is registered in accordance with
18 this chapter or applicable federal laws or in accordance
19 with an approved numbering system of another state
20 and the evidence of registration is in full force and
21 effect. A The owner of a snowmobile must also be
22 issued obtain a user permit in accordance with this
23 chapter section 321G.4A.

24 2. The owner of a snowmobile that is exempt from
25 regular registration under section 321G.8, subsection
26 2, for which a certificate of title has been issued,
27 may apply for a special farm registration certificate
28 which shall be issued without payment of a registration
29 fee, upon payment of a writing fee as provided in
30 section 321G.27 and an administrative fee established
31 by the commission. A registration decal shall not
32 be issued for the snowmobile and the special farm
33 registration shall not expire so long as the snowmobile
34 remains exempt from regular registration.

35 ~~2.~~ 3. A violation of subsection 1 is punishable as
36 a scheduled violation under section 805.8B, subsection
37 2, paragraph "a". When the scheduled fine is paid, the
38 violator shall submit proof to the department that a
39 valid registration and user permit have been obtained
40 by providing a copy of the registration and user permit
41 to the department within thirty days of the date the
42 fine is paid. A person who violates this subsection is
43 guilty of a simple misdemeanor.

44 Sec. ____ . Section 321G.4, subsections 2 and 4, Code
45 2014, are amended to read as follows:

46 2. The owner of the snowmobile shall file an
47 application for registration with the department
48 through the county recorder of the county of residence,
49 or in the case of a nonresident owner, in the county
50 of primary use, in the manner established by the

HF2458.3582 (2) 85

-1-

da/jp

1/3



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 26, 2014

1 commission. The application shall be completed by the
 2 owner and shall be accompanied by a fee of fifteen
 3 dollars and a writing fee as provided in section
 4 321G.27. A snowmobile shall not be registered by the
 5 county recorder until the county recorder is presented
 6 with receipts, bills of sale, or other satisfactory
 7 evidence that the sales or use tax has been paid for
 8 the purchase of the snowmobile or that the owner is
 9 exempt from paying the tax. A snowmobile that has an
 10 expired registration certificate from another state may
 11 be registered in this state upon proper application,
 12 payment of all applicable registration and writing
 13 fees, and payment of a penalty of five dollars.

14 4. Notwithstanding subsections 1 and 2, a
 15 snowmobile ~~that is more than thirty years old~~
 16 manufactured prior to 1984 may be registered as an
 17 antique snowmobile for a one-time fee of twenty-five
 18 dollars, which shall exempt the owner from annual
 19 registration and fee requirements for that snowmobile.
 20 However, if ownership of ~~such a~~ an antique snowmobile
 21 is transferred, the new owner shall register the
 22 snowmobile and pay the one-time fee as required under
 23 this subsection. A snowmobile may be registered
 24 under this section with only a signed bill of sale as
 25 evidence of ownership.

26 Sec. ____. **NEW SECTION. 321G.4B Nonresident**
 27 **requirements — penalties.**

28 1. A nonresident wishing to operate a snowmobile
 29 on public land, public ice, or a designated snowmobile
 30 trail of this state shall obtain a user permit in
 31 accordance with section 321G.4A. In addition to
 32 obtaining a user permit, a nonresident shall display
 33 a current registration decal or other evidence of
 34 registration or numbering required by the owner's state
 35 of residence unless the owner resides in a state that
 36 does not register or number snowmobiles.

37 2. A violation of subsection 1 is punishable as a
 38 scheduled violation under section 805.8B, subsection
 39 2, paragraph "a". When the scheduled fine is paid, the
 40 violator shall submit proof to the department that a
 41 user permit has been obtained and provide evidence of
 42 registration or numbering as required by the owner's
 43 state of residence, if applicable, to the department
 44 within thirty days of the date the fine is paid. A
 45 person who violates this section is guilty of a simple
 46 misdemeanor.

47 Sec. ____. Section 321G.8, subsection 2, Code 2014,
 48 is amended to read as follows:

49 2. Snowmobiles used exclusively as farm implements,
 50 except as provided in section 321G.3, subsection 2.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 26, 2014

1 Sec. ____ . Section 321G.20, Code 2014, is amended by
 2 striking the section and inserting in lieu thereof the
 3 following:

4 **321G.20 Operation by persons under sixteen.**

5 A person under sixteen years of age shall not
 6 operate a snowmobile on a designated snowmobile
 7 trail, public land, or public ice unless the operation
 8 is under the direct supervision of a parent, legal
 9 guardian, or another person of at least eighteen years
 10 of age authorized by the parent or guardian, who is
 11 experienced in snowmobile operation and who possesses a
 12 valid driver's license, as defined in section 321.1, or
 13 an education certificate issued under this chapter.

14 Sec. ____ . Section 321G.24, subsection 1, Code 2014,
 15 is amended to read as follows:

16 1. A person ~~under eighteen~~ twelve through seventeen
 17 years of age shall not operate a snowmobile on public
 18 land, public ice, a designated snowmobile trail, or
 19 land purchased with snowmobile registration funds
 20 in this state without obtaining ~~a valid~~ an education
 21 certificate approved by the department and having
 22 the certificate in the person's possession, unless
 23 the person is accompanied on the same snowmobile by
 24 a responsible person of at least eighteen years of
 25 age who is experienced in snowmobile operation and
 26 possesses a valid driver's license, as defined in
 27 section 321.1, or an education certificate issued under
 28 this chapter.

29 Sec. ____ . Section 805.8B, subsection 2, paragraph
 30 a, Code 2014, is amended to read as follows:

31 a. For registration or user permit violations under
 32 section 321G.3, subsection 1, or section 321G.4B, the
 33 scheduled fine is fifty dollars.>

34 2. Title page, line 4, after <procedures,> by
 35 inserting <making penalties applicable,>

36 3. By renumbering as necessary.

WOOD of Scott



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 26, 2014

House File 2458

H-8166

1 Amend House File 2458 as follows:
2 1. Page 22, after line 11 by inserting:
3 <IOWA FINANCE AUTHORITY
4 Sec. ____ UNSEWERED COMMUNITY REVOLVING LOAN
5 PROGRAM. There is appropriated from the general fund
6 of the state to the Iowa finance authority for the
7 fiscal year beginning July 1, 2014, and ending June 30,
8 2015, the following amount, or so much thereof as is
9 necessary, to be used for the purposes designated:
10 For deposit in the unsewered community revolving
11 loan fund created in section 16.141 for purposes of
12 supporting the unsewered community revolving loan
13 program as provided in that section:
14 \$ 40,000,000>
15 2. By renumbering, redesignating, and correcting
16 internal references as necessary.

THEDE of Scott



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 26, 2014

Senate Amendment to
House File 2230

H-8167

- 1 Amend House File 2230, as passed by the House, as
2 follows:
3 1. Page 1, line 14, after <interstate,> by
4 inserting <so long as the equipment is without payload
5 and the movement does not violate posted weight
6 limitations on bridges,>
7 2. Page 1, after line 26 by inserting:
8 <Sec. ____ . EFFECTIVE UPON ENACTMENT. This Act,
9 being deemed of immediate importance, takes effect upon
10 enactment.>
11 3. Title page, line 3, after <land> by inserting <,
12 and including effective date provisions>
13 4. By renumbering as necessary.

HF2230.3591.S (2) 85

-1-

jh

1/1



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 26, 2014

House File 2450

H-8168

1 Amend House File 2450 as follows:
 2 1. Page 7, after line 30 by inserting:
 3 <6A. For additional correctional officers to be
 4 added to the current number of correctional officers
 5 as of July 1, 2014, throughout the correctional
 6 facilities:
 7 \$ 2,000,000>

 T. TAYLOR of Linn



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 26, 2014

House Study Bill 683 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
APROPRIATIONS BILL BY JOINT
APPROPRIATIONS SUBCOMMITTEE
ON ECONOMIC DEVELOPMENT)

(SUCCESSOR TO LSB 5004JA)

A BILL FOR

1 An Act relating to and making appropriations to the department
2 of cultural affairs, the economic development authority,
3 the department of workforce development, the Iowa finance
4 authority, the public employment relations board, and
5 the state board of regents and regents institutions, and
6 providing for other properly related matters.
7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5004JB (1) 85
ad/tm



**Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 26, 2014**

S.F. _____ H.F. _____

1 For the administration and support of historic sites:
 2 \$ 213,199
 3 426,398
 4 e. ARTS DIVISION
 5 For the support of the arts division:
 6 \$ 616,882
 7 1,233,764
 8 Of the moneys appropriated in this paragraph, the department
 9 shall allocate \$300,000 for purposes of the film office.
 10 f. IOWA GREAT PLACES
 11 For the Iowa great places program established under section
 12 303.3C:
 13 \$ 75,000
 14 150,000
 15 g. ARCHIVE IOWA GOVERNORS' RECORDS
 16 For archiving the records of Iowa governors:
 17 \$ 32,967
 18 65,933
 19 h. RECORDS CENTER RENT
 20 For payment of rent for the state records center:
 21 \$ 113,622
 22 227,243
 23 i. BATTLE FLAGS
 24 For continuation of the project recommended by the Iowa
 25 battle flag advisory committee to stabilize the condition of
 26 the battle flag collection:
 27 \$ 47,000
 28 94,000
 29 Sec. 2. 2013 Iowa Acts, chapter 137, section 18, is amended
 30 to read as follows:
 31 SEC. 18. ECONOMIC DEVELOPMENT AUTHORITY.
 32 1. APPROPRIATION
 33 a. There is appropriated from the general fund of the state
 34 to the economic development authority for the fiscal year
 35 beginning July 1, 2014, and ending June 30, 2015, the following

LSB 5004JB (1) 85
ad/tm



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 26, 2014

S.F. _____ H.F. _____

1 amount, or so much thereof as is necessary, to be used for the
 2 purposes designated in this subsection, and for not more than
 3 the following full-time equivalent positions:

4	\$	7,734,483
5		<u>15,516,372</u>
6	FTEs	149.00

7 b. (1) For salaries, support, miscellaneous purposes,
 8 programs, marketing, and the maintenance of an administration
 9 division, a business development division, a community
 10 development division, a small business development division,
 11 and other divisions the authority may organize.

12 (2) The full-time equivalent positions authorized under
 13 this section shall be funded, in whole or in part, by the
 14 moneys appropriated under this subsection or by other moneys
 15 received by the authority, including certain federal moneys.

16 (3) For business development operations and programs,
 17 international trade, export assistance, workforce recruitment,
 18 and the partner state program.

19 (4) For transfer to the strategic investment fund created
 20 in section 15.313.

21 (5) For community economic development programs, tourism
 22 operations, community assistance, plans for Iowa green corps
 23 and summer youth programs, the mainstreet and rural mainstreet
 24 programs, the school-to-career program, the community
 25 development block grant, and housing and shelter-related
 26 programs.

27 (6) For achieving the goals and accountability, and
 28 fulfilling the requirements and duties required under this Act.

29 c. Notwithstanding section 8.33, moneys appropriated in
 30 this subsection that remain unencumbered or unobligated at the
 31 close of the fiscal year shall not revert but shall remain
 32 available for expenditure for the purposes designated in this
 33 subsection until the close of the succeeding fiscal year.

34 **2. FINANCIAL ASSISTANCE RESTRICTIONS**

35 a. A business creating jobs through moneys appropriated in



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 26, 2014

S.F. _____ H.F. _____

1 subsection 1 shall be subject to contract provisions requiring
 2 new and retained jobs to be filled by individuals who are
 3 citizens of the United States who reside within the United
 4 States or any person authorized to work in the United States
 5 pursuant to federal law, including legal resident aliens in the
 6 United States.

7 b. Any vendor who receives moneys appropriated in
 8 subsection 1 shall adhere to such contract provisions and
 9 provide periodic assurances as the state shall require that the
 10 jobs are filled solely by citizens of the United States who
 11 reside within the United States or any person authorized to
 12 work in the United States pursuant to federal law, including
 13 legal resident aliens in the United States.

14 c. A business that receives financial assistance from
 15 the authority from moneys appropriated in subsection 1 shall
 16 only employ individuals legally authorized to work in this
 17 state. In addition to all other applicable penalties provided
 18 by current law, all or a portion of the assistance received
 19 by a business which is found to knowingly employ individuals
 20 not legally authorized to work in this state is subject to
 21 recapture by the authority.

22 3. USES OF APPROPRIATIONS

23 a. From the moneys appropriated in subsection 1, the
 24 authority may provide financial assistance in the form of a
 25 grant to a community economic development entity for conducting
 26 a local workforce recruitment effort designed to recruit former
 27 citizens of the state and former students at colleges and
 28 universities in the state to meet the needs of local employers.

29 b. From the moneys appropriated in subsection 1, the
 30 authority may provide financial assistance to early stage
 31 industry companies being established by women entrepreneurs.

32 c. From the moneys appropriated in subsection 1, the
 33 authority may provide financial assistance in the form of
 34 grants, loans, or forgivable loans for advanced research and
 35 commercialization projects involving value-added agriculture,

LSB 5004JB (1) 85
 ad/tm



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 26, 2014

S.F. _____ H.F. _____

1 advanced technology, or biotechnology.

2 d. The authority shall not use any moneys appropriated in
3 subsection 1 for purposes of providing financial assistance for
4 the Iowa green streets pilot project or for any other program
5 or project that involves the installation of geothermal systems
6 for melting snow and ice from streets or sidewalks.

7 4. WORLD FOOD PRIZE

8 There is appropriated from the general fund of the state
9 to the economic development authority for the fiscal year
10 beginning July 1, 2014, and ending June 30, 2015, the following
11 amount for the world food prize and in lieu of the standing
12 appropriation in section 15.368, subsection 1:

13	\$	400,000
14		<u>800,000</u>

15 5. IOWA COMMISSION ON VOLUNTEER SERVICE

16 There is appropriated from the general fund of the state
17 to the economic development authority for the fiscal year
18 beginning July 1, 2014, and ending June 30, 2015, the following
19 amount for allocation to the Iowa commission on volunteer
20 service for purposes of the Iowa state commission grant
21 program, the Iowa's promise and Iowa mentoring partnership
22 programs, and for not more than the following full-time
23 equivalent positions:

24	\$	89,067
25		<u>178,133</u>
26	FTEs	7.00

27 Of the moneys appropriated in this subsection, the authority
28 shall allocate ~~\$37,500~~ \$75,000 for purposes of the Iowa state
29 commission grant program and ~~\$51,567~~ \$103,133 for purposes of
30 the Iowa's promise and Iowa mentoring partnership programs.

31 Notwithstanding section 8.33, moneys appropriated in this
32 subsection that remain unencumbered or unobligated at the close
33 of the fiscal year shall not revert but shall remain available
34 for expenditure for the purposes designated until the close of
35 the succeeding fiscal year.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 26, 2014

S.F. _____ H.F. _____

1 **6. COUNCILS OF GOVERNMENTS — ASSISTANCE**

2 There is appropriated from the general fund of the state
3 to the economic development authority for the fiscal year
4 beginning July 1, 2014, and ending June 30, 2015, the following
5 amount to be used for the purposes of providing financial
6 assistance to Iowa's councils of governments:

7 \$ 87,500
8 200,000

9 Sec. 3. 2013 Iowa Acts, chapter 137, section 21, is amended
10 to read as follows:

11 **SEC. 21. WORKFORCE DEVELOPMENT FUND.** There is appropriated
12 from the workforce development fund account created in section
13 15.342A to the workforce development fund created in section
14 15.343 for the fiscal year beginning July 1, 2014, and ending
15 June 30, 2015, the following amount, for purposes of the
16 workforce development fund:

17 \$ ~~2,000,000~~
18 5,750,000

19 Sec. 4. 2013 Iowa Acts, chapter 137, section 22, is amended
20 to read as follows:

21 **SEC. 22. IOWA FINANCE AUTHORITY.**

22 1. There is appropriated from the general fund of the state
23 to the Iowa finance authority for the fiscal year beginning
24 July 1, 2014, and ending June 30, 2015, the following amount,
25 or so much thereof as is necessary, to be used to provide
26 reimbursement for rent expenses to eligible persons under the
27 rent subsidy program:

28 \$ 329,000
29 658,000

30 2. Participation in the rent subsidy program shall be
31 limited to only those persons who meet the requirements for the
32 nursing facility level of care for home and community-based
33 services waiver services as in effect on July 1, 2014, and
34 to those individuals who are eligible for the federal money
35 follows the person grant program under the medical assistance



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 26, 2014

S.F. _____ H.F. _____

1 program. Of the moneys appropriated in this section, not more
 2 than \$35,000 may be used for administrative costs.

3 Sec. 5. 2013 Iowa Acts, chapter 137, section 24, is amended
 4 to read as follows:

5 SEC. 24. PUBLIC EMPLOYMENT RELATIONS BOARD.

6 1. There is appropriated from the general fund of the state
 7 to the public employment relations board for the fiscal year
 8 beginning July 1, 2014, and ending June 30, 2015, the following
 9 amount, or so much thereof as is necessary, for the purposes
 10 designated:

11 For salaries, support, maintenance, miscellaneous purposes,
 12 and for not more than the following full-time equivalent
 13 positions:

.....	\$	670,963
		<u>1,342,452</u>
.....	FTEs	10.00

17 2. Of the moneys appropriated in this section, the board
 18 shall allocate \$15,000 for maintaining a website that allows
 19 searchable access to a database of collective bargaining
 20 information.

21 Sec. 6. 2013 Iowa Acts, chapter 137, section 25, is amended
 22 to read as follows:

23 SEC. 25. DEPARTMENT OF WORKFORCE DEVELOPMENT. There
 24 is appropriated from the general fund of the state to the
 25 department of workforce development for the fiscal year
 26 beginning July 1, 2014, and ending June 30, 2015, the following
 27 amounts, or so much thereof as is necessary, for the purposes
 28 designated:

29 1. DIVISION OF LABOR SERVICES

30 a. For the division of labor services, including salaries,
 31 support, maintenance, miscellaneous purposes, and for not more
 32 than the following full-time equivalent positions:

.....	\$	<u>1,774,360</u>
		<u>3,823,539</u>
.....	FTEs	65.00

LSB 5004JB (1) 85
 ad/tm



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 26, 2014

S.F. _____ H.F. _____

1 \$ 225,729
 2 451,458
 3 FTEs 8.10

4 Sec. 8. 2013 Iowa Acts, chapter 137, section 27, is amended
 5 to read as follows:

6 SEC. 27. SPECIAL EMPLOYMENT SECURITY CONTINGENCY FUND.

7 1. There is appropriated from the special employment
 8 security contingency fund to the department of workforce
 9 development for the fiscal year beginning July 1, 2014, and
 10 ending June 30, 2015, the following amount, or so much thereof
 11 as is necessary, to be used for field offices:

12 \$ 883,042
 13 1,766,084

14 2. Any remaining additional penalty and interest revenue
 15 collected by the department of workforce development is
 16 appropriated to the department for the fiscal year beginning
 17 July 1, 2014, and ending June 30, 2015, to accomplish the
 18 mission of the department.

19 Sec. 9. 2013 Iowa Acts, chapter 137, section 28, is amended
 20 to read as follows:

21 SEC. 28. UNEMPLOYMENT COMPENSATION RESERVE FUND —

22 FIELD OFFICES. Notwithstanding section 96.9, subsection 8,
 23 paragraph "e", there is appropriated from interest earned on
 24 the unemployment compensation reserve fund to the department
 25 of workforce development for the fiscal year beginning July 1,
 26 2014, and ending June 30, 2015, the following amount or so much
 27 thereof as is necessary, for the purposes designated:

28 For the operation of field offices:

29 \$ 247,000
 30 400,000

31 Sec. 10. 2013 Iowa Acts, chapter 141, section 54,
 32 subsections 2, 3, and 5, are amended to read as follows:

33 2. ECONOMIC DEVELOPMENT AUTHORITY

34 For the purposes of providing assistance under the high
 35 quality jobs program as described in section 15.335B:



**Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 26, 2014**

S.F. _____ H.F. _____

1 \$ ~~8,450,000~~
2 16,900,000

3 As a condition of receiving moneys appropriated in this
4 subsection, an entity shall testify upon the request of the
5 joint appropriations subcommittee on economic development
6 regarding the expenditure of such moneys.

7 3. REGENTS INSTITUTIONS

8 a. To the state board of regents for capacity
9 building infrastructure in areas related to technology
10 commercialization, marketing and business development
11 efforts in areas related to technology commercialization,
12 entrepreneurship, and business growth, and infrastructure
13 projects and programs needed to assist in implementation of
14 activities under chapter 262B:

15 \$ ~~1,500,000~~
16 3,000,000

17 Of the moneys appropriated pursuant to this paragraph,
18 35 percent shall be allocated for Iowa state university, 35
19 percent shall be allocated for the university of Iowa, and 30
20 percent shall be allocated for the university of northern Iowa.

21 (1) The institutions shall provide a one-to-one match
22 of additional moneys for the activities funded with moneys
23 appropriated under this paragraph.

24 (2) The state board of regents shall annually submit a
25 report by January 15 of each year to the governor, the general
26 assembly, and the legislative services agency regarding
27 the activities, projects, and programs funded with moneys
28 allocated under this paragraph. The report shall be provided
29 in an electronic format and shall include a list of metrics
30 and criteria mutually agreed to in advance by the board of
31 regents and the economic development authority. The metrics
32 and criteria shall allow the governor's office and the general
33 assembly to quantify and evaluate the progress of the board of
34 regents institutions with regard to their activities, projects,
35 and programs in the areas of technology commercialization,



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 26, 2014

S.F. _____ H.F. _____

1 state funds. The match required of industrial foundations or
 2 trade associations shall be \$1 for each \$1 of state funds.

3 Iowa state university of science and technology shall
 4 report annually to the joint appropriations subcommittee on
 5 economic development and the legislative services agency the
 6 total amount of private contributions, the proportion of
 7 contributions from small businesses and other businesses, and
 8 the proportion for directed contract research and nondirected
 9 research of benefit to Iowa businesses and industrial sectors.

10 c. To the state university of Iowa for the state university
 11 of Iowa research park and for the advanced drug development
 12 program at the Oakdale research park, including salaries,
 13 support, maintenance, equipment, miscellaneous purposes, and
 14 for not more than the following full-time equivalent positions:

.....	\$	104,640
		<u>209,279</u>
.....	FTEs	6.00

18 The state university of Iowa shall do all of the following:

19 (1) Direct expenditures for research toward projects that
 20 will provide economic stimulus for Iowa.

21 (2) Provide emphasis to providing services to Iowa-based
 22 companies.

23 d. To the state university of Iowa for the purpose
 24 of implementing the entrepreneurship and economic growth
 25 initiative, and for not more than the following full-time
 26 equivalent positions:

.....	\$	1,000,000
		<u>2,000,000</u>
.....	FTEs	8.00

30 e. To the university of northern Iowa for the metal
 31 casting institute, the MyEntreNet internet application, and
 32 the institute of decision making, including salaries, support,
 33 maintenance, miscellaneous purposes, and for not more than the
 34 following full-time equivalent positions:

.....	\$	533,209
-------	----	--------------------

LSB 5004JB (1) 85
 ad/tm



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 26, 2014

S.F. _____ H.F. _____

1 1,066,419
2 FTEs 9.75
3 (1) Of the moneys appropriated pursuant to this paragraph,
4 the university of northern Iowa shall allocate at least
5 ~~\$308,819~~ \$617,639 for purposes of support of entrepreneurs
6 through the university's regional business center and economic
7 gardening program.
8 (2) The university of northern Iowa shall do all of the
9 following:
10 (a) Direct expenditures for research toward projects that
11 will provide economic stimulus for Iowa.
12 (b) Provide emphasis to providing services to Iowa-based
13 companies.
14 f. As a condition of receiving moneys appropriated in
15 this subsection, an entity shall testify upon the request of
16 the joint appropriations subcommittee on economic development
17 regarding the expenditure of such moneys.
18 5. DEPARTMENT OF WORKFORCE DEVELOPMENT
19 To develop a long-term sustained program to train unemployed
20 and underemployed central Iowans with skills necessary to
21 advance to higher-paying jobs with full benefits:
22 \$ 50,000
23 100,000
24 a. The department of workforce development shall begin
25 a request for proposals process, issued for purposes of this
26 subsection, no later than September 1, 2014.
27 b. As a condition of receiving moneys appropriated under
28 this subsection, an entity shall testify upon the request of
29 the joint appropriations subcommittee on economic development
30 regarding the expenditure of such moneys.
31 Sec. 11. SMALL BUSINESS DEVELOPMENT CENTERS. There is
32 appropriated from the general fund of the state to Iowa state
33 university of science and technology for the fiscal year
34 beginning July 1, 2014, and ending June 30, 2015, the following
35 amount, or so much thereof as is necessary, to be used for the



**Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 26, 2014**

S.F. _____ H.F. _____

1 purposes of funding small business development centers:
2 \$ 101,000

3 Sec. 12. SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS
4 INTERNSHIPS — APPROPRIATION. There is appropriated from the
5 general fund of the state to the Iowa economic development
6 authority for the fiscal year beginning July 1, 2014, and
7 ending June 30, 2015, the following amount, or so much thereof
8 as is necessary, for the purposes designated:

9 For the funding of internships for students studying in the
10 fields of science, technology, engineering, and mathematics
11 with eligible Iowa employers as provided in section 15.411,
12 subsection 3, paragraph "c", if enacted by 2014 Iowa Acts,
13 House File 2329, 2014 Iowa Acts, Senate File 2324, or 2014
14 successor legislation:

15 \$ 1,000,000

16 No more than 3 percent of the moneys appropriated pursuant
17 to this section may be used by the authority for costs
18 associated with administration of the internship program as
19 amended by 2014 Iowa Acts, House File 2329, 2014 Iowa Acts,
20 Senate File 2324, or 2014 successor legislation, if enacted.
21 Notwithstanding section 8.33, moneys appropriated in this
22 section which remain unencumbered or unobligated at the end of
23 the fiscal year shall not revert but shall remain available for
24 expenditure for the purposes designated in subsequent fiscal
25 years.

DIVISION II

WORKFORCE DEVELOPMENT FUND ACCOUNT CHANGES

28 Sec. 13. Section 15.342A, Code 2014, is amended to read as
29 follows:

30 **15.342A Workforce development fund account.**

31 A workforce development fund account is established in the
32 office of the treasurer of state under the control of the
33 authority. The account shall receive funds pursuant to section
34 422.16A up to a maximum of ~~four~~ five million seven hundred
35 fifty thousand dollars per year.

LSB 5004JB (1) 85
ad/tm



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 26, 2014

S.F. _____ H.F. _____

1 development fund.

2 The bill appropriates moneys to the department of workforce
3 development for an employee misclassification program.

4 The bill appropriates moneys from the special employment
5 security contingency fund to the department of workforce
6 development for field offices.

7 The bill appropriates interest earned on the unemployment
8 compensation reserve fund to the department of workforce
9 development for the operation of field offices.

10 The bill appropriates moneys to Iowa state university of
11 science and technology for small business development centers.

12 The bill appropriates moneys to the economic development
13 authority for the funding of internships for students
14 studying in the fields of science, technology, engineering, or
15 mathematics.

16 The bill appropriates moneys from the Iowa skilled worker
17 and job creation fund to the economic development authority,
18 the state board of regents and regents institutions, and the
19 department of workforce development.

20 WORKFORCE DEVELOPMENT FUND ACCOUNT CHANGES. The bill
21 increases the amount that can be transferred from job training
22 withholding payments into the workforce development fund
23 account from \$4 million to \$5.75 million.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 26, 2014

House Amendment to
Senate File 2320

S-5089

1 Amend Senate File 2320, as passed by the Senate, as
2 follows:
3 1. Page 1, after line 29 by inserting:
4 <b. That if the legal representative of a member
5 also acts as a provider under a consumer-directed
6 attendant care agreement or under a community choices
7 option employment agreement, the agreement shall
8 include all of the following reasonable safeguards:
9 (1) That the payment rate for the legal
10 representative acting as a provider is fair and
11 reasonable based upon the skill level of the provider
12 and may not exceed the median statewide reimbursement
13 rate for the service unless the higher rate receives
14 prior approval from the department.
15 (2) That the legal representative acting as a
16 provider is not paid for more than forty hours of
17 service per week.
18 (3) A contingency plan for provision of services
19 provided by the legal representative acting as a
20 provider in the event the legal representative is
21 unable to provide the services due to illness or other
22 unexpected event.>
23 2. Page 1, line 30, by striking <b.> and inserting
24 <c.>
25 3. Page 2, by striking lines 1 through 10 and
26 inserting:
27 <2. The department of human services shall amend
28 the medical assistance home and community-based
29 services waivers to replace agency-provided
30 consumer-directed attendant care services with personal
31 care services.>
32 4. By renumbering as necessary.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 26, 2014

House Amendment to
Senate File 2319

S-5090

- 1 Amend Senate File 2319, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 1, by striking lines 1 through 11.
4 2. Page 1, line 17, by striking <The> and inserting
5 <Subject to an appropriation of funds by the general
6 assembly, the>
7 3. Page 1, line 18, after <agencies> by inserting
8 <and the department>



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 26, 2014

House Amendment to
Senate File 2299

S-5091

1 Amend Senate File 2299, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 1, line 33, after <testing.> by inserting
4 <A defendant whose alcohol concentration is .08 or more
5 shall be eligible for a temporary restricted license if
6 the person installs an ignition interlock device of a
7 type approved by the commissioner of public safety on
8 all vehicles owned or operated by the defendant if the
9 defendant seeks a temporary restricted license.>
10 2. Page 4, line 32, after <chapter.> by inserting
11 <A defendant whose alcohol concentration is .08 or more
12 shall be eligible for a temporary restricted license if
13 the person installs an ignition interlock device of a
14 type approved by the commissioner of public safety on
15 all vehicles owned or operated by the defendant if the
16 defendant seeks a temporary restricted license.>
17 3. By striking page 7, line 23, through page 9,
18 line 11.
19 4. By striking page 9, line 16, through page 10,
20 line 22, and inserting:
21 <1. a. (1) The department may, on application,
22 issue a temporary restricted license to a person whose
23 noncommercial driver's license is revoked under this
24 chapter allowing the person to drive for any lawful
25 purpose if the person's driver's license has not been
26 revoked previously under section 321J.4, 321J.9, or
27 321J.12.
28 (2) The department may, on application, issue
29 a temporary restricted license to a person whose
30 noncommercial driver's license is revoked under this
31 chapter allowing the person to drive to and from the
32 person's home and specified places at specified times
33 which can be verified by the department and which
34 are required by the person's full-time or part-time
35 employment, continuing health care or the continuing
36 health care of another who is dependent upon the
37 person, continuing education while enrolled in an
38 educational institution on a part-time or full-time
39 basis and while pursuing a course of study leading to a
40 diploma, degree, or other certification of successful
41 educational completion, substance abuse treatment,
42 court-ordered community service responsibilities, and
43 appointments with the person's parole or probation
44 officer if the person's driver's license has not been
45 revoked previously under section 321J.4, 321J.9, or
46 321J.12 and if any of the following apply:
47 (1) (a) The person's noncommercial driver's
48 license is revoked under section 321J.4 and the minimum
49 period of ineligibility for issuance of a temporary
50 restricted license has expired. This subsection

SF2299.3581.H (1) 85

-1-

md

1/2



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 26, 2014

1 ~~shall not apply to a revocation ordered under section~~
 2 ~~321J.4 resulting from a plea or verdict of guilty~~
 3 ~~of a violation of section 321J.2 that involved a~~
 4 ~~death except for a revocation under section 321J.4,~~
 5 ~~subsection 1, paragraph "c" or "e".~~
 6 ~~(2) (b) The person's noncommercial driver's~~
 7 ~~license is revoked under section 321J.9 and the person~~
 8 ~~has entered a plea of guilty on a charge of a violation~~
 9 ~~of section 321J.2 which arose from the same set of~~
 10 ~~circumstances which resulted in the person's driver's~~
 11 ~~license revocation under section 321J.9 and the~~
 12 ~~guilty plea is not withdrawn at the time of or after~~
 13 ~~application for the temporary restricted license, and~~
 14 ~~the minimum period of ineligibility for issuance of a~~
 15 ~~temporary restricted license has expired.~~
 16 ~~(3) (c) The person's noncommercial driver's~~
 17 ~~license is revoked under section 321J.12, and the~~
 18 ~~minimum period of ineligibility for issuance of a~~
 19 ~~temporary restricted license has expired.~~
 20 ~~b. A temporary restricted license may be issued~~
 21 ~~under this subsection if the person's noncommercial~~
 22 ~~driver's license is revoked for two years under section~~
 23 ~~321J.4, subsection 2, or section 321J.9, subsection 1,~~
 24 ~~paragraph "b", and the first three hundred sixty-five~~
 25 ~~days of the revocation have expired.>~~
 26 5. Page 12, line 10, by striking <subsection
 27 subsections 3 and 4> and inserting <subsection 3>
 28 6. By renumbering as necessary.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 26, 2014

House Amendment to
Senate File 2239

S-5092

1 Amend Senate File 2239, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. By striking everything after the enacting clause
4 and inserting:

<DIVISION I
ELDER ABUSE RELIEF

7 Section 1. **NEW SECTION. 235F.1 Definitions.**
8 As used in this chapter, unless the context
9 otherwise requires:

- 10 1. *"Attorney in fact"* means an attorney in fact
11 under a power of attorney pursuant to chapter 633B or
12 an attorney in fact under a durable power of attorney
13 for health care pursuant to chapter 144B.
14 2. *"Caretaker"* means a related or nonrelated
15 person who has the responsibility for all or a
16 substantial portion of the protection, care, or custody
17 of a vulnerable elder as a result of assuming the
18 responsibility voluntarily, by contract, through
19 employment, or by order of the court. *"Caretaker"* does
20 not include a caretaker as defined in section 235E.1.
21 3. *"Conservator"* means the same as defined in
22 section 633.3.
23 4. *a. "Elder abuse"* means any of the following:
24 (1) The nonaccidental infliction of bodily injury
25 on a vulnerable elder by a caretaker.
26 (2) The commission of a sexual offense under
27 chapter 709 or section 726.2 with or against a
28 vulnerable elder.
29 (3) Neglect which is the substantial deprivation of
30 the minimum food, shelter, clothing, supervision, or
31 physical or mental health care, or other care necessary
32 to maintain a vulnerable elder's life or health by a
33 caretaker.
34 (4) Financial exploitation as provided in section
35 726.24.
36 *b. "Elder abuse"* does not include any of the
37 following:
38 (1) Circumstances in which the vulnerable elder
39 declines medical treatment if the vulnerable elder
40 holds a belief or is an adherent of a religion whose
41 tenets and practices call for reliance on spiritual
42 means in place of reliance on medical treatment.
43 (2) Circumstances in which the vulnerable elder's
44 caretaker, acting in accordance with the vulnerable
45 elder's stated or implied consent, declines medical
46 treatment if the vulnerable elder holds a belief or is
47 an adherent of a religion whose tenets and practices
48 call for reliance on spiritual means in place of
49 reliance on medical treatment.
50 (3) The withholding or withdrawing of health care

SF2239.3577.H (2) 85



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 26, 2014

- 1 from a vulnerable elder who is terminally ill in the
2 opinion of a licensed physician, when the withholding
3 or withdrawing of health care is done at the request
4 of the vulnerable elder or at the request of the
5 vulnerable elder's next of kin, attorney in fact, or
6 guardian pursuant to the applicable procedures under
7 chapter 125, 144A, 144B, 222, 229, or 633.
- 8 (4) Good faith assistance by a family or household
9 member or other person in managing the financial
10 affairs of a vulnerable elder at the request of the
11 vulnerable elder or at the request of a family member,
12 guardian, or conservator of the vulnerable elder.
- 13 5. *"Family or household member"* means a spouse,
14 a person cohabiting with the vulnerable elder, a
15 parent, or a person related to the vulnerable elder
16 by consanguinity or affinity, but does not include
17 children of the vulnerable elder who are less than
18 eighteen years of age.
- 19 6. *"Fiduciary"* means a person or entity with the
20 legal responsibility to make decisions on behalf of
21 and for the benefit of a vulnerable elder and to act
22 in good faith and with fairness. *"Fiduciary"* includes
23 but is not limited to an attorney in fact, a guardian,
24 or a conservator.
- 25 7. *"Financial exploitation"* means financial
26 exploitation as provided in section 726.24.
- 27 8. *"Guardian"* means the same as defined in section
28 633.3.
- 29 9. *"Peace officer"* means the same as defined in
30 section 801.4.
- 31 10. *"Plaintiff"* means a vulnerable elder who
32 files a petition under this chapter and includes a
33 substitute petitioner who files a petition on behalf of
34 a vulnerable elder under this chapter.
- 35 11. *"Present danger of elder abuse"* means a
36 situation in which the defendant has recently
37 threatened the vulnerable elder with initial
38 or additional elder abuse, or the potential for
39 misappropriation, misuse, or removal of the funds,
40 benefits, property, resources, belongings, or assets of
41 the vulnerable elder combined with reasonable grounds
42 to believe that elder abuse is likely to occur.
- 43 12. *"Pro se"* means a person proceeding on the
44 person's own behalf without legal representation.
- 45 13. *"Substitute petitioner"* means a family or
46 household member, guardian, conservator, attorney in
47 fact, or guardian ad litem for a vulnerable elder, or
48 other interested person who files a petition under this
49 chapter.
- 50 14. *"Vulnerable elder"* means a person sixty-five

SF2239.3577.H (2) 85

-2-

md

2/18



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 26, 2014

1 years of age or older who is unable to protect himself
 2 or herself from elder abuse as a result of a mental or
 3 physical condition or advanced age.

4 **Sec. 2. NEW SECTION. 235F.2 Commencement of**
 5 **actions — waiver to juvenile court.**

6 1. A vulnerable elder or a substitute petitioner
 7 may seek relief from elder abuse by filing a verified
 8 petition in the district court. Venue shall lie where
 9 either party resides. The petition shall state all of
 10 the following:

11 *a.* The name of the vulnerable elder and the name
 12 and address of the vulnerable elder's attorney, if
 13 any. If the vulnerable elder is proceeding pro se,
 14 the petition shall state a mailing address for the
 15 vulnerable elder.

16 *b.* The name of the substitute petitioner if the
 17 petition is being filed on behalf of a vulnerable
 18 elder, and the name and address of the attorney of the
 19 substitute petitioner. If the substitute petitioner is
 20 proceeding pro se, the petition shall state a mailing
 21 address for the substitute petitioner.

22 *c.* The name and address, if known, of the
 23 defendant.

24 *d.* The relationship of the vulnerable elder to the
 25 defendant.

26 *e.* The nature of the alleged elder abuse.

27 *f.* The name and age of any other individual whose
 28 welfare may be affected.

29 *g.* The desired relief, including a request for
 30 temporary or emergency orders.

31 2. A temporary or emergency order may be based on a
 32 showing of a prima facie case of elder abuse. If the
 33 factual basis for the alleged elder abuse is contested,
 34 the court shall issue a protective order based upon
 35 a finding of elder abuse by a preponderance of the
 36 evidence.

37 3. *a.* The filing fee and court costs for an order
 38 for protection and in a contempt action resulting from
 39 an order granted under this chapter or chapter 664A
 40 shall be waived for the plaintiff.

41 *b.* The clerk of court, the sheriff of any county in
 42 this state, and other law enforcement and corrections
 43 officers shall perform their duties relating to service
 44 of process without charge to the plaintiff.

45 *c.* When a permanent order for protection is entered
 46 by the court, the court may direct the defendant to pay
 47 to the clerk of court the fees for the filing of the
 48 petition and reasonable costs of service of process if
 49 the court determines the defendant has the ability to
 50 pay the plaintiff's fees and costs.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 26, 2014

1 *d.* In lieu of personal service of an order for
2 protection issued pursuant to this section, the
3 sheriff of any county in the state, and any other
4 law enforcement and corrections officers may serve a
5 defendant with a short-form notification pursuant to
6 section 664A.4A.

7 4. If the person against whom relief from elder
8 abuse is being sought is seventeen years of age
9 or younger, the district court shall waive its
10 jurisdiction over the action to the juvenile court.

11 5. If a substitute petitioner files a petition
12 under this section on behalf of a vulnerable elder, the
13 vulnerable elder shall retain the right to all of the
14 following:

15 *a.* To contact and retain counsel.
16 *b.* To have access to personal records.
17 *c.* To file objections to the protective order.
18 *d.* To request a hearing on the petition.
19 *e.* To present evidence and cross-examine witnesses
20 at the hearing.

21 6. The relief provided under this chapter shall
22 not be available if the action involves a guardian
23 or conservator of the vulnerable elder and the relief
24 sought is more appropriately obtained in a protective
25 proceeding filed under chapter 633.

26 Sec. 3. **NEW SECTION. 235F.3 Plaintiffs proceeding**
27 **pro se — provision of forms and assistance.**

28 1. The judicial branch shall prescribe standard
29 forms to be used by vulnerable elders or substitute
30 petitioners seeking protective orders by proceeding pro
31 se in actions under this chapter. The standard forms
32 shall include language in fourteen point boldface type.
33 Standard forms prescribed by the judicial branch shall
34 be the exclusive forms used by plaintiffs proceeding
35 pro se under this chapter. The judicial branch shall
36 distribute the forms to the clerks of the district
37 courts.

38 2. The clerk of the district court shall furnish
39 the required forms to persons seeking protective orders
40 through pro se proceedings pursuant to this chapter.

41 Sec. 4. **NEW SECTION. 235F.4 Appointment of**
42 **guardian ad litem.**

43 The court may on its own motion or on the motion of
44 a party appoint a guardian ad litem for a vulnerable
45 elder if justice requires. The vulnerable elder's
46 attorney shall not also serve as the guardian ad litem.

47 Sec. 5. **NEW SECTION. 235F.5 Hearings — temporary**
48 **orders.**

49 1. Not less than five and not more than fifteen
50 days after commencing a proceeding and upon notice to



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 26, 2014

1 the other party, a hearing shall be held at which the
2 plaintiff must prove the allegation of elder abuse by a
3 preponderance of the evidence.

4 2. The court may enter any temporary order it deems
5 necessary to protect the vulnerable elder from elder
6 abuse prior to the hearing, upon good cause shown in
7 an ex parte proceeding. Present danger of elder abuse
8 constitutes good cause for purposes of this subsection.

9 3. If a hearing is continued, the court may make or
10 extend any temporary order under subsection 2 that it
11 deems necessary.

12 4. Upon application of a party, the court shall
13 issue subpoenas requiring attendance and testimony of
14 witnesses and production of papers.

15 5. The court shall advise the defendant of a
16 right to be represented by counsel of the defendant's
17 choosing and to have a continuance to secure counsel.

18 6. The showing required under subsection 1 may be
19 made by, but is not limited to the testimony at the
20 hearing of, any of the following:

21 a. The vulnerable elder.

22 b. The guardian, conservator, attorney in fact, or
23 guardian ad litem of the vulnerable elder.

24 c. Witnesses to the elder abuse.

25 d. Adult protective services workers who have
26 conducted an investigation.

27 7. The court shall exercise its discretion in
28 a manner that protects the vulnerable elder from
29 traumatic confrontation with the defendant.

30 8. Hearings shall be recorded.

31 **Sec. 6. NEW SECTION. 235F.6 Disposition.**

32 1. Upon a finding that the defendant has engaged
33 in elder abuse, the court may, if requested by the
34 plaintiff, order any of the following:

35 a. That the defendant be required to move from
36 the residence of the vulnerable elder if both the
37 vulnerable elder and the defendant are titleholders or
38 contract holders of record of the real property, are
39 named as tenants in the rental agreement concerning the
40 use and occupancy of the dwelling unit, are living in
41 the same residence, or are married to each other.

42 b. That the defendant provide suitable alternative
43 housing for the vulnerable elder.

44 c. That a peace officer accompany the party who is
45 leaving or has left the party's residence to remove
46 essential personal effects of the party.

47 d. That the defendant be restrained from abusing,
48 harassing, intimidating, molesting, interfering with,
49 or menacing the vulnerable elder, or attempting to
50 abuse, harass, intimidate, molest, interfere with, or



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 26, 2014

1 menace the vulnerable elder.
2 *e.* That the defendant be restrained from entering
3 or attempting to enter on any premises when it
4 appears to the court that such restraint is necessary
5 to prevent the defendant from abusing, harassing,
6 intimidating, molesting, interfering with, or menacing
7 the vulnerable elder.
8 *f.* That the defendant be restrained from exercising
9 any powers on behalf of the vulnerable elder through a
10 court-appointed guardian, conservator, or guardian ad
11 litem, an attorney in fact, or another third party.
12 *g.* In addition to the relief provided in subsection
13 2, other relief that the court considers necessary to
14 provide for the safety and welfare of the vulnerable
15 elder.
16 2. If the court finds that the vulnerable elder has
17 been the victim of financial exploitation, the court
18 may order the relief the court considers necessary to
19 prevent or remedy the financial exploitation, including
20 but not limited to any of the following:
21 *a.* Directing the defendant to refrain from
22 exercising control over the funds, benefits, property,
23 resources, belongings, or assets of the vulnerable
24 elder.
25 *b.* Requiring the defendant to return custody or
26 control of the funds, benefits, property, resources,
27 belongings, or assets to the vulnerable elder.
28 *c.* Requiring the defendant to follow the
29 instructions of the guardian, conservator, or attorney
30 in fact of the vulnerable elder.
31 *d.* Prohibiting the defendant from transferring the
32 funds, benefits, property, resources, belongings, or
33 assets of the vulnerable elder to any person other than
34 the vulnerable elder.
35 3. The court shall not use an order issued under
36 this section to do any of the following:
37 *a.* To allow any person other than the vulnerable
38 elder to assume responsibility for the funds, benefits,
39 property, resources, belongings, or assets of the
40 vulnerable elder.
41 *b.* For relief that is more appropriately obtained
42 in a protective proceeding filed under chapter 633
43 including but not limited to giving control and
44 management of the funds, benefits, property, resources,
45 belongings, or assets of the vulnerable elder to a
46 guardian, conservator, or attorney in fact for any
47 purpose other than the relief granted under subsection
48 2.
49 4. The court may approve a consent agreement
50 between the parties entered to bring about the

SF2239.3577.H (2) 85

-6-

md

6/18



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 26, 2014

1 cessation of elder abuse. A consent agreement approved
2 under this section shall not contain any of the
3 following:

4 *a.* A provision that prohibits any party to the
5 action from contacting or cooperating with any
6 government agency including the department of human
7 services, the department of inspections and appeals,
8 the department on aging, the department of justice,
9 law enforcement, and the office of long-term care
10 ombudsman; a licensing or regulatory agency that has
11 jurisdiction over any license or certification held
12 by the defendant; a protection and advocacy agency
13 recognized in section 135C.2; or the defendant's
14 current employer if the defendant's professional
15 responsibilities include contact with vulnerable
16 elders, dependent adults, or minors, if the party
17 contacting or cooperating has a good-faith belief
18 that the information is relevant to the duties or
19 responsibilities of the entity.

20 *b.* A provision that prohibits any party to the
21 action from filing a complaint with or reporting a
22 violation of law to any government agency including
23 the department of human services, the department of
24 inspections and appeals, the department on aging, the
25 department of justice, law enforcement, and the office
26 of long-term care ombudsman; a licensing or regulatory
27 agency that has jurisdiction over any license or
28 certification held by the defendant; a protection and
29 advocacy agency recognized in section 135C.2; or the
30 defendant's current employer.

31 *c.* A provision that requires any party to the
32 action to withdraw a complaint filed with or a
33 violation reported to any government agency including
34 the department of human services, the department of
35 inspections and appeals, the department on aging, the
36 department of justice, law enforcement, and the office
37 of long-term care ombudsman; a licensing or regulatory
38 agency that has jurisdiction over any license or
39 certification held by the defendant; a protection and
40 advocacy agency recognized in section 135C.2; or the
41 defendant's current employer.

42 5. A protective order or approved consent agreement
43 shall be for a fixed period of time not to exceed one
44 year. The court may amend or extend its order or a
45 consent agreement at any time upon a petition filed by
46 either party and after notice and hearing. The court
47 may extend the order if the court, after hearing at
48 which the defendant has the opportunity to be heard,
49 finds that the defendant continues to pose a threat to
50 the safety of the vulnerable elder, persons residing

SF2239.3577.H (2) 85

-7-

md

7/18



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 26, 2014

1 with the vulnerable elder, or members of the vulnerable
 2 elder's immediate family, or continues to present a
 3 risk of financial exploitation of the vulnerable elder.
 4 The number of extensions that may be granted by the
 5 court is not limited.

6 6. The order shall state whether a person is to be
 7 taken into custody by a peace officer for a violation
 8 of the terms stated in the order.

9 7. The court may order that the defendant pay the
 10 attorney fees and court costs of the vulnerable elder
 11 or substitute petitioner.

12 8. An order or approved consent agreement under
 13 this section shall not affect title to real property.

14 9. A copy of any order or approved consent
 15 agreement shall be issued to the plaintiff, the
 16 defendant, the county sheriff of the county in which
 17 the order or consent decree is initially entered, and
 18 the twenty-four-hour dispatcher for the county sheriff.
 19 Any subsequent amendment or revocation of an order or
 20 consent agreement shall be forwarded by the clerk to
 21 all individuals previously notified.

22 10. The clerk shall notify the county sheriff and
 23 the twenty-four-hour dispatcher for the county sheriff
 24 in writing so that the county sheriff and the county
 25 sheriff's dispatcher receive written notice within six
 26 hours of filing the order, approved consent agreement,
 27 amendment, or revocation. The clerk may fulfill this
 28 requirement by sending the notice by facsimile or other
 29 electronic transmission which reproduces the notice in
 30 writing within six hours of filing the order.

31 11. The county sheriff's dispatcher shall notify
 32 all law enforcement agencies having jurisdiction over
 33 the matter and the twenty-four-hour dispatcher for
 34 the law enforcement agencies upon notification by the
 35 clerk.

36 **Sec. 7. NEW SECTION. 235F.7 Emergency orders.**

37 1. When the court is unavailable from the close
 38 of business at the end of the day or week to the
 39 resumption of business at the beginning of the day or
 40 week, a petition may be filed before a district judge,
 41 or district associate judge designated by the chief
 42 judge of the judicial district, who may grant emergency
 43 relief in accordance with section 235F.6, subsection 1
 44 or 2, if the district judge or district associate judge
 45 deems it necessary to protect the vulnerable elder
 46 from elder abuse, upon good cause shown in an ex parte
 47 proceeding. Present danger of elder abuse constitutes
 48 good cause for purposes of this subsection.

49 2. An emergency order issued under subsection 1
 50 shall expire seventy-two hours after issuance. When



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 26, 2014

1 the order expires, the plaintiff may seek a temporary
 2 order from the court pursuant to section 235F.5.

3 3. A petition filed and emergency order issued
 4 under this section and any documentation in support of
 5 the petition and order shall be immediately certified
 6 to the court. The certification shall commence a
 7 proceeding for purposes of section 235F.2.

8 **Sec. 8. NEW SECTION. 235F.8 Procedure.**

9 1. A proceeding under this chapter shall be held in
 10 accordance with the rules of civil procedure, except
 11 as otherwise set forth in this chapter and in chapter
 12 664A, and is in addition to any other civil or criminal
 13 remedy.

14 2. The plaintiff's right to relief under this
 15 chapter is not affected by leaving the vulnerable
 16 elder's home to avoid elder abuse.

17 **DIVISION II**

18 **FINANCIAL EXPLOITATION OF VULNERABLE ELDERS**

19 **Sec. 9. NEW SECTION. 726.24 Financial exploitation**
 20 **of a vulnerable elder.**

21 1. A person commits financial exploitation of a
 22 vulnerable elder when the person stands in a position
 23 of trust or confidence with the vulnerable elder and
 24 knowingly and by undue influence, deception, coercion,
 25 fraud, or extortion, obtains control over or otherwise
 26 uses or diverts the benefits, property, resources,
 27 belongings, or assets of the vulnerable elder for the
 28 person's own benefit or gain.

29 2. A person who commits financial exploitation
 30 of a vulnerable elder is guilty of the following, as
 31 applicable:

32 *a.* Financial exploitation in the fifth degree which
 33 is a simple misdemeanor if the value of the funds,
 34 benefits, property, resources, belongings, or assets is
 35 two hundred dollars or less.

36 *b.* Financial exploitation in the fourth degree
 37 which is a serious misdemeanor if the value of the
 38 funds, benefits, property, resources, belongings, or
 39 assets exceeds two hundred dollars but does not exceed
 40 five hundred dollars.

41 *c.* Financial exploitation in the third degree which
 42 is an aggravated misdemeanor if the value of the funds,
 43 benefits, property, resources, belongings, or assets
 44 exceeds five hundred dollars but does not exceed one
 45 thousand dollars.

46 *d.* Financial exploitation in the second degree
 47 which is a class "D" felony if the value of the funds,
 48 benefits, property, resources, belongings, or assets
 49 exceeds one thousand dollars but does not exceed ten
 50 thousand dollars.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 26, 2014

1 e. Financial exploitation in the first degree
2 which is a class "C" felony if the value of the funds,
3 benefits, property, resources, belongings, or assets
4 exceeds ten thousand dollars.
5 3. Nothing in this section shall be construed to
6 impose criminal liability on a person who has made a
7 good-faith effort to assist a vulnerable elder in the
8 management of the vulnerable elder's funds, benefits,
9 property, resources, belongings, or assets, but through
10 no fault of the person, the person has been unable to
11 provide such assistance or does not achieve the results
12 sought by the vulnerable elder.
13 4. For the purposes of this section:
14 a. "Caretaker" means the same as defined in section
15 235F.1.
16 b. "Coercion" means communication or conduct which
17 unduly compels a vulnerable elder to act or refrain
18 from acting against the vulnerable elder's will and
19 against the vulnerable elder's best interests.
20 c. "Stands in a position of trust or confidence"
21 means the person has any of the following relationships
22 relative to the vulnerable elder:
23 (1) Is a parent, spouse, adult child, or other
24 relative by consanguinity or affinity of the vulnerable
25 elder.
26 (2) Is a caretaker for the vulnerable elder other
27 than a facility or person governed by chapter 235E.
28 (3) Is a person who is in a confidential
29 relationship with the vulnerable elder. For the
30 purposes of this subparagraph (3), a confidential
31 relationship does not include a legal, fiduciary, or
32 ordinary commercial or transactional relationship the
33 vulnerable elder may have with a bank incorporated
34 under the provisions of any state or federal law,
35 any savings and loan association or savings bank
36 incorporated under the provisions of any state or
37 federal law, any credit union organized under the
38 provisions of any state or federal law, any attorney
39 licensed to practice law in the state, or any agent,
40 agency, or company regulated under chapter 505, 508,
41 515, or 543B.
42 d. "Undue influence" means taking advantage of a
43 person's role, relationship, or authority to improperly
44 change or obtain control over the actions or decision
45 making of a vulnerable elder against the vulnerable
46 elder's best interests.
47 e. "Vulnerable elder" means the same as defined in
48 section 235F.1.
49 Sec. 10. CODE EDITOR DIRECTIVES. The Code editor
50 shall create a new subchapter in chapter 726, entitled

SF2239.3577.H (2) 85

-10-

md

10/18



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 26, 2014

1 "protection of vulnerable elders" that includes section
 2 726.24, as enacted in this Act.

3 DIVISION III

4 ADDITIONAL PROVISIONS AND CONFORMING AMENDMENTS

5 Sec. 11. Section 13.2, subsection 1, Code 2014, is
 6 amended by adding the following new paragraph:

7 NEW PARAGRAPH. o. Develop written procedures and
 8 policies to be followed by prosecuting attorneys in the
 9 prosecution of elder abuse and financial exploitation
 10 of a vulnerable elder under chapter 235F and section
 11 726.24.

12 Sec. 12. Section 13.31, subsection 3, Code 2014, is
 13 amended to read as follows:

14 3. Administer the domestic abuse program provided
 15 in chapter 236 and elder abuse actions commenced under
 16 chapter 235F.

17 Sec. 13. Section 135B.7, Code 2014, is amended by
 18 adding the following new subsection:

19 NEW SUBSECTION. 5. The department shall also adopt
 20 rules requiring hospitals to establish and implement
 21 protocols for responding to the needs of patients who
 22 are victims of elder abuse, as defined in section
 23 235F.1.

24 Sec. 14. Section 232.8, subsection 1, Code 2014, is
 25 amended by adding the following new paragraph:

26 NEW PARAGRAPH. e. The juvenile court shall have
 27 jurisdiction in proceedings commenced against a child
 28 pursuant to section 235F.2 over which the district
 29 court has waived its jurisdiction. The juvenile court
 30 shall hear the action in the manner of an adjudicatory
 31 hearing under section 232.47, subject to the following:

32 (1) The juvenile court shall abide by the
 33 provisions of sections 235F.5 and 235F.6 in holding
 34 hearings and making a disposition.

35 (2) The plaintiff is entitled to proceed pro se
 36 under section 235F.3.

37 Sec. 15. Section 232.22, subsection 1, Code 2014,
 38 is amended by adding the following new paragraph:

39 NEW PARAGRAPH. h. There is probable cause to
 40 believe that the child has committed a delinquent
 41 act which would be elder abuse under chapter 235F if
 42 committed by an adult.

43 Sec. 16. Section 232.52, subsection 2, Code 2014,
 44 is amended by adding the following new paragraph:

45 NEW PARAGRAPH. i. In the case of a child
 46 adjudicated delinquent for an act which would be a
 47 violation of chapter 235F if committed by an adult,
 48 an order requiring the child to attend a batterers'
 49 treatment program under section 708.2B.

50 Sec. 17. Section 235B.6, subsection 2, paragraph



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 26, 2014

1 e, subparagraph (5), Code 2014, is amended to read as
 2 follows:

3 (5) ~~The office of the attorney for the department~~
 4 ~~who is responsible for representing the department~~
 5 general.

6 Sec. 18. Section 235B.6, subsection 3, Code 2014,
 7 is amended to read as follows:

8 3. Access to unfounded dependent adult abuse
 9 information is authorized only to those persons
 10 identified in subsection 2, paragraph "a", paragraph
 11 "b", subparagraphs (2), (5), and (6), and paragraph
 12 "e", subparagraphs (2), (5), and (10).

13 Sec. 19. Section ~~331.424~~, subsection 1, paragraph
 14 a, subparagraph (6), Code 2014, is amended to read as
 15 follows:

16 (6) The maintenance and operation of the courts,
 17 including but not limited to the salary and expenses
 18 of the clerk of the district court and other employees
 19 of the clerk's office, and bailiffs, court costs
 20 if the prosecution fails or if the costs cannot be
 21 collected from the person liable, costs and expenses
 22 of prosecution under section 189A.17, salaries and
 23 expenses of juvenile court officers under chapter 602,
 24 court-ordered costs in domestic abuse cases under
 25 section 236.5 and elder abuse cases under section
 26 235F.6, the county's expense for confinement of
 27 prisoners under chapter 356A, temporary assistance
 28 to the county attorney, county contributions to a
 29 retirement system for bailiffs, reimbursement for
 30 judicial magistrates under section 602.6501, claims
 31 filed under section 622.93, interpreters' fees under
 32 section 622B.7, uniform citation and complaint supplies
 33 under section 805.6, and costs of prosecution under
 34 section 815.13.

35 Sec. 20. Section 562A.27A, subsection 3, paragraph
 36 a, subparagraph (1), Code 2014, is amended to read as
 37 follows:

38 (1) The tenant seeks a protective order,
 39 restraining order, order to vacate the homestead, or
 40 other similar relief pursuant to chapter 235F, 236,
 41 598, 664A, or 915, or any other applicable provision
 42 which would apply to the person conducting the
 43 activities causing the clear and present danger.

44 Sec. 21. Section 562B.25A, subsection 3, paragraph
 45 a, subparagraph (1), Code 2014, is amended to read as
 46 follows:

47 (1) The tenant seeks a protective order,
 48 restraining order, order to vacate the homestead, or
 49 other similar relief pursuant to chapter 235F, 236,
 50 598, 664A, or 915, or any other applicable provision



Iowa General Assembly
 Daily Bills, Amendments and Study Bills
 March 26, 2014

1 which would apply to the person conducting the
 2 activities causing the clear and present danger.

3 Sec. 22. Section 598.7, subsection 1, Code 2014, is
 4 amended to read as follows:

5 1. The district court may, on its own motion or
 6 on the motion of any party, order the parties to
 7 participate in mediation in any dissolution of marriage
 8 action or other domestic relations action. Mediation
 9 performed under this section shall comply with the
 10 provisions of chapter 679C. The provisions of this
 11 section shall not apply if the action involves a child
 12 support or medical support obligation enforced by
 13 the child support recovery unit. The provisions of
 14 this section shall not apply to actions which involve
 15 elder abuse as defined in section 235F.1 or domestic
 16 abuse pursuant to chapter 236. The provisions of
 17 this section shall not affect a judicial district's
 18 or court's authority to order settlement conferences
 19 pursuant to rules of civil procedure. The court shall,
 20 on application of a party, grant a waiver from any
 21 court-ordered mediation under this section if the party
 22 demonstrates that a history of domestic abuse exists as
 23 specified in section 598.41, subsection 3, paragraph
 24 "j".

25 Sec. 23. Section 598.16, subsection 7, Code 2014,
 26 is amended to read as follows:

27 7. Upon application, the court shall grant a waiver
 28 from the requirements of this section if a party
 29 demonstrates that a history of elder abuse, as defined
 30 in section 235F.1, or domestic abuse, as defined in
 31 section 236.2, exists.

32 a. In determining whether a history of elder abuse
 33 exists, the court's consideration shall include but
 34 is not limited to commencement of an action pursuant
 35 to section 235F.2, the issuance of a court order or
 36 consent agreement pursuant to section 235F.6, the
 37 issuance of an emergency order pursuant to section
 38 235F.7, the holding of a party in contempt pursuant to
 39 section 664A.7, the response of a peace officer to the
 40 scene of alleged elder abuse, or the arrest of a party
 41 following response to a report of alleged elder abuse.

42 b. In determining whether a history of domestic
 43 abuse exists, the court's consideration shall include
 44 but is not limited to commencement of an action
 45 pursuant to section 236.3, the issuance of a protective
 46 order against a party or the issuance of a court order
 47 or consent agreement pursuant to section 236.5, the
 48 issuance of an emergency order pursuant to section
 49 236.6, the holding of a party in contempt pursuant
 50 to section 664A.7, the response of a peace officer



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 26, 2014

1 to the scene of alleged domestic abuse or the arrest
2 of a party following response to a report of alleged
3 domestic abuse, or a conviction for domestic abuse
4 assault pursuant to section 708.2A.

5 Sec. 24. Section 598.41, subsection 3, paragraph j,
6 Code 2014, is amended to read as follows:

7 j. Whether a history of elder abuse, as defined in
8 section 235F.1 or domestic abuse, as defined in section
9 236.2, exists.

10 (1) In determining whether a history of elder abuse
11 exists, the court's consideration shall include but
12 is not limited to commencement of an action pursuant
13 to section 235F.2, the issuance of a court order or
14 consent agreement pursuant to section 235F.6, the
15 issuance of an emergency order pursuant to section
16 235F.7, the holding of a party in contempt pursuant to
17 section 664A.7, the response of a peace officer to the
18 scene of alleged elder abuse or the arrest of a party
19 following response to a report of alleged elder abuse.

20 (2) In determining whether a history of domestic
21 abuse exists, the court's consideration shall include
22 but is not limited to commencement of an action
23 pursuant to section 236.3, the issuance of a protective
24 order against the parent or the issuance of a court
25 order or consent agreement pursuant to section 236.5,
26 the issuance of an emergency order pursuant to section
27 236.6, the holding of a parent in contempt pursuant
28 to section 664A.7, the response of a peace officer to
29 the scene of alleged domestic abuse or the arrest of
30 a parent following response to a report of alleged
31 domestic abuse, or a conviction for domestic abuse
32 assault pursuant to section 708.2A.

33 Sec. 25. Section 598.41D, subsection 4, paragraph
34 b, subparagraph (2), Code 2014, is amended to read as
35 follows:

36 (2) That the specified family member does not have
37 a history of elder abuse, as defined in section 235F.1
38 or domestic abuse, as defined in section 236.2.

39 (a) In determining whether a history of elder abuse
40 exists, the court's consideration shall include but
41 is not limited to commencement of an action pursuant
42 to section 235F.2, the issuance of a court order or
43 consent agreement pursuant to section 235F.6, the
44 issuance of an emergency order pursuant to section
45 235F.7, the holding of a party in contempt pursuant to
46 section 664A.7, the response of a peace officer to the
47 scene of alleged elder abuse or the arrest of a party
48 following response to a report of alleged elder abuse.

49 (b) In determining whether a history of domestic
50 abuse exists, the court's consideration shall include



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 26, 2014

1 but is not limited to commencement of an action
 2 pursuant to section 236.3, the issuance of a protective
 3 order against the individual or the issuance of a
 4 court order or consent agreement pursuant to section
 5 236.5, the issuance of an emergency order pursuant to
 6 section 236.6, the holding of an individual in contempt
 7 pursuant to section 664A.7, the response of a peace
 8 officer to the scene of alleged domestic abuse or the
 9 arrest of an individual following response to a report
 10 of alleged domestic abuse, or a conviction for domestic
 11 abuse assault pursuant to section 708.2A.

12 Sec. 26. Section 598.42, Code 2014, is amended to
 13 read as follows:

14 **598.42 Notice of certain orders by clerk of court.**

15 The clerk of the district court shall provide notice
 16 and copies of temporary or permanent protective orders
 17 and orders to vacate the homestead entered pursuant
 18 to this chapter to the applicable law enforcement
 19 agencies and the twenty-four hour dispatcher for the
 20 law enforcement agencies, in the manner provided for
 21 protective orders under section 235F.6 or 236.5. The
 22 clerk shall provide notice and copies of modifications
 23 or vacations of these orders in the same manner.

24 Sec. 27. Section 602.6306, subsection 2, Code 2014,
 25 is amended to read as follows:

26 2. District associate judges also have jurisdiction
 27 in civil actions for money judgment where the amount
 28 in controversy does not exceed ten thousand dollars;
 29 jurisdiction over involuntary commitment, treatment,
 30 or hospitalization proceedings under chapters 125 and
 31 229; jurisdiction of indictable misdemeanors, class
 32 "D" felony violations, and other felony arraignments;
 33 jurisdiction to enter a temporary or emergency order of
 34 protection under chapter 235F or 236, and to make court
 35 appointments and set hearings in criminal matters;
 36 jurisdiction to enter orders in probate which do not
 37 require notice and hearing and to set hearings in
 38 actions under chapter 633 or 633A; and the jurisdiction
 39 provided in section 602.7101 when designated as a
 40 judge of the juvenile court. While presiding in these
 41 subject matters a district associate judge shall employ
 42 district judges' practice and procedure.

43 Sec. 28. Section 611.23, Code 2014, is amended to
 44 read as follows:

45 **611.23 Civil actions involving allegations of elder**
 46 **abuse, sexual abuse, or domestic abuse — counseling.**

47 In a civil case in which a plaintiff is seeking
 48 relief or damages for alleged elder abuse as defined
 49 in section 235F.1, sexual abuse as defined in section
 50 709.1, or domestic abuse as defined in section 236.2,



Iowa General Assembly
 Daily Bills, Amendments and Study Bills
 March 26, 2014

1 the plaintiff may seek, and the court may grant, an
 2 order requiring the defendant to receive professional
 3 counseling, in addition to any other appropriate relief
 4 or damages.

5 Sec. 29. Section 664A.1, subsection 2, Code 2014,
 6 is amended to read as follows:

7 2. "*Protective order*" means a protective order
 8 issued pursuant to chapter 232, a court order or
 9 court-approved consent agreement entered pursuant
 10 to this chapter or chapter 235F, a court order or
 11 court-approved consent agreement entered pursuant to
 12 chapter 236, including a valid foreign protective
 13 order under section 236.19, subsection 3, a temporary
 14 or permanent protective order or order to vacate
 15 the homestead under chapter 598, or an order that
 16 establishes conditions of release or is a protective
 17 order or sentencing order in a criminal prosecution
 18 arising from a domestic abuse assault under section
 19 708.2A, or a civil injunction issued pursuant to
 20 section 915.22.

21 Sec. 30. Section 664A.2, subsection 2, Code 2014,
 22 is amended to read as follows:

23 2. A protective order issued in a civil proceeding
 24 shall be issued pursuant to chapter 232, 235F, 236, 598,
 25 or 915. Punishment for a violation of a protective
 26 order shall be imposed pursuant to section 664A.7.

27 Sec. 31. Section 664A.4, subsection 2, Code 2014,
 28 is amended to read as follows:

29 2. The clerk of the district court shall
 30 provide a notice and copy of the no-contact order
 31 to the appropriate law enforcement agencies and the
 32 twenty-four-hour dispatcher for the law enforcement
 33 agencies in the same manner as provided in section
 34 235F.6 or 236.5, as applicable. The clerk of the
 35 district court shall provide a notice and copy of a
 36 modification or vacation of a no-contact order in the
 37 same manner.

38 Sec. 32. Section 664A.5, Code 2014, is amended to
 39 read as follows:

40 **664A.5 Modification — entry of permanent no-contact**
 41 **order.**

42 If a defendant is convicted of, receives a deferred
 43 judgment for, or pleads guilty to a public offense
 44 referred to in section 664A.2, subsection 1, or is
 45 held in contempt for a violation of a no-contact order
 46 issued under section 664A.3 or for a violation of
 47 a protective order issued pursuant to chapter 232,
 48 235F, 236, 598, or 915, the court shall either terminate
 49 or modify the temporary no-contact order issued by the
 50 magistrate. The court may enter a no-contact order or



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 26, 2014

1 continue the no-contact order already in effect for
 2 a period of five years from the date the judgment is
 3 entered or the deferred judgment is granted, regardless
 4 of whether the defendant is placed on probation.

5 Sec. 33. Section 664A.7, subsections 1 and 5, Code
 6 2014, are amended to read as follows:

7 1. Violation of a no-contact order issued under
 8 this chapter or a protective order issued pursuant to
 9 chapter 232, 235F, 236, or 598, including a modified
 10 no-contact order, is punishable by summary contempt
 11 proceedings.

12 5. Violation of a no-contact order entered for
 13 the offense or alleged offense of domestic abuse
 14 assault in violation of section 708.2A or a violation
 15 of a protective order issued pursuant to chapter 232,
 16 235F, 236, 598, or 915 constitutes a public offense and
 17 is punishable as a simple misdemeanor. Alternatively,
 18 the court may hold a person in contempt of court for
 19 such a violation, as provided in subsection 3.

20 Sec. 34. Section 804.7, Code 2014, is amended by
 21 adding the following new subsection:

22 **NEW SUBSECTION. 7.** If the peace officer has
 23 reasonable grounds for believing that elder abuse
 24 as defined in section 235F.1 has occurred and has
 25 reasonable grounds for believing that the person to be
 26 arrested has committed it.

27 Sec. 35. Section 915.23, subsection 1, Code 2014,
 28 is amended to read as follows:

29 1. An employer shall not discharge an employee, or
 30 take or fail to take action regarding an employee's
 31 promotion or proposed promotion, or take action to
 32 reduce an employee's wages or benefits for actual time
 33 worked, due to the service of an employee as a witness
 34 in a criminal proceeding or as a plaintiff, defendant,
 35 or witness in a civil proceeding pursuant to chapter
 36 235F or 236.

37 Sec. 36. **NEW SECTION. 915.50A General rights of**
 38 **elder abuse victims.**

39 In addition to other victim rights provided in
 40 this chapter, victims of elder abuse shall have the
 41 following rights:

42 1. The right to file a pro se petition for relief
 43 from elder abuse in the district court, pursuant to
 44 chapter 235F.

45 2. The right to receive a criminal no-contact order
 46 upon a finding of probable cause, pursuant to section
 47 664A.3.

48 Sec. 37. Section 915.94, Code 2014, is amended to
 49 read as follows:

50 **915.94 Victim compensation fund.**



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 26, 2014

1 A victim compensation fund is established as
2 a separate fund in the state treasury. Moneys
3 deposited in the fund shall be administered by the
4 department and dedicated to and used for the purposes
5 of section 915.41 and this subchapter. In addition,
6 the department may use moneys from the fund for the
7 purpose of the department's prosecutor-based victim
8 service coordination, including the duties defined in
9 sections 910.3 and 910.6 and this chapter, and for the
10 award of funds to programs that provide services and
11 support to victims of elder abuse as defined in section
12 235F.1, domestic abuse or sexual assault as provided in
13 chapter 236, to victims under section 710A.2, and for
14 the support of an automated victim notification system
15 established in section 915.10A. The department may
16 also use up to one hundred thousand dollars from the
17 fund to provide training for victim service providers.
18 Notwithstanding section 8.33, any balance in the fund
19 on June 30 of any fiscal year shall not revert to the
20 general fund of the state.

21 Sec. 38. CODE EDITOR DIRECTIVE. The Code editor
22 shall revise the subchapter VI heading under chapter
23 915 to read "Victims of domestic abuse, elder abuse,
24 and human trafficking".

25 DIVISION IV

26 AGENCY COLLABORATION AND REPORT

27 Sec. 39. AGENCY COLLABORATION AND REPORT. The
28 department on aging, department of human services,
29 department of inspections and appeals, and the office
30 of the attorney general shall collaborate and provide
31 written recommendations on strengthening Iowa's
32 elder abuse prevention, detection, and intervention
33 efforts. To the extent possible, the departments
34 and the office shall also include relevant budgetary
35 considerations including staff and system needs, in
36 their recommendations. If the departments and the
37 office cannot reach consensus to develop a unified
38 recommendation, the director of each department and the
39 attorney general shall each provide a separate written
40 report and an explanation of the differences in the
41 proposed recommendations. The written recommendations
42 and reports shall be submitted to the general assembly,
43 the governor, and the department of management on or
44 before August 15, 2014.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 26, 2014

House Amendment to
Senate File 2118

S-5093

1 Amend Senate File 2118, as passed by the Senate, as
2 follows:
3 1. By striking everything after the enacting clause
4 and inserting:
5 <Section 1. Section 236.3, subsection 1, Code 2014,
6 is amended by adding the following new paragraph:
7 NEW PARAGRAPH. *0g.* Name or description of any
8 property of sentimental or emotional significance
9 which may cause the victim to stay in the abusive
10 relationship and which is owned, possessed, leased,
11 kept, or held by the petitioner, respondent, or minor
12 child of the petitioner or respondent that may be
13 affected by the controversy.
14 Sec. 2. Section 236.4, Code 2014, is amended by
15 adding the following new subsection:
16 NEW SUBSECTION. 3A. The court may include in the
17 temporary order issued pursuant to this section a grant
18 to the petitioner of the exclusive care, possession,
19 or control of any property of sentimental or emotional
20 significance which may cause the victim to stay in the
21 abusive relationship and which is owned, possessed,
22 leased, kept, or held by the petitioner, respondent, or
23 minor child of the petitioner or respondent that may
24 be affected by the controversy. The court may forbid
25 the respondent from taking, transferring, encumbering,
26 concealing, attacking, striking, harming, or otherwise
27 disposing of the property.
28 Sec. 3. Section 236.4, subsection 4, Code 2014, is
29 amended to read as follows:
30 4. If a hearing is continued, the court may make or
31 extend any temporary order under subsection 2, or 3, or
32 3A that it deems necessary.
33 Sec. 4. Section 236.5, subsection 1, paragraph
34 b, Code 2014, is amended by adding the following new
35 subparagraph:
36 NEW SUBPARAGRAPH. (7) A grant to the petitioner
37 of the exclusive care, possession, or control of any
38 property of sentimental or emotional significance
39 which may cause the victim to stay in the abusive
40 relationship and which is owned, possessed, leased,
41 kept, or held by the petitioner, respondent, or minor
42 child of the petitioner or respondent that may be
43 affected by the controversy.>
44 2. Title page, by striking lines 1 through 4 and
45 inserting <An Act relating to domestic abuse protective
46 orders and property of sentimental or emotional
47 significance owned or held by a petitioner, respondent,
48 or minor child of the petitioner or respondent in a
49 domestic abuse case.>



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 26, 2014

Senate File 2130

S-5094

1 Amend Senate File 2130 as follows:
2 1. Page 1, before line 1 by inserting:
3 <DIVISION I
4 FY 2013-2014
5 Section 1. PRIMARY ROAD FUND.
6 1. There is appropriated from the primary road fund
7 to the department of transportation for the fiscal year
8 beginning July 1, 2013, and ending June 30, 2014, the
9 following amount, or so much thereof as is necessary,
10 to be used for the purpose designated:
11 For the purchase of salt:
12 \$ 7,800,000
13 2. Notwithstanding section 8.33, moneys
14 appropriated in this section that remain unencumbered
15 and unobligated at the close of the fiscal year shall
16 not revert but shall remain available for expenditure
17 for the designated purpose until the close of the
18 succeeding fiscal year.
19 Sec. ____ . EFFECTIVE UPON ENACTMENT. This division
20 of this Act, being deemed of immediate importance,
21 takes effect upon enactment.
22 DIVISION II
23 FY 2014-2015>
24 2. Title page, line 4, after <road fund> by
25 inserting <, and including effective date provisions>
26 3. By renumbering as necessary.

MATT McCOY



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 26, 2014

House File 2230

S-5095

1 Amend House File 2230, as passed by the House, as
2 follows:
3 1. Page 1, line 14, after <interstate,> by
4 inserting <so long as the equipment is without payload
5 and the movement does not violate posted weight
6 limitations on bridges,>

RICH TAYLOR



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 26, 2014

Senate File 2339

S-5096

- 1 Amend Senate File 2339 as follows:
2 1. Page 3, lines 8 and 9, by striking <12, and 13,>
3 and inserting <and 12,>
4 2. Page 6, after line 21 by inserting:
5 <7. This section is repealed on June 30, 2021.>
6 3. By renumbering as necessary.

WILLIAM A. DOTZLER, JR.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 26, 2014

House File 2273

S-5097

1 Amend House File 2273, as passed by the House, as
 2 follows:

3 1. By striking page 2, line 30, through page 3,
 4 line 9, and inserting:

5 <DIVISION _____

6 VEHICLE REGISTRATION FEES AND RENTAL TAXATION

7 Sec. _____. Section 321.105A, subsection 2, paragraph
 8 c, subparagraph (6), Code 2014, is amended to read as
 9 follows:

10 (6) Vehicles, excluding motorcycles and motorized
 11 bicycles, subject to registration in any state when
 12 purchased for rental or registered and titled by a
 13 motor vehicle dealer licensed pursuant to chapter 322
 14 for rental use, and held for rental for a period of one
 15 hundred twenty days or more and actually rented for
 16 periods of sixty days or less by a person regularly
 17 engaged in the business of renting vehicles, including
 18 but not limited to motor vehicle dealers licensed
 19 pursuant to chapter 322 who rent automobiles to users,
 20 if the rental of the vehicles is subject to taxation
 21 under section 423.2 or chapter 423C.

22 Sec. _____. Section 423.2, subsection 6, paragraph a,
 23 Code 2014, is amended to read as follows:

24 a. The sales price of any of the following
 25 enumerated services is subject to the tax imposed
 26 by subsection 5: alteration and garment repair;
 27 armored car; vehicle repair; battery, tire, and
 28 allied; investment counseling; service charges of
 29 all financial institutions; barber and beauty; boat
 30 repair; vehicle wash and wax; campgrounds; carpentry;
 31 roof, shingle, and glass repair; dance schools
 32 and dance studios; dating services; dry cleaning,
 33 pressing, dyeing, and laundering; electrical and
 34 electronic repair and installation; excavating and
 35 grading; farm implement repair of all kinds; flying
 36 service; furniture, rug, carpet, and upholstery
 37 repair and cleaning; fur storage and repair; golf and
 38 country clubs and all commercial recreation; gun and
 39 camera repair; house and building moving; household
 40 appliance, television, and radio repair; janitorial and
 41 building maintenance or cleaning; jewelry and watch
 42 repair; lawn care, landscaping, and tree trimming
 43 and removal; limousine service, including driver;
 44 machine operator; machine repair of all kinds; motor
 45 repair; motorcycle, scooter, and bicycle repair;
 46 oilers and lubricators; office and business machine
 47 repair; painting, papering, and interior decorating;
 48 parking facilities; pay television; pet grooming; pipe
 49 fitting and plumbing; wood preparation; executive
 50 search agencies; private employment agencies, excluding

HF2273.3544 (1) 85

-1-

md/sc

1/2



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 26, 2014

1 services for placing a person in employment where the
2 principal place of employment of that person is to be
3 located outside of the state; reflexology; security
4 and detective services, excluding private security
5 and detective services furnished by a peace officer
6 with the knowledge and consent of the chief executive
7 officer of the peace officer's law enforcement
8 agency; sewage services for nonresidential commercial
9 operations; sewing and stitching; shoe repair and
10 shoeshine; sign construction and installation;
11 storage of household goods, mini-storage, and
12 warehousing of raw agricultural products; swimming
13 pool cleaning and maintenance; tanning beds or salons;
14 taxidermy services; telephone answering service; test
15 laboratories, including mobile testing laboratories and
16 field testing by testing laboratories, and excluding
17 tests on humans or animals; termite, bug, roach,
18 and pest eradicators; tin and sheet metal repair;
19 transportation service consisting of the rental of
20 recreational vehicles or recreational boats, or the
21 rental of ~~motor~~ vehicles subject to registration which
22 are registered for a gross weight of thirteen tons
23 or less for a period of sixty days or less, or the
24 rental of aircraft for a period of sixty days or less;
25 Turkish baths, massage, and reducing salons, excluding
26 services provided by massage therapists licensed
27 under chapter 152C; water conditioning and softening;
28 weighing; welding; well drilling; wrapping, packing,
29 and packaging of merchandise other than processed meat,
30 fish, fowl, and vegetables; wrecking service; wrecker
31 and towing.>
32 2. Title page, line 2, by striking <registrations>
33 and inserting <registration, taxation of rental
34 vehicles,>
35 3. By renumbering as necessary.

DR. JOE M. SENG



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 26, 2014

Senate File 2343

S-5098

1 Amend Senate File 2343 as follows:

2 1. Page 1, by striking lines 20 through 27 and
3 inserting:

4 <b. A facility that has been granted eligibility
5 pursuant to paragraph "a" for a natural gas
6 cogeneration facility incorporated within or associated
7 with an ethanol plant prior to July 1, 2014, shall not
8 be required to submit a new application if the facility
9 constructs or utilizes methane and landfill gas or
10 biogas cogeneration facilities on or after that date
11 and does not make any other significant changes to the
12 facility or to its status as an eligible facility under
13 paragraph "a".>

ROBERT M. HOGG

SF2343.3574 (3) 85

-1-

rn/sc

1/1



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 26, 2014

House File 2289

S-5099

- 1 Amend the amendment, S-5063, to House File 2289,
2 as amended, passed, and reprinted by the House, as
3 follows:
4 1. Page 1, by striking lines 5 through 24 and
5 inserting:
6 <Section 1. NEW SECTION. 321.492B Use of
7 unmanned aerial vehicle — prohibition — traffic law
8 enforcement.
9 The state or a political subdivision of the state
10 shall not use an unmanned aerial vehicle for traffic
11 law enforcement.>
12 2. Page 1, line 28, after <is> by inserting <not>
13 3. Page 1, line 29, by striking <if> and inserting
14 <unless>
15 4. Page 1, by striking lines 31 through 33 and
16 inserting <or unless the information is otherwise
17 obtained in a manner that is consistent with state and
18 federal law.>
19 5. Page 1, line 50, after <shall> by inserting
20 <examine whether the Iowa criminal code should be
21 modified to regulate the use of unmanned aerial
22 vehicles, shall>
23 6. Page 2, by striking lines 5 and 6 and inserting:
24 <__. Title page, by striking lines 1 and 2 and
25 inserting <An Act relating to the regulation and use of
26 unmanned aerial vehicles.>>
27 7. By renumbering as necessary.

RICH TAYLOR

CHARLES SCHNEIDER



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 26, 2014

Senate Study Bill 3211 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED GOVERNOR BUDGET
BILL)

A BILL FOR

1 An Act relating to and making appropriations to state
2 departments and agencies from the rebuild Iowa
3 infrastructure fund and the technology reinvestment fund,
4 providing for related matters, and including effective date
5 provisions.
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5019XG (10) 85
rh/tm



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 26, 2014

S.F. _____ H.F. _____

1 appropriation was made. However, if the project or projects
 2 for which such appropriation was made are completed in an
 3 earlier fiscal year, unencumbered or unobligated moneys shall
 4 revert at the close of that same fiscal year.

5 DIVISION III

6 IOWA COMMUNICATIONS NETWORK — CONTRACTS

7 Sec. 5. IOWA COMMUNICATIONS NETWORK — AUTHORIZATION
 8 FOR CONTRACTS. Pursuant to section 8D.11, subsection 1,
 9 paragraph "a", the general assembly authorizes the Iowa
 10 telecommunications and technology commission to enter into a
 11 contract or contracts in excess of the contract limitation
 12 amount established in section 8D.11, subsection 1, paragraph
 13 "c", for purposes of the commission's network managed services
 14 request for proposals process. This authorization applies for
 15 the duration of the commission's project and to all affected
 16 contracts associated with the project, whether or not the award
 17 is made to a single vendor or multiple vendors.

18 DIVISION IV

19 CHANGES TO PRIOR APPROPRIATIONS

20 Sec. 6. 2010 Iowa Acts, chapter 1184, section 12, is amended
 21 to read as follows:

22 SEC. 12. REVERSION.

23 1. For Except as otherwise provided in subsections 2 and
 24 3, for purposes of section 8.33, unless specifically provided
 25 otherwise, unencumbered or unobligated moneys made from an
 26 appropriation in this division of this Act shall not revert
 27 but shall remain available for expenditure for the purposes
 28 designated until the close of the fiscal year that ends
 29 three years after the end of the fiscal year for which the
 30 appropriation was made. However, if the project or projects
 31 for which such appropriation was made are completed in an
 32 earlier fiscal year, unencumbered or unobligated moneys shall
 33 revert at the close of that same fiscal year.

34 2. For purposes of section 8.33, unencumbered or
 35 unobligated moneys made in the appropriation in section 10,



**Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 26, 2014**

S.F. _____ H.F. _____

1 the close of that same fiscal year.

2 Sec. 8. 2013 Iowa Acts, chapter 142, section 1, subsection
3 1, paragraph a, is amended to read as follows:

4 a. For projects related to major repairs and major
5 maintenance for state buildings and facilities:

6 FY 2013-2014:

7 \$ 4,000,000

8 Of the amount appropriated in this lettered paragraph for
9 the fiscal year beginning July 1, 2013, \$250,000 shall be
10 allocated for the disposition and relocation of structures
11 located at 707 east locust and 709 east locust, Des Moines,
12 Iowa.

13 FY 2014-2015:

14 \$ ~~14,000,000~~

15 21,000,000

16 Sec. 9. 2013 Iowa Acts, chapter 142, section 3, subsection
17 1, is amended to read as follows:

18 1. DEPARTMENT OF ADMINISTRATIVE SERVICES

19 For technology consolidation and technology improvement
20 projects approved by the state chief information officer
21 appointed pursuant to section 8A.201A:

22 FY 2014-2015:

23 \$ ~~6,613,663~~

24 6,228,189

25 Sec. 10. EFFECTIVE UPON ENACTMENT. This division of this
26 Act, being deemed of immediate importance, takes effect upon
27 enactment.

DIVISION V

MISCELLANEOUS CODE CHANGES

30 Sec. 11. Section 8.57F, Code 2014, is amended by adding the
31 following new subsection:

32 NEW SUBSECTION. 4. If any moneys remain in the fund
33 established pursuant to subsection 1, after the defeasance of
34 the bonds specified in subsection 2, the treasurer of state
35 and the director of the department of management shall consult



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 26, 2014

Senate Study Bill 3212 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
APROPRIATIONS BILL BY JOINT
APPROPRIATIONS SUBCOMMITTEE
ON ECONOMIC DEVELOPMENT)

(SUCCESSOR TO LSB 5004JA)

A BILL FOR

1 An Act relating to and making appropriations to the department
2 of cultural affairs, the economic development authority,
3 the department of workforce development, the Iowa finance
4 authority, the public employment relations board, and
5 the state board of regents and regents institutions, and
6 providing for other properly related matters.
7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5004JB (1) 85
ad/tm



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 26, 2014

S.F. _____ H.F. _____

1 amount, or so much thereof as is necessary, to be used for the
 2 purposes designated in this subsection, and for not more than
 3 the following full-time equivalent positions:

4	\$	7,734,483
5		<u>15,516,372</u>
6	FTEs	149.00

7 b. (1) For salaries, support, miscellaneous purposes,
 8 programs, marketing, and the maintenance of an administration
 9 division, a business development division, a community
 10 development division, a small business development division,
 11 and other divisions the authority may organize.

12 (2) The full-time equivalent positions authorized under
 13 this section shall be funded, in whole or in part, by the
 14 moneys appropriated under this subsection or by other moneys
 15 received by the authority, including certain federal moneys.

16 (3) For business development operations and programs,
 17 international trade, export assistance, workforce recruitment,
 18 and the partner state program.

19 (4) For transfer to the strategic investment fund created
 20 in section 15.313.

21 (5) For community economic development programs, tourism
 22 operations, community assistance, plans for Iowa green corps
 23 and summer youth programs, the mainstreet and rural mainstreet
 24 programs, the school-to-career program, the community
 25 development block grant, and housing and shelter-related
 26 programs.

27 (6) For achieving the goals and accountability, and
 28 fulfilling the requirements and duties required under this Act.

29 c. Notwithstanding section 8.33, moneys appropriated in
 30 this subsection that remain unencumbered or unobligated at the
 31 close of the fiscal year shall not revert but shall remain
 32 available for expenditure for the purposes designated in this
 33 subsection until the close of the succeeding fiscal year.

34 **2. FINANCIAL ASSISTANCE RESTRICTIONS**

35 a. A business creating jobs through moneys appropriated in



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 26, 2014

S.F. _____ H.F. _____

1 subsection 1 shall be subject to contract provisions requiring
 2 new and retained jobs to be filled by individuals who are
 3 citizens of the United States who reside within the United
 4 States or any person authorized to work in the United States
 5 pursuant to federal law, including legal resident aliens in the
 6 United States.

7 b. Any vendor who receives moneys appropriated in
 8 subsection 1 shall adhere to such contract provisions and
 9 provide periodic assurances as the state shall require that the
 10 jobs are filled solely by citizens of the United States who
 11 reside within the United States or any person authorized to
 12 work in the United States pursuant to federal law, including
 13 legal resident aliens in the United States.

14 c. A business that receives financial assistance from
 15 the authority from moneys appropriated in subsection 1 shall
 16 only employ individuals legally authorized to work in this
 17 state. In addition to all other applicable penalties provided
 18 by current law, all or a portion of the assistance received
 19 by a business which is found to knowingly employ individuals
 20 not legally authorized to work in this state is subject to
 21 recapture by the authority.

22 3. USES OF APPROPRIATIONS

23 a. From the moneys appropriated in subsection 1, the
 24 authority may provide financial assistance in the form of a
 25 grant to a community economic development entity for conducting
 26 a local workforce recruitment effort designed to recruit former
 27 citizens of the state and former students at colleges and
 28 universities in the state to meet the needs of local employers.

29 b. From the moneys appropriated in subsection 1, the
 30 authority may provide financial assistance to early stage
 31 industry companies being established by women entrepreneurs.

32 c. From the moneys appropriated in subsection 1, the
 33 authority may provide financial assistance in the form of
 34 grants, loans, or forgivable loans for advanced research and
 35 commercialization projects involving value-added agriculture,

LSB 5004JB (1) 85
 ad/tm



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 26, 2014

S.F. _____ H.F. _____

1 advanced technology, or biotechnology.

2 d. The authority shall not use any moneys appropriated in
 3 subsection 1 for purposes of providing financial assistance for
 4 the Iowa green streets pilot project or for any other program
 5 or project that involves the installation of geothermal systems
 6 for melting snow and ice from streets or sidewalks.

7 4. WORLD FOOD PRIZE

8 There is appropriated from the general fund of the state
 9 to the economic development authority for the fiscal year
 10 beginning July 1, 2014, and ending June 30, 2015, the following
 11 amount for the world food prize and in lieu of the standing
 12 appropriation in section 15.368, subsection 1:

13	\$	400,000
14		<u>800,000</u>

15 5. IOWA COMMISSION ON VOLUNTEER SERVICE

16 There is appropriated from the general fund of the state
 17 to the economic development authority for the fiscal year
 18 beginning July 1, 2014, and ending June 30, 2015, the following
 19 amount for allocation to the Iowa commission on volunteer
 20 service for purposes of the Iowa state commission grant
 21 program, the Iowa's promise and Iowa mentoring partnership
 22 programs, and for not more than the following full-time
 23 equivalent positions:

24	\$	89,067
25		<u>178,133</u>
26	FTEs	7.00

27 Of the moneys appropriated in this subsection, the authority
 28 shall allocate ~~\$37,500~~ \$75,000 for purposes of the Iowa state
 29 commission grant program and ~~\$51,567~~ \$103,133 for purposes of
 30 the Iowa's promise and Iowa mentoring partnership programs.

31 Notwithstanding section 8.33, moneys appropriated in this
 32 subsection that remain unencumbered or unobligated at the close
 33 of the fiscal year shall not revert but shall remain available
 34 for expenditure for the purposes designated until the close of
 35 the succeeding fiscal year.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 26, 2014

S.F. _____ H.F. _____

1 **6. COUNCILS OF GOVERNMENTS — ASSISTANCE**

2 There is appropriated from the general fund of the state
3 to the economic development authority for the fiscal year
4 beginning July 1, 2014, and ending June 30, 2015, the following
5 amount to be used for the purposes of providing financial
6 assistance to Iowa's councils of governments:

7 \$ 87,500
8 200,000

9 Sec. 3. 2013 Iowa Acts, chapter 137, section 21, is amended
10 to read as follows:

11 **SEC. 21. WORKFORCE DEVELOPMENT FUND.** There is appropriated
12 from the workforce development fund account created in section
13 15.342A to the workforce development fund created in section
14 15.343 for the fiscal year beginning July 1, 2014, and ending
15 June 30, 2015, the following amount, for purposes of the
16 workforce development fund:

17 \$ ~~2,000,000~~
18 5,750,000

19 Sec. 4. 2013 Iowa Acts, chapter 137, section 22, is amended
20 to read as follows:

21 **SEC. 22. IOWA FINANCE AUTHORITY.**

22 1. There is appropriated from the general fund of the state
23 to the Iowa finance authority for the fiscal year beginning
24 July 1, 2014, and ending June 30, 2015, the following amount,
25 or so much thereof as is necessary, to be used to provide
26 reimbursement for rent expenses to eligible persons under the
27 rent subsidy program:

28 \$ 329,000
29 658,000

30 2. Participation in the rent subsidy program shall be
31 limited to only those persons who meet the requirements for the
32 nursing facility level of care for home and community-based
33 services waiver services as in effect on July 1, 2014, and
34 to those individuals who are eligible for the federal money
35 follows the person grant program under the medical assistance

LSB 5004JB (1) 85
ad/tm



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 26, 2014

S.F. _____ H.F. _____

1 program. Of the moneys appropriated in this section, not more
 2 than \$35,000 may be used for administrative costs.

3 Sec. 5. 2013 Iowa Acts, chapter 137, section 24, is amended
 4 to read as follows:

5 SEC. 24. PUBLIC EMPLOYMENT RELATIONS BOARD.

6 1. There is appropriated from the general fund of the state
 7 to the public employment relations board for the fiscal year
 8 beginning July 1, 2014, and ending June 30, 2015, the following
 9 amount, or so much thereof as is necessary, for the purposes
 10 designated:

11 For salaries, support, maintenance, miscellaneous purposes,
 12 and for not more than the following full-time equivalent
 13 positions:

.....	\$	670,963
		<u>1,342,452</u>
.....	FTEs	10.00

17 2. Of the moneys appropriated in this section, the board
 18 shall allocate \$15,000 for maintaining a website that allows
 19 searchable access to a database of collective bargaining
 20 information.

21 Sec. 6. 2013 Iowa Acts, chapter 137, section 25, is amended
 22 to read as follows:

23 SEC. 25. DEPARTMENT OF WORKFORCE DEVELOPMENT. There
 24 is appropriated from the general fund of the state to the
 25 department of workforce development for the fiscal year
 26 beginning July 1, 2014, and ending June 30, 2015, the following
 27 amounts, or so much thereof as is necessary, for the purposes
 28 designated:

29 1. DIVISION OF LABOR SERVICES

30 a. For the division of labor services, including salaries,
 31 support, maintenance, miscellaneous purposes, and for not more
 32 than the following full-time equivalent positions:

.....	\$	<u>1,774,360</u>
		<u>3,823,539</u>
.....	FTEs	65.00

LSB 5004JB (1) 85
 ad/tm



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 26, 2014

S.F. _____ H.F. _____

1 \$ 225,729
 2 451,458
 3 FTEs 8.10

4 Sec. 8. 2013 Iowa Acts, chapter 137, section 27, is amended
 5 to read as follows:

6 SEC. 27. SPECIAL EMPLOYMENT SECURITY CONTINGENCY FUND.

7 1. There is appropriated from the special employment
 8 security contingency fund to the department of workforce
 9 development for the fiscal year beginning July 1, 2014, and
 10 ending June 30, 2015, the following amount, or so much thereof
 11 as is necessary, to be used for field offices:

12 \$ 883,042
 13 1,766,084

14 2. Any remaining additional penalty and interest revenue
 15 collected by the department of workforce development is
 16 appropriated to the department for the fiscal year beginning
 17 July 1, 2014, and ending June 30, 2015, to accomplish the
 18 mission of the department.

19 Sec. 9. 2013 Iowa Acts, chapter 137, section 28, is amended
 20 to read as follows:

21 SEC. 28. UNEMPLOYMENT COMPENSATION RESERVE FUND —

22 FIELD OFFICES. Notwithstanding section 96.9, subsection 8,
 23 paragraph "e", there is appropriated from interest earned on
 24 the unemployment compensation reserve fund to the department
 25 of workforce development for the fiscal year beginning July 1,
 26 2014, and ending June 30, 2015, the following amount or so much
 27 thereof as is necessary, for the purposes designated:

28 For the operation of field offices:

29 \$ 247,000
 30 400,000

31 Sec. 10. 2013 Iowa Acts, chapter 141, section 54,
 32 subsections 2, 3, and 5, are amended to read as follows:

33 2. ECONOMIC DEVELOPMENT AUTHORITY

34 For the purposes of providing assistance under the high
 35 quality jobs program as described in section 15.335B:

LSB 5004JB (1) 85
 ad/tm



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 26, 2014

S.F. _____ H.F. _____

1 \$ ~~8,450,000~~
 2 16,900,000

3 As a condition of receiving moneys appropriated in this
 4 subsection, an entity shall testify upon the request of the
 5 joint appropriations subcommittee on economic development
 6 regarding the expenditure of such moneys.

7 3. REGENTS INSTITUTIONS

8 a. To the state board of regents for capacity
 9 building infrastructure in areas related to technology
 10 commercialization, marketing and business development
 11 efforts in areas related to technology commercialization,
 12 entrepreneurship, and business growth, and infrastructure
 13 projects and programs needed to assist in implementation of
 14 activities under chapter 262B:

15 \$ ~~1,500,000~~
 16 3,000,000

17 Of the moneys appropriated pursuant to this paragraph,
 18 35 percent shall be allocated for Iowa state university, 35
 19 percent shall be allocated for the university of Iowa, and 30
 20 percent shall be allocated for the university of northern Iowa.

21 (1) The institutions shall provide a one-to-one match
 22 of additional moneys for the activities funded with moneys
 23 appropriated under this paragraph.

24 (2) The state board of regents shall annually submit a
 25 report by January 15 of each year to the governor, the general
 26 assembly, and the legislative services agency regarding
 27 the activities, projects, and programs funded with moneys
 28 allocated under this paragraph. The report shall be provided
 29 in an electronic format and shall include a list of metrics
 30 and criteria mutually agreed to in advance by the board of
 31 regents and the economic development authority. The metrics
 32 and criteria shall allow the governor's office and the general
 33 assembly to quantify and evaluate the progress of the board of
 34 regents institutions with regard to their activities, projects,
 35 and programs in the areas of technology commercialization,

LSB 5004JB (1) 85
 ad/tm



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 26, 2014

S.F. _____ H.F. _____

1 state funds. The match required of industrial foundations or
 2 trade associations shall be \$1 for each \$1 of state funds.

3 Iowa state university of science and technology shall
 4 report annually to the joint appropriations subcommittee on
 5 economic development and the legislative services agency the
 6 total amount of private contributions, the proportion of
 7 contributions from small businesses and other businesses, and
 8 the proportion for directed contract research and nondirected
 9 research of benefit to Iowa businesses and industrial sectors.

10 c. To the state university of Iowa for the state university
 11 of Iowa research park and for the advanced drug development
 12 program at the Oakdale research park, including salaries,
 13 support, maintenance, equipment, miscellaneous purposes, and
 14 for not more than the following full-time equivalent positions:

.....	\$	104,640
		<u>209,279</u>
.....	FTEs	6.00

18 The state university of Iowa shall do all of the following:

19 (1) Direct expenditures for research toward projects that
 20 will provide economic stimulus for Iowa.

21 (2) Provide emphasis to providing services to Iowa-based
 22 companies.

23 d. To the state university of Iowa for the purpose
 24 of implementing the entrepreneurship and economic growth
 25 initiative, and for not more than the following full-time
 26 equivalent positions:

.....	\$	1,000,000
		<u>2,000,000</u>
.....	FTEs	8.00

30 e. To the university of northern Iowa for the metal
 31 casting institute, the MyEntreNet internet application, and
 32 the institute of decision making, including salaries, support,
 33 maintenance, miscellaneous purposes, and for not more than the
 34 following full-time equivalent positions:

.....	\$	533,209
-------	----	--------------------

LSB 5004JB (1) 85
 ad/tm



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 26, 2014

S.F. _____ H.F. _____

1 1,066,419
2 FTEs 9.75
3 (1) Of the moneys appropriated pursuant to this paragraph,
4 the university of northern Iowa shall allocate at least
5 ~~\$308,819~~ \$617,639 for purposes of support of entrepreneurs
6 through the university's regional business center and economic
7 gardening program.
8 (2) The university of northern Iowa shall do all of the
9 following:
10 (a) Direct expenditures for research toward projects that
11 will provide economic stimulus for Iowa.
12 (b) Provide emphasis to providing services to Iowa-based
13 companies.
14 f. As a condition of receiving moneys appropriated in
15 this subsection, an entity shall testify upon the request of
16 the joint appropriations subcommittee on economic development
17 regarding the expenditure of such moneys.
18 5. DEPARTMENT OF WORKFORCE DEVELOPMENT
19 To develop a long-term sustained program to train unemployed
20 and underemployed central Iowans with skills necessary to
21 advance to higher-paying jobs with full benefits:
22 \$ 50,000
23 100,000
24 a. The department of workforce development shall begin
25 a request for proposals process, issued for purposes of this
26 subsection, no later than September 1, 2014.
27 b. As a condition of receiving moneys appropriated under
28 this subsection, an entity shall testify upon the request of
29 the joint appropriations subcommittee on economic development
30 regarding the expenditure of such moneys.
31 Sec. 11. SMALL BUSINESS DEVELOPMENT CENTERS. There is
32 appropriated from the general fund of the state to Iowa state
33 university of science and technology for the fiscal year
34 beginning July 1, 2014, and ending June 30, 2015, the following
35 amount, or so much thereof as is necessary, to be used for the



**Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 26, 2014**

S.F. _____ H.F. _____

1 purposes of funding small business development centers:
2 \$ 101,000

3 Sec. 12. SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS
4 INTERNSHIPS — APPROPRIATION. There is appropriated from the
5 general fund of the state to the Iowa economic development
6 authority for the fiscal year beginning July 1, 2014, and
7 ending June 30, 2015, the following amount, or so much thereof
8 as is necessary, for the purposes designated:

9 For the funding of internships for students studying in the
10 fields of science, technology, engineering, and mathematics
11 with eligible Iowa employers as provided in section 15.411,
12 subsection 3, paragraph "c", if enacted by 2014 Iowa Acts,
13 House File 2329, 2014 Iowa Acts, Senate File 2324, or 2014
14 successor legislation:

15 \$ 1,000,000

16 No more than 3 percent of the moneys appropriated pursuant
17 to this section may be used by the authority for costs
18 associated with administration of the internship program as
19 amended by 2014 Iowa Acts, House File 2329, 2014 Iowa Acts,
20 Senate File 2324, or 2014 successor legislation, if enacted.
21 Notwithstanding section 8.33, moneys appropriated in this
22 section which remain unencumbered or unobligated at the end of
23 the fiscal year shall not revert but shall remain available for
24 expenditure for the purposes designated in subsequent fiscal
25 years.

DIVISION II

WORKFORCE DEVELOPMENT FUND ACCOUNT CHANGES

28 Sec. 13. Section 15.342A, Code 2014, is amended to read as
29 follows:

30 **15.342A Workforce development fund account.**

31 A workforce development fund account is established in the
32 office of the treasurer of state under the control of the
33 authority. The account shall receive funds pursuant to section
34 422.16A up to a maximum of ~~four~~ five million seven hundred
35 fifty thousand dollars per year.

LSB 5004JB (1) 85
ad/tm



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 26, 2014

S.F. _____ H.F. _____

1 development fund.

2 The bill appropriates moneys to the department of workforce
3 development for an employee misclassification program.

4 The bill appropriates moneys from the special employment
5 security contingency fund to the department of workforce
6 development for field offices.

7 The bill appropriates interest earned on the unemployment
8 compensation reserve fund to the department of workforce
9 development for the operation of field offices.

10 The bill appropriates moneys to Iowa state university of
11 science and technology for small business development centers.

12 The bill appropriates moneys to the economic development
13 authority for the funding of internships for students
14 studying in the fields of science, technology, engineering, or
15 mathematics.

16 The bill appropriates moneys from the Iowa skilled worker
17 and job creation fund to the economic development authority,
18 the state board of regents and regents institutions, and the
19 department of workforce development.

20 WORKFORCE DEVELOPMENT FUND ACCOUNT CHANGES. The bill
21 increases the amount that can be transferred from job training
22 withholding payments into the workforce development fund
23 account from \$4 million to \$5.75 million.