

House File 299 – Criminal Trespass on Public Utility Property

The bill addresses trespassing on certain utility properties. The bill would increase the penalty for trespassing on restricted utility grounds to a class D felony. Also, the bill creates a template for a possible ordinance regarding salvage dealers and record-keeping of materials bought and sold.

House File 537 – Rules for Assisted Living Facilities that Decertify

The bill addresses the situation in Dubuque where an assisted living facility gave up its state certification but continued to operate as such a program. The bill clarifies that even if an assisted living facility gives up its certification, it is still bound by assisted living rules if it continues to function in the manner of an assisted living facility.

House File 562 – Child Abuse Registry Revisions

The bill addresses the issues raised when the Iowa Supreme Court threw out parts of the child abuse registry. The bill fixes the language dealing with lack of supervision, allowing the Department of Human Services to maintain the existing registry without major disruption. The bill recognizes that there are serious issues with the registry that need to be addressed. It directs DHS to convene a group to work on issues related to due process rights of people accused of child abuse and report back to the Legislature for further action.

Senate File 240 – Alcohol Beverages Division amendments

The bill makes several changes to state alcohol policy, including allowing Iowa wineries to make additional types of wine. The bill also allows retailers to deliver alcohol to customers who have already purchased the products. There would be time limits on when the deliveries could be made and who could make the deliveries.

Senate File 406 – Insurance Division Omnibus

The bill makes a number of changes to Iowa insurance law. Key among the changes is action that overturns an Iowa Supreme Court decision on the duty of insurance agents to customers when selling insurance policies. The Supreme Court's ruling left thousands of Iowa insurance agents potentially exposed to litigation from trial lawyers. The legislative action returns state law to the standard before the Supreme Court's ruling, which was considered one of the fairest standards in the country.

House File 245- Posthumously Conceived Children

House File 245 gives legitimacy to children conceived and born after the death of their father if:

- Parents remain married
- Child is conceived and born after death of father
- Genetic relationship between parent and child established
- Deceased father explicitly authorized, through writing, that his genetic material could be used for the purpose of a posthumous procedure
- The child is born within 2 years of the death of the father

Senate File 400 Conveyance or Encumbrance of A Homestead by a Spouse

Senate File 400 provides that the conveyance or encumbrance of a homestead by a married person who is the owner of the homestead is not automatically invalid if the person's spouse has not signed the conveyance or encumbrance. A spouse must take action to invalidate the conveyance or encumbrance.

Senate File 124- Electronic Contraband in Jails and Prisons

Senate File 124 would ban cell phones and electronic communication devices from prisoners in correctional facilities in Iowa. It would be a class "D" felony to provide a prisoner with a cell phone or for a prisoner to possess a cell phone while in a DOC facility. Failing to report a prisoner with a cell phone is an aggravated misdemeanor.

HOUSE FILE 533 (SENATE FILE 361)—FAIR BOARD

House File 533 creates an endowment trust fund known as the Iowa State Fairgrounds Trust Fund. The fund is to be held by the Iowa State Fair Board in its capacity as the Iowa State Foundation Board of Directors. The money in the fund must be used only for maintenance and improvement to the fairgrounds. The fund must be held in perpetuity. It is to be composed only of gifts accepted by the board in trust from private donors or testators. The fund is not part of the state treasury and is not subject to appropriation by the General Assembly or transfer by the Department of Management. The fund is governed by Chapter 540A (Uniform Prudent Management of Institutional Funds Act). Records in possession of the fair board that disclose a donor or prospective donor's information are confidential

HOUSE FILE 617—ALCOHOLIC BEVERAGES DIVISION TECHNICAL BILL

House File 617 cleans up some general definitions, most notably changing the definition of *high alcohol beer* to allow the brewers to add certain flavors. The bill also deletes obsolete code sections.

House File 617 also allows gas stations to hold Class “E” liquor licenses without having a separate room or premise. The bill then modifies fees currently applicable to Class “E” liquor licenses based on whether gasoline is sold. The bill provides that if gas is not sold, the current formula for determining fees in Iowa Code section 123.36 applies (\$750—\$7,500.) The bill provides that if gas is sold on location, the variable fee will be applied based upon the population of the corporate limits within which the gas station is located (\$3,500—to the greater of \$5,000 or the cost of the license if gas were not on location.) The new fees would not apply if the gas station will continue to utilize a separate room and cash register to sell liquor (current law). The new fees would not apply because that is considered a separate location—not a location where gasoline is sold.

SENATE FILE 205—DEPARTMENT OF TRANSPORTATION BILL

The bill is mostly technical in nature, but does make some substantive policy changes (discussed below).

- Provides that the \$25 title transfer fee is not charged when a vehicle title is transferred and re-titled in the name of a surviving spouse. It also provides that the vehicle remain on the same registration schedule as prior to the title transfer from the deceased spouse to the surviving spouse.
- Clarification with regard to the teen driver legislation (cell phones, texting, etc) enacted in 2010 as it relates to SR-22 insurance.
- Exemption for persons who operate empty school buses from having to obtain the school bus endorsement on their CDL. There is already a federal exemption for this. It is aimed at allowing the mechanics fixing buses to drive them without the endorsement.

SENATE FILE 149—MENTAL/PHYSICAL CONDITION DISCLOSURE

Currently, the Department of Transportation can determine if an applicant for a license or a licensee is physically and mentally competent to drive. The department can require an exam or may act on the report of a doctor or optometrist which renders a person incompetent. The bill allows a licensed advanced registered nurse practitioner or a physician’s assistant to make the same report.

SENATE FILE 438—RECIPROCITY FOR DENSISTS

The bill strikes the current law that required dentists and dental hygienists with an out-of-state license to pass both a written test and evidence three years of experience before obtaining an Iowa license. Instead, the bill requires an out-of-state licensee do only one of the following:

- Pass a written test.
- Evidence three consecutive years of legal dental practice in another state immediately prior to applying in Iowa.
- Furnish other evidence as to the applicant’s qualifications as the board may require.

HF 493 – PUBLIC EMPLOYEES REPAY SALARY IF CONVICTED

Requires a public employee convicted of a felony to repay any salary they received while on paid administrative leave if they were on paid administrative leave. Public employee means the employee of the state, agencies, departments, boards, school districts, etc, including heads of agencies.

HF 581 / SF 367 – HIGH SCHOOL STUDENT CONCUSSION BILL

Requires schools to notify parents of concussion danger and requires coaches and school officials to remove students from extra-curricular participation if they show signs of brain injury.

HF 512 – INVESTMENTS FOR OTHER POST-EMPLOYMENT BENEFITS

Allows cities and counties to invest in long-term securities, such as equities, to meet the needs of funding Other Post-Employment Benefits (OPEB). OPEB benefits are provided to retirees as “compensation” for employee services and may include pensions, health insurance and healthcare benefits, dental, vision and/or life insurance, and other types of benefits.

HF 687 / SF 412 – LAKE DELHI ASSISTANCE BILL

Increases the size of the board of trustees from 3 to 7 to help qualify the district as an eligible applicant for assistance from FEMA. It also gives Lake Delhi bonding authority similar to a city to generate revenue for purposes of rebuilding. Bonding requires 60% approval of the registered voters in the district..

HF 652 Active Duty Income Tax Elimination

Exempts from the individual income tax all pay received by the taxpayer from the federal government for military service performed while on active duty status in the armed services, the armed forces military reserve, or the National Guard.

Senate File 7 - .08 While Boating

Lowers the current .10 blood alcohol limit for operating motorboats or sailboats to .08.

SF 321 –DNR Wastewater

Creates criteria for DNR rules concerning on-farm micro-processor wastewater disposal that will exempt such enterprises from DNR industrial wastewater treatment permit requirements.

SF 407 -DNR County Permitting

Both allows DNR to delegate to counties the permitting and enforcement of semi-public wastewater treatment systems serving small home clusters/mobile home parks; and provide DNR with greater direction and impetus for developing and utilizing federal clean water law provision allowing for 'disadvantaged community sewer standard waivers.'

SF 531 - The Biofuel Retail Tax Credit Incentive Modification

Measure contains some aspects that go into effect on July 1, 2011 (some provisions went into effect immediately, others have delayed effectiveness or applicability). The provision in this bill effective 7/1/2011 include: (1) providing retail dealers with liability protection for any potential biofuel damage to vehicles for fuel properly labeled, meeting fuel standards, and not unlawfully refueled by retail establishment employee; (2) establishes an E-15-plus additional 3-cent retail tax credit is effective by state law 7/1/2011 for tax payers with tax year starting between 7/1-12/31/2011 and subsequently available to all eligible taxpayers 1/1/2012, but is contingent on federal US-EPA approval of labeling and liability issues for this type of fuel; and (3) shifts administration and oversight of Renewable Fuels Infrastructure Board from DED to IDALS.

SF 478 –IDALS livestock feeding

Creates a state funding mechanism to deal with circumstances in which owners of livestock become financially unable to provide immediate sustenance (feed, water, adequate shelter) and allows IDALS to apply to Courts for a superior lien on

livestock provided with state-paid sustenance to recouping state-paid sustenance expenditures.

HF 592 –Council on Agriculture Education

Reestablishes the Council on Agricultural Education that was repealed in 2010 that had existed previously since 1988.

HF 658 –Milk Inspection

Consolidates state milk inspection duties within the Iowa Department of Agriculture and Land Stewardship (transfers 2-FTEs from Iowa Department of Public Health to IDALS).

HF 468 –Cooperative Associations

Removes an 8-decade old cap on the rate of interest ($\leq 8\%$) that cooperative association could pay to preferred stock holders. This change should create additional opportunities for capital formation by these businesses.

HF 348 –Cooperative Electronic Voting

Extends the ability to use electronic alternative voting method (electronic, telephone, internet or other means that allow members the opportunity to vote) now allowed by 501A cooperatives to 499 cooperatives and 501 cooperatives.

Texting Law

Pursuant to the texting law passed in 2010, July 1, 2011 marks the first day tickets can be given out for texting while driving.

HF 267 – Rural Electric Cooperatives SHPO Bill

Addresses problems that rural electric cooperatives (RECs) have had with the State Historical Preservation Office (SHPO). The bill specifically lays out that when an REC is doing construction while using federal funds, they only have to meet the standards set forth by the National Historical Preservation Act (e.g. federal standards). Currently, RECs are forced to abide by standards promulgated by SHPO, which go further than federal standards.

House File 363—DUTIES OF THE COMMISSION ON VETERANS AFFAIRS

House File 363 makes changes relative to the duties and responsibilities of the department of veterans affairs and the commission on veterans affairs. The bill requires that the commission, upon review of rules proposed by the department

House File 364—RECORDS MANAGED BY THE DEPARTMENT OF VETERANS AFFAIRS

House File 364 requires that the department of veteran's affairs provide the appropriate county commission of veteran affairs with a roster of information including the name, address of record, and the county of residence of military service members discharged from active duty within 30 days of the department receiving such notice. This will allow for the counties to reach out to the service members and keep them informed of their benefits upon their return home.

Senate File 397 formerly House File 511—CRIMINAL OFFENSE FOR FALSELY CLAIMING CERTAIN MILITARY MEDALS

Senate File 397 states that a person who impersonates a decorated military veteran with the intent to deceive another person for monetary gain commits a serious misdemeanor. For this bill "decorated military veteran" means a veteran of the armed forces of the United States who has been awarded any decoration or medal authorized by the United States Congress for service in the armed forces of the United States, any of the service medals or badges awarded to the members of such forces, or the ribbon, button, or rosette of any such badge, decoration, or medal.

House File 474—PURPLE HEART DAY

House File 474 designates August 7 of each year as Purple Heart Day. This designation does not make August 7 a state holiday.