

2021 Legislative Update

Bill	Title	Short Summary
<p><u>HF 201</u></p> <p>Relating to code §692A.106</p> <p>Compare Code</p>	<p>An Act relating to the sex offender registry including duration of registration requirements and sexually motivated extortion.</p> <p>Effective date: 07/01/2021</p>	<p>If a sex offender is required to register in another jurisdiction under the laws of that jurisdiction, but resides, is employed, or attends school in Iowa, this Act provides that the sex offender is required to register in Iowa for the period of time required by the other jurisdiction's requirements or under Iowa law, whichever is longer. This Act also requires that a person convicted of extortion must register as a sex offender under Iowa Code Section 692A if a determination is made the offense was sexually motivated as per Iowa Code Section 692A.126. Such an offender is classified as a tier III offender if such a determination is made, and the offender is required to register for a period of 10 years as provided in Iowa Code Section 629A.106.</p>
<p><u>HF 231</u></p> <p>Relating to code §903B.1</p> <p>Compare Code</p>	<p>An Act relating to a special sentence for sexual abuse committed during a burglary.</p> <p>Effective date: 07/01/2021</p>	<p>This Act creates a lifetime "special sentence" for sexual abuse committed during a burglary. Specifically, this Act adds a provision to Iowa Code Section 903B.1 to provide that a person convicted of a class "B" felony under Iowa Code Section 713.3, subsection 1, paragraph d (the person commits a first degree burglary in which the person performs or participates in a sex act which constitutes sexual abuse under Iowa Code Section 709.1) shall also be sentenced, in addition to any other punishment provided by law, to a special sentence committing the person into the custody of the director of the Iowa Department of Corrections for the rest of the person's life, with eligibility for parole as provided in Iowa Code Chapter 906.</p> <p>Sexual abuse committed during a burglary is classified as an "aggravated offense" under Iowa Code Section 692.101(1)(a)(6). It is a tier III sex offense under Iowa Code Section 692A.106(2), a person convicted is required to register as a sex offender for a period equal to the term of the special sentence.</p>
<p><u>HF 232</u></p> <p>Relating to code §723.4</p> <p>Compare Code</p>	<p>An Act relating to the crime of disorderly conduct and making penalties applicable</p> <p>Effective date: 07/01/2021</p>	<p>Iowa Code Section 723.4 provides seven alternative ways in which the simple misdemeanor crime of disorderly conduct may be committed. This Act amends the second alternative by adding a requirement that the making of loud and raucous noise in the vicinity of a residence or public building which causes unreasonable distress to the occupants must be done "intentionally or recklessly" to constitute disorderly conduct.</p>

<p><u>HF 282</u></p> <p>Relating to code §708.14(2)</p>	<p>An Act relating to the abuse of a human corpse and providing penalties.</p> <p>Effective date: 07/01/2021</p>	<p>Under Iowa Code Section 708.14(2), a person who mutilates, disfigures, or dismembers a human corpse with the intent to conceal a crime or who hides or buries a human corpse with the intent to conceal a crime is guilty of the crime of abuse of a human corpse. This Act increases the level of the crime and criminal penalty from a class “D” felony to a class “C” felony.</p>
<p><u>HF 283</u></p> <p>Relating to code §715A.1, §715A.11</p> <p>Compare Code</p>	<p>An Act creating the criminal offense of defrauding a drug or alcohol test and providing penalties.</p> <p>Effective date: 07/01/2021</p>	<p>This Act creates a new criminal offense. The new offense is “defrauding a drug or alcohol test”. A “drug or alcohol test” is defined to include a drug or alcohol test given in a private-sector workplace pursuant to Iowa Code Section 730.5 and a drug or alcohol test given by a public employer. For the first offense, this crime is a simple misdemeanor. For each subsequent offense, it is a serious misdemeanor. The court may require substance abuse evaluation and treatment through a program licensed by the Iowa Department of Public Health in lieu of or in addition to other penalties. Any required substance abuse evaluation shall be paid for by the defendant. Notwithstanding any other law to the contrary, the prosecution of a person for a violation of this offense shall not preclude a prosecution of a person for a violation of this offense shall not preclude a prosecution of that person under other applicable law.</p> <p>A violation of the new crime, Iowa Code Section 715A.11 may be committed under any one of the three alternative prongs; 1) a person shall not manufacture, market, sell, distribute, use, or possess synthetic urine or a urine additive for the purpose of defrauding a drug or alcohol test; 2) a person shall not knowingly use the person’s own urine expelled or withdrawn prior to the collection of a urine sample from the person for a drug or alcohol test for the purpose of defrauding a drug or alcohol test; and 3) a person shall not knowingly use the urine of another person for the purpose of defrauding a drug or alcohol test.</p>
<p><u>HF 285</u></p> <p>Relating to code §154G.1</p>	<p>An Act relating to professional standards for the certification or designation of music therapists and providing penalties.</p> <p>Effective date:</p>	<p>This Act prohibits a person from professing to be a music therapist or board-certified music therapist or use the initials “MT-BC” or any other words, letters, abbreviations, or insignia indicating or implying the person is a music therapist unless the person holds and maintains the music therapist board-certified credential granted by the certification board for music therapists. A person who recklessly, knowingly or intentionally violates this prohibition is guilty of a</p>

	07/01/2021	simple misdemeanor.
<p><u>HF 304</u></p> <p>Relating to code §321.1</p> <p>Compare Code</p>	<p>An Act relating to personal delivery devices, proving penalties and making penalties applicable.</p> <p>Effective date: 07/01/2021</p>	<p>This Act creates a new Iowa Code Chapter and creates new scheduled fines for personal delivery devices (PDD). A PDD is a battery-operated terrestrial device that can operate autonomously but has human oversight and can be controlled remotely if necessary. This Act provides for scheduled violations for excess speed ranging from \$30-\$135; operators failing to meet operational requirements, scheduled \$35 fine; operators failing to meet identification marker and braking system specification, at least \$100, but not more than \$1,000 per violation; and operators failing to meet lighting specifications, scheduled fine of \$45.</p>
<p><u>HF 309</u></p> <p>Relating to code §504.1604</p>	<p>An Act restricting public agency disclosure of and access to certain personal information related to tax-exempt organizations and providing penalties.</p> <p>Effective date: 07/01/2021</p>	<p>This Act prohibits a public agency, including any governmental entity of Iowa or a political subdivision, from seeking disclosure of personal information from an organization exempt from taxation under Section 501(c) of the Internal Revenue Code that would directly or indirectly reveal any personal information. Personal information is defined to mean any list, record, register, registry, roll roster, or other compilation of data that directly or indirectly identifies a person as a member, supporter, or volunteer of, or donor of financial or non-financial support to, any entity which is exempt under 501(c) of the Internal Revenue Code, except certain information reportable to the Iowa Secretary of State, the Iowa Attorney General, or the Iowa State Auditor. The Act also prohibits a public agency from releasing, publicizing or otherwise disclosing personal information in the possession of the public agency without the express, written consent of every member, supporter, volunteer, and donor of the tax-exempt identified in the information and the tax-exempt entity. And, the Act also prohibits the public agency from requesting or requiring a current or prospective contractor with the public agency to provide it with a list of entities exempt from taxation under Section 501(c) to which the contractor has provided financial or nonfinancial support. The Act provides certain exceptions and for civil penalties. It also provides that a person who knowingly violates a provision of this Act, Section 504.1604, subsection 5 (violation of court ordered restrictions on distribution of records of nonprofit) or Section 504.1605, subsection 5 (violation of limitations on use of corporate records of non-profit by obtaining personal information), is guilty of a serious misdemeanor punishable by imprisonment for not more than 90 days or a fine of not more than \$1,000, or both, as is a person who knowingly discloses information pursuant to a court order pursuant to this Act unless such inspection is made under seal from public disclosure.</p>
<u>HF 361</u>	An Act relating to the	This Act provides for an appointment of an attorney or guardian ad

<p>Relating to code §600B.40</p> <p>Compare Code</p>	<p>appointment of a guardian ad litem, a child custody investigator, or child and family reporter, or an attorney for certain child custody and visitation matters, and a guardian ad litem for certain child prosecution witnesses.</p> <p>Effective date: 07/01/2021</p>	<p>litem for a child, a child custody investigator, or a child and family reporter pursuant to new Iowa Code Section 600B.40 (actions regarding paternity and obligation of support). It also provides for the court appointment of a guardian ad litem for a child prosecuting witness who is under age 18 in specified criminal cases. Prior law specified the court appointed attorney for the child witness had to agree to serve pro bono if the child prosecuting witness was 14, 15, 16, or 17 years of age. That provision was eliminated, but the indigent defense fund was not amended to provide for the payment of any of the court appointments made under this Act. So, none of the prior appointments made pursuant to these statutory provisions amended by this Act and none of the expanded court appointments made under this Act as amended are payable by the state public defender from the indigent defense fund.</p>
<p><u>HF 391</u></p> <p>Relating to code §124</p>	<p>An Act relating to controlled substances and precursor substances, including amending the controlled substance and precursor substances schedules and including effective date provisions.</p> <p>Effective date: 05/10/2021</p>	<p>This Act conforms Iowa’s uniform controlled substances Act (Iowa Code Chapter 124) and precursor substances (Iowa Code Chapter 124B) to the specific chemical designations in Title 21 of the Code of Federal Regulations, Parts 1300, 1308, and 1310. Essentially, 14 new substances are added to the Schedule I opiates category, and 21 other substances are added to the Schedule I, hallucinogenic substances category.</p>
<p><u>HF 424</u></p> <p>Compare Code</p>	<p>An Act relating to the forfeiture of bail.</p> <p>Effective date: 07/01/2021</p>	<p>This Act provides where there has been a forfeiture of bail and judgment entered on the bail, the clerk shall hold the forfeited funds for a period of 150 days, instead of 90 days under prior law. Also, the court may, upon application, set aside a judgment of forfeiture of the bail bond forfeiture if within 150 days (as opposed to 90 days under current law), if the defendant voluntarily surrenders, or the defendant’s sureties deliver the defendant at their own expense, or the court determines under all the circumstances that setting aside the bail is warranted.</p>
<p><u>HF 426</u></p>	<p>An Act relating to crime victims, including the collection of evidence in sexual abuse cases and establishment of an automated tracking system involving sexual abuse evidence collection kits.</p>	<p>This Act creates an automated sexual abuse evidence collection kit tracking system within the crime victim assistance division of the Iowa Department of Justice. The purpose of the kit tracking assistance is to allow victims, county attorneys, and other entities with custody of a sexual abuse collection kit to track the location and status of the kit. The Act provides requirements for the storage and disposal of the kit, and requires victim notification before disposal of a kit. The Act specifies consent provisions for the victim regarding the collection and testing of evidence from a forensic medical examination and participation with law enforcement. The</p>

	<p>Effective date: 07/01/2021</p>	<p>Act has disposal and retention timelines for a law enforcement agency in possession of an anonymous kit. The Act contains provisions regarding notification of victims and requires health care providers performing forensic medical examinations of victims of sexual abuse to utilize the kit tracking system.</p>
<p><u>HF 428</u> Relating to code §29B.1</p>	<p>An Act relating to the National Guard of the state concerning armory board leases, persons subject to the code of military justice, criminal justice reporting, and scholarship and loan repayment programs.</p> <p>Effective date: 07/01/2021</p>	<p>This Act amends Iowa Code Section 29B.1 specifying persons subject to the Iowa Code of Military Justice to provide that a person shall not be punished for an offense under the Code of Military Justice unless the person is a member of the military forces of the state and the person is on National Guard duty or state active duty, including between consecutive drill periods which are less than 24 hours apart, or the person is not on National Guard duty or state active duty but a nexus exists between the offense and the military forces of the state. For purposes of applying the code based on a nexus between the offense and the military forces of the state, this Act provides that only a commanding officer in the grade of O-6 and above may impose nonjudicial punishment for an offense and the military forces of the state shall have the burden to show the existence of the nexus by a preponderance of the evidence. The Act also amends the provisions governing the annual adjutant general report of certain offenses to allow the adjutant general to report the number of sexual abuse cases reported to the United States Department of Defense that are not otherwise required to be reported.</p>
<p><u>HF 429</u> Relating to code §99G.41</p>	<p>An Act relating to matters under the purview of the Iowa Lottery Authority, and providing penalties.</p> <p>Effective date: 07/01/2021</p>	<p>This Act creates new criminal offenses relating to lottery tickets and shares. If a person knowingly or intentionally passes a lottery ticket or share in order to avoid the application of an offset under Iowa Code Section 99G.41 (prize offsets -- garnishments), the person commits a criminal offense. If the amount avoided exceeds \$10,000, it is a class "C" felony. If the amount avoided is more than \$1,500, but not more than \$10,000, it is a class "D" felony. If the amount avoided is more than \$740, but not more than \$1,500, it is an aggravated misdemeanor. If the amount avoided is more than \$300, but not more than \$750, it is a serious misdemeanor. If the amount does not exceed \$300, it is a simple misdemeanor. The Act also creates a new class D felony offense if a person knowingly or intentionally passes a lottery ticket or share to circumvent specified prohibited player provisions. And, the Act additionally amends Iowa Code Section 99G.36 to provide that no person shall knowingly or intentionally make a materially false statement in any lottery prize claim, make a materially false statement in any book or record which is compiled or maintained or submitted to the authority of the board. A person who does is guilty of a class "D" felony.</p>
<p><u>HF 452</u></p>	<p>An Act relating to certain</p>	<p>In addition to a number of civil enforcement activities, this Act</p>

<p>Relating to code §152C.5B</p> <p>Compare Code</p>	<p>civil and criminal enforcement activities involving the practice of massage therapy and cosmetology, and human trafficking, and providing penalties.</p> <p>Effective date: 07/01/2021</p>	<p>creates a number of new crimes relating to the practice of massage therapy and cosmetology and to human trafficking. Iowa Code Section 152C.5B provides that if a person who is licensed or who purports to be licensed to practice massage therapy or cosmetology refuses to present a copy of the person’s valid license and government-issued identification to a peace officer immediately upon request, the person is guilty of a serious misdemeanor. Iowa Code Section 152C.5C provides that a person, in an announcement to the public, is prohibited from representing that another person is licensed as a massage therapist or a cosmetologist, when the person knows or has reason to know the person is not licensed; and, upon conviction, is guilty of a serious misdemeanor. And, Iowa Code Section 157.4B provides that a person who falsely represents the person’s self as being licensed as a massage therapist or cosmetologist is guilty of a serious misdemeanor.</p> <p>This Act also expands the definition of human trafficking and the crimes of human trafficking. It provides that a person who knowingly provides or facilitates the provision of a forged, altered, or fraudulent license to another person in order to force, coerce, entice, assist, facilitate, or permit the other person to perform labor or services engages in human trafficking. And, the Act provides that a person who knowingly forced, coerces, entices, assists, facilitates, or permits another person in possession of a fraudulent license to produce such license to a peace officer upon request engages in human trafficking. A violation of these provisions is an aggravated misdemeanor, but if the victim is under 18, it is a class “D” felony. The Act provides a special affirmative defense for which a person may be eligible, to a prosecution under these sections, if the violation directly resulted from the defendant’s status as a victim of any human trafficking crime under Iowa Code Chapter 710A.</p> <p>The Act also provides that a court may order restorative expenses for a period of 10 years as part of a human trafficking victim’s restitution and delineates appropriate restorative expenses. Also, the Court is prohibited from considering a defendant’s ability to pay in the Court’s decision to order restorative expenses.</p>
<p><u>HF 491</u></p> <p>Relating to code §68B.4</p>	<p>An Act relating to the sale or lease of real estate by regulatory agency officials and employees to persons subject to the agency’s regulatory authority, and making penalties applicable.</p> <p>Effective date:</p>	<p>This Act prohibits state regulatory officials and employees from selling or leasing real estate to person’s subject to the agency’s regulatory authority unless certain conditions are met. A person who knowingly or intentionally violates the Act is guilty of a serious misdemeanor and may be reprimanded, suspended, or dismissed from the person’s position or otherwise reprimanded.</p>

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<p><u>HF 493</u></p> <p>Relating to code §321</p> <p>Compare Code</p>	<p>An Act relating to low-speed electric bicycles, providing penalties, making penalties applicable, and including applicability provisions.</p> <p>Effective date: 07/01/2021 (but some provisions will have a delayed applicability date)</p>	<p>This Act defines “low-speed electric bicycle” and establishes three classes of these bikes and where each may operate. The Act excludes “low-speed electric bicycle” from the definition of “vehicle” which excludes them from the licensing and permit requirements applicable to vehicles. But, the Act imposes new requirements and restrictions including the requirement that a label be affixed to the “low-speed electric bicycle” specifying the classification number, top assisted speed, and wattage. The Act creates two new scheduled violations. One is under Iowa Code Section 321A.5 (Posting Security Following an Accident) and Iowa Code Section 321A.6 (Low-Speed Electric Bicycles-Labels-Operation). Both are \$25 scheduled fines.</p>
<p><u>HF 524</u></p> <p>Relating to code §321.263</p> <p>Compare Code</p>	<p>An act relating to motor vehicle accidents resulting in injury or death, providing penalties, and making penalties applicable.</p> <p>Effective date: 07/01/2021</p>	<p>Prior to the effective date of this Act, the driver of a motor vehicle involved in an accident resulting in injury or death of a person was required to stop the vehicle at the scene of the accident, or as close as possible; and if able, return to and remain at the scene of the accident. This Act expands the current requirement to include “any driver of a vehicle who knows or has reason to believe” that the driver’s vehicle was involved in such an accident.</p> <p>This Act provides that if a driver leaves the scene of the accident resulting in injury or death to a person without knowledge or reason to believe that the driver’s vehicle was involved in an accident that involved injury or death of a person, the driver must, as soon as reasonably possible, make a good-faith effort to immediately contact emergency services or make a call to 911 and provide the location, time, and any information required by Iowa Code Section 321.263, including driver’s name, address, registration and license information, and other identification information as soon as the person has reason to believe the person was involved in such an accident.</p> <p>The Act draws a distinction between those drivers of vehicles who are involved in such an accident and those who caused such an accident if the person fails to stop at the scene and provide the required information or otherwise fails to comply with Iowa Code Section 321.261(1). If the person was involved in an accident resulting in serious injury and leaves the scene of the accident, it is an aggravated misdemeanor; but if the driver who leaves the scene of an accident involving serious injury had reason to believe the driver’s vehicle caused the accident, it is a class “D” felony. If the driver of a vehicle involved in an accident resulting in death leaves the scene of the accident, it is a class “D” felony, but if the driver who leaves the scene of the accident resulting in death had reason</p>

		to believe the driver's vehicle caused the accident, it is a class "C" felony.
<u>HF 558</u>	An act establishing a minimum age and training requirements for attendants who control amusement rides, and making penalties applicable. Effective date: 04/01/2021	This Act requires a person to be at least 16 years old to be an attendant who controls an amusement ride and to have completed certain training. This Act will be enforced by order or rule issued by the Iowa Department of Labor. A person who violates an order or rule issued by the Iowa Department of Labor relating to amusement rides is guilty of a serious misdemeanor.
<u>HF 603</u>	An Act Establishing the Sexual Assault Forensic Examiner Program Effective date: 07/01/2021	Establishment of the Assault Forensic Examiner Program to be administered by the victim assistance program within the Dept. of Justice. The program will train sexual assault examiners and nurse examiners and will create uniform materials for all medical providers to give to patients. The program is required to create and update statewide sexual assault examiner protocols.
<u>HF 654</u> Compare Code	An Act Relating to Lighting Devices on Equipment on Snow Plows and Authorized Emergency Vehicles, Providing Penalties, Making Penalties Applicable and Including Effective Date Provisions Effective date: 07/01/2021	This Act relates to lighting devices of equipment on snow plows and authorized emergency vehicles. A violation of its provisions is punishable by a scheduled fine of \$45.
<u>HF 655</u>	An Act Prohibiting Interference with the Transportation of an Agricultural Animal, and Providing Penalties Effective date: 07/01/2021	This act creates a new crime, the crime of interference with the transportation of an agricultural animal. It is an aggravated misdemeanor for first offense and a class "D" felony for subsequent offenses. A person commits interference with the transportation of an agricultural animal if the person knowingly does any of the following: (a) Stops, hinders, impedes, boards, obstructs, or otherwise interferes with the motor vehicle transporting an agricultural animal, regardless of whether the motor vehicle is moving; (b) Provokes, disturbs, or otherwise interacts with an

		<p>agricultural animal when the agricultural animal is confined in a motor vehicle, regardless of whether the motor vehicle is moving. There is an affirmative defense of consent of specified persons.</p>
<p><u>HF 707</u></p>	<p>An Act relating to interpreters and translators for limited-English proficient, deaf, and hard-of-hearing persons in certain legal proceedings.</p> <p>Effective 07/01/2021</p>	<p>The Judicial Branch takes over all of the duties relating to interpreters and translators for limited-English-Proficient, Deaf, and Hard-of-Hearing Persons in specified legal proceedings. The Office of State Public Defender is out of the business of dealing with interpreters and translator claims as of the effective date of this Act.</p>
<p><u>HF 709</u></p> <p>Relating to code §915.36A</p> <p>Compare Code</p>	<p>An Act relating to pretrial contact between a prosecuting witness who is a minor and the Defendant.</p> <p>Effective date: 07/01/2021</p>	<p>This Act creates new Section 915.36A which provides that a prosecuting witness who is a minor has the right to have an interview or deposition taken outside the presence of the defendant. The interview or deposition may be televised by closed-circuit equipment to a room where the defendant can view the interview or deposition or in a manner that ensures that the defendant shall not have contact with the minor. The defendant shall be allowed to communicate with the defendant’s counsel in the room where the minor is being interviewed or deposed by an appropriate electronic method.</p>
<p><u>HF 710</u></p> <p>Relating to code §692A</p> <p>Compare Code</p>	<p>An Act relating to child endangerment committed by a sex offender and providing penalties.</p> <p>Effective date: 07/01/2021</p>	<p>This Act creates a new class “D” felony level child endangerment offense. In addition to the other ways that a class “D” felony level child endangerment offense may be committed (child endangerment resulting in bodily injury, but not serious bodily injury), this new Class “D” felony offense is committed if one who is required to register as a sex offender under Iowa Code Chapter 692A for a sex offense against a minor knowingly has control or unsupervised access to a minor. There are exceptions if the sex offender who is required to register under Iowa Code Chapter 692A for a sex offense against a minor is a parent or married to the parent of the minor and the control or access is not otherwise illegal.</p>

<p><u>HF 743</u></p> <p>Relating to code §600.3, chapter 232</p> <p>Compare Code</p>	<p>An Act providing for representation of adoptive parents by local public defenders.</p> <p>Effective date: 07/01/2021</p>	<p>This Act amends Iowa Code Section 13B.9 to add that a local public defender office shall represent, in a subsequent adoption proceeding, an indigent party who files an adoption petition pursuant to Iowa Code Section 600.3 to adopt a child who has been subject of a termination of parental rights proceeding pursuant to Chapter 232 in which the local public defender office was involved as provided under this paragraph. If a conflict of interest arises, the representation shall be provided through referral of the indigent party to outside counsel with whom the state public defender has contracted, subject to the legal fees for legal services incorporated in the contract.</p>
<p><u>HF 747</u></p> <p>Compare Code</p>	<p>An Act relating to the established season for hunting game birds on a preserve, creating penalties and making penalties applicable.</p> <p>Effective Date: 07/01/2021</p>	<p>This Act allows for a game bird hunting preserve operator to apply for a variance to extend the season under certain conditions. A person who violates the provisions concerning the established season for hunting game birds on a preserve is guilty of a simple misdemeanor.</p>
<p><u>HF 753</u></p> <p>Relating to code §321.285, §707.6A (4)</p> <p>Compare Code</p>	<p>An Act relating to unintentionally causing the death of a person by operating a motor vehicle at an excessive speed, providing penalties, and making penalties applicable.</p> <p>Effective Date: 07/01/2021</p>	<p>Under this Act a person commits a class “C” felony if the person exceeds one of the numerous speed limits specified in the bill, including the general speed limit restrictions in Iowa Code Section 321.285, by 25 miles per hour or more, if the speeding violation is the proximate cause of the death of another person. This crime does not apply to a member of a public safety agency performing official duties.</p> <p>Pursuant to Iowa Section 707.6A (4), a person commits a Class “D” felony if a person unintentionally causes a serious injury by the means described in this Act.</p>
<p><u>HF 756</u></p> <p>Compare Code</p> <p>Prior to this act, any person who intended to purchase a pistol</p>	<p>An Act relating to the acquisition and possession of weapons and providing penalties.</p> <p>Effective date: 07/01/2021</p>	<p>This Act, known as the Firearms Omnibus Act, decriminalizes the acquiring or carrying a pistol or revolver without a permit and makes other changes to the law and substitutes new criminal offenses for the structure that was in place before the effective date of this Act.</p> <p>Division I of this Act provides that in order to acquire a pistol or revolver from a federally licensed firearms dealer, an unlicensed individual must have a valid permit to acquire or a valid permit to</p>

or revolver was first required to obtain an annual permit unless the person was exempt. A person who acquired ownership of a pistol or revolver without a valid permit, or a person who transferred ownership of a pistol or revolver to a person who did not have a valid permit, was guilty of an aggravated misdemeanor. Also, under Iowa law prior to the effective date of this Act, any individual who went armed with, carried, or transported a firearm on the grounds of a school was guilty of a Class "D" felony.

carry a firearm issued in compliance with Iowa Code Chapter 724 or the individual must successfully complete a national instant criminal background check. The following persons are prohibited from acquiring a pistol or revolver: (1) Individuals under the age of 21, except for those who acquire a pistol or revolver when the person's duty requires; (2) Persons convicted of a felony in a state or federal court; (3) Individuals prohibited by court order; and (4) Individuals ineligible under new Iowa Code Section 724.8B, including: (a) a person addicted to the use of alcohol; (b) a person for whom there exists probable cause to believe, based on documented action by the person, that the person is likely to use the weapon unlawfully or in a way to endanger oneself or others (Such action must have occurred within the last two years immediately preceding the date of the permit application); (c) persons subject to provisions of Iowa Code Section 724.26 pertaining to possession, receipt, transportation, or dominion and control of firearms, offensive weapons, and ammunition by felons and others; (d) a person who, within the last three years, has been convicted of any serious or aggravated misdemeanor defined in Iowa Code Chapter 708 not involving the use of firearms; (e) a person who illegally possesses a controlled substance under Iowa Code Chapter 124; and (f) a person who is committing an indictable offense, and (4) a person who is intoxicated under the conditions set out in Section 321J.2, subsection 1. An individual who acquires a pistol or revolver in violation of any of these prohibitions is guilty of a serious misdemeanor. The Act also prohibits the transfer of a firearm to another if the person knows or has reason to know the person receiving the firearm is prohibited from receiving a firearm, and prohibits a person from loaning or renting a firearm to another person when the person knows or reasonably should know the person being lent the firearm is prohibited from receiving it under state or federal law, new Iowa Code Section 724B, or is intoxicated. A person who violates this provision is guilty of a class "D" felony.

Division II of the Act removes the provision prohibiting a person other than a peace officer from openly carrying a pistol or revolver in the Iowa State Capitol Building, state parking lots, and parking garages. This Division also repeals the existing penalty for carrying a dangerous weapon and provides that person who goes armed with a dangerous weapon on or about the person and uses the dangerous weapon in the commission of a crime is guilty of an aggravated

		<p>misdemeanor, except as provided in Iowa Code Section 708.8 (Going armed with intent, a class “D” felony). This Act also allows certain individuals to carry or transport a firearm on school property (including a person who for any lawful purpose carries an unloaded pistol, revolver, or other firearm inside a closed or fastened container or securely wrapped package that is too large to be concealed).</p> <p>Under Division II, a person carrying a dangerous weapon whose behavior demonstrates a reasonable suspicion of a danger to himself or others must cooperate with the investigating officer. A minor who carries, transports or possesses a loaded firearm commits a serious misdemeanor. A minor who carries, transports, or possesses a loaded firearm within a city, or knowingly carries or transports a pistol or revolver in a vehicle is guilty of a serious misdemeanor. A minor who goes armed with a dangerous weapon designed to immobilize a person by directing an electric current, impulse, wave, or beam that produces a high-voltage pulse, concealed or not, is guilty of a simple misdemeanor.</p>
<p><u>HF 757</u></p> <p>Compare Code</p>	<p>An Act relating to driver’s license restrictions, including ignition interlock device requirements for first operating-while-intoxicated offense.</p> <p>Effective date: 07/01/2021</p>	<p>Under the law prior in effect prior to this Act, a person who requested a temporary restricted license following an operating-while-intoxicated offense was required to install an approved ignition interlock device on all motor vehicles owned or operated by the person. This Act requires the person requesting a temporary restricted license following a first OWI offense to only install an approved ignition interlock device on all motor vehicles operated by the person.</p>
<p><u>HF 775</u></p> <p>Relating to code §716.7</p> <p>Compare Code</p>	<p>An act concerning unauthorized entry or access, including placement or use of a camera or electronic surveillance device while trespassing, unauthorized gathering of samples of certain materials relating to animals and animal</p>	<p>This Act creates the new criminal offense of Unauthorized Sampling. It is an aggravated misdemeanor for first offense and a class “D” felony for subsequent offenses. A person commits Unauthorized Sampling if a person knowingly enters private property, without consent of the owner or any other person having real or apparent authority to grant consent, and obtains a sample of: (a) bodily fluids or substances of agricultural animals; (b) any product from an agricultural animal; or (c) soil, air, surface water, or ground water from land or structures used for the production of an agricultural animal or the production of an agricultural crop. This Act also</p>

	<p>feeding operations, and providing penalties.</p> <p>Effective date: 07/01/2021</p>	<p>creates a new type of trespass offense, providing that a person committing a trespass as defined in Iowa Code Section 716.7 who knowingly places or uses a camera or electronic surveillance device that transmits or records images or data while the device is on the trespassed property commits an aggravated misdemeanor for first offense, and a Class “D” felony for a second and subsequent offense.</p>
<p><u>HF 821</u></p> <p>Compare code:</p>	<p>An act creating a civil action relating to harassment by the reporting of false information to law enforcement authority.</p> <p>Effective date: 07/01/2021</p>	<p>Under Iowa Code Section 708,7 (1) (a) (4), A person commits harassment when the person, with intent to intimidate, annoy, or alarm another person, reports or causes to be reported false information to a law enforcement authority implicating another in some criminal activity. This Act provides that the person subject to such harassment may institute a civil action for damages against the person who committed the harassment.</p>
<p><u>HF 839</u></p> <p>Relating to code §235B.2</p> <p>Compare Code</p>	<p>An Act relating to the financial exploitation of designated eligible adults and making an appropriation.</p> <p>Effective date: 07/01/2021</p>	<p>This Act relates to the financial exploitation of persons designated as eligible adults. The Act defines an eligible adult as a person over 65 years of age or older and certain dependent adults defined in Iowa Code Section 235B.2.</p>
<p><u>HF 861</u></p>	<p>An Act relating to appropriations to the justice system, gambling, regulatory fees, and creating a bureau of cyber-crime, and establishing a Dept. of Corrections, Survivors Benefits Fund, and Including Effective Date and Retroactive Applicability Provisions.</p> <p>Effective date: 07/01/2021</p>	<p>This Appropriations Act makes an increase of \$2,338,738 and 10 FTE’s positions to the Office of State Public Defender’s budget compared to FY 2021.</p> <p>For appointments made on or after July 1, 2021, the Act provides that the reasonable compensation shall be calculated on the basis of \$76/hr. for class “A” felonies, \$71/hr. for class “B” felonies, and \$66/hr. for all other cases.</p>

<p><u>HF 864</u></p>	<p>An Act to appropriations to the judicial branch.</p> <p>Effective date: 07/01/2021</p>	<p>This Appropriations Act appropriates \$189.6 million from the General Fund to the Judicial Branch for operations for FY 2022. This is an increase of \$8.6 million over FY 2021.</p>
<p><u>SF 172</u></p> <p>Compare code:</p>	<p>An Act relating to the definition of sex act or sexual activity for the purposes of the Iowa Criminal Code.</p> <p>Effective date: 07/01/2021</p>	<p>Before the adoption of this Act, Iowa Code Section defined five types of sexual contact between two or more persons to be a “sex act”. This Act expands two of those five ways in which a “sex act” may be committed, and adds a sixth sexual contact which is also defined to constitute a “sex act” for purposes of the Iowa Criminal Code.</p> <p>This bill expands the definition of “sex act” to also include contact between the mouth and anus of two or more persons, contact between the finger, hand, or other part of one person and the genitalia or anus of another person, except in the course of examination or treatment by a licensed professionals, and the touching of a person’s own genitals or anus with the finger, hand, artificial sexual organ or other similar device at the direction of another person.</p>
<p><u>SF 231</u></p> <p>Compare code:</p>	<p>An Act regarding driving privileges of persons issues a special minor’s driver’s license and making penalties applicable.</p> <p>Effective date: 07/01/2021</p>	<p>This Act amends Iowa Code Section 321.194 as it relates to driving privileges of persons issued a special minor’s driver’s license, and making penalties applicable. A violation of Iowa Code Section 321.194 is punishable as a scheduled fine of \$70.</p> <p>This Act adds restrictions on vehicles to which the special minor’s driver’s license does not apply. In addition to the present restrictions of commercial motor vehicles and motor vehicles operated as a chauffeur, this Act restricts the minor with the special license from operating a motor vehicle with more than two axles and from operating a motor vehicle towing another motor vehicle.</p>
<p><u>SF 243</u></p> <p>Compare Code</p>	<p>An Act relating to public safety including the crimes of failure to assist, abuse of a corpse, and interference with official acts, and providing penalties.</p>	<p>This Act provides that a person commits the crime of abuse of a corpse when the person fails to disclose the known location of a corpse with the intent to conceal a crime. The Act adds “medical examiner” to the list of persons whose resistance or obstruction may constitute the crime of interference with official acts. The Act creates the new crime of failure to assist. The act provides that a person who reasonably believes another person is suffering from a risk of serious bodily injury or imminent danger of death shall, if the</p>

	<p>Effective date: 07/01/2021</p>	<p>person is able, attempt to contact local law enforcement or local emergency response authorities, if doing so does not place the person or the other person at risk of serious bodily injury or death. A person is not required to contact local law enforcement or emergency response authorities if the person knows or reasonably believes that the other person is not in need of help or assistance. Failure to assist is a simple misdemeanor if it results in the other person suffering serious bodily injury, or an aggravated misdemeanor if the failure to assist results in the death of the other person.</p>
<p>SF 253 Relating to code §702.5, §692A.102, & §709.4 Compare Code</p>	<p>An Act Relating to Sexual Abuse in the Second Degree and Sexual Abuse in the Third Degree.</p> <p>Effective date: 07/01/2021</p>	<p>Prior to the adoption of this Act, sexual abuse in the second degree, the class “B” felony, included when sexual abuse involved a child under the age of 12 years of age. This Act expands sexual abuse in the second degree, the class “B” felony, to include sexual abuse involving a “child”. A “child” is defined in Iowa Code Section 702.5 as a person under the age of 14 years of age. This Act also makes conforming changes to Iowa Code Section 692A.102 (sex offender registry) and Iowa Code Section 709.4 (sexual abuse in the third degree).</p>
<p>SF 307 Compare Code</p>	<p>An Act Relating to the Examination and Transportation of Dead Bodies, Including Associated Fees and Costs.</p> <p>Effective date: 07/01/21</p>	<p>This Act requires the funeral director, as opposed to an “embalmer” under prior Iowa Code terminology, to report to the county or state medical examiner a person’s death that affects the public interest. This Act also substitutes the funeral director, as opposed to the embalmer under prior Iowa Code language, as the person who is prohibited from embalming a body without the permission of a county medical examiner when there is evidence sufficient to arouse suspicion of a crime in connection with the cause of death of the deceased person or where it is the duty of the medical examiner to view the body and investigate the death of a deceased person.</p> <p>This Act states that no autopsy is required when the medical examiner’s investigation of a deceased child determines that the deceased child’s cause and manner of death are obvious and there are no significant legal, medical or investigative concerns by the medical examiner, social services or law enforcement.</p> <p>This Act also deals provides that a county medical examiner may refer a body for an autopsy to any facility accredited by the national association of medical examiners. The Act also deals with the</p>

		<p>matters pertaining to the payment for the autopsy and transportation of the body for autopsy.</p>
<p>SF 342 Relating to code §554 Article 9, §708.1 Subsection 2, & §321.285 (3) & (5) Compare Code</p>	<p>An Act Relating To Public Records And Communications In Professional Confidence; Uniform Commercial Code Filings; Qualified Immunity; Peace Officer Health Plans And Workers' Compensation; Certain Law Enforcement Matters; Criminal Laws Involving Public Disorder, Assaults, And Harassment; Civil Liability For Certain Vehicle Operators; Window Tinting; Acts On Certain Highways; And Civil Service Commission Examinations; Providing Penalties, And Including Effective Date And Retroactive Applicability Provisions.</p> <p>Various Effective Dates. Effective date is July 1, 2021, except some divisions, including those the changes relating to assaults involving lasers, assaults, harassment, public disorder, and the changes regarding the charges of eluding or attempting to elude a pursuing law enforcement vehicle, were effective</p>	<p>This Act adds “assault” to the list of crimes for which victims may participate in the program established by the Secretary of State to use an address designated by the Secretary of State to prevent the victim from being physically located through a public records search. It also adds “a currently active or retired judicial officer, a federal judge, or a spouse or child of such person”, “ currently acting or retired state or local prosecuting attorney, or spouse or child of such person” and “a currently active or retired peace officer, or spouse or child of such person” as eligible persons to participate in the program established by the Secretary of State to use an address designated by the Iowa Secretary of State to prevent the person from being physically located through a public records search.</p> <p>This Act also amends Iowa Open Records Act to exempt a person from paying damages, costs, or fees if the person incorrectly balanced the rights and obligations of the government body to maintain confidential records under any judicially created balancing test if the person can articulate any reasonable basis for such balancing.</p> <p>This Act also allows the participants in the Iowa Secretary of State’s alternative address program referred to above, certain peace officers and civilian employees of law enforcement agencies, and specified participants and former participants in law enforcement and judicial offices to have their names redacted by the county assessor or county recorder from certain electronic documents displayed for public access through an internet site.</p> <p>This Act expands the confidentiality of information involved in group crisis intervention of law enforcement personnel or civilian employees of law enforcement agencies.</p> <p>This Act creates a new crime for the filing of certain records with the Iowa Secretary of State under Article 9 of Iowa Code Chapter 554, the Iowa Uniform Commercial Code, if the person is not authorized to file the record; the record is not related to an existing or anticipated transaction that is or will be governed by Iowa Code Chapter 554, Article 9, and the record is filed with the intent to harass or defraud the person identified as the debtor in the record.</p>

	<p>immediately on enactment.</p>	<p>The first offense is a simple misdemeanor, and subsequent offenses are serious misdemeanors.</p> <p>This Act also creates a new qualified immunity under the State Tort Claims Act and the Tort Claims Act for Governmental Subdivisions. It also contains additional protections for public officers, public safety personnel, and emergency personnel in relation to their employment rights, and includes a “Bill of Rights” for those employees. It establishes limitations on officer disciplinary actions, and creates a Brady-Giglio List Interim Committee to study the disclosure of information contained in officer personnel files as such information relates to a “Brady-Giglio list”, and criteria for the placement and removal of an officer’s name on and from a Brady-Giglio list. A “Brady-Giglio list” means a list of officers maintained by the county attorney offices, including officers who may not have disclosed all impeachment information and officers who may have violated the pretrial discovery rule requiring officers to turn over all evidence that might be used to exonerate a defendant.</p> <p>This Act makes changes to the health plans and workers’ compensation, disability and medical benefit plans of certain peace officers. This Act provides that no local entity or law enforcement department shall adopt or enforce a policy or take any action which prohibits or discourages the enforcement of state, local or municipal laws, and provides civil actions and the denial of state funds for an intentional violation of this provision. The Act provides that a peace officer shall not be prohibited from carrying a firearm while engaged in official duties.</p> <p>This Act creates new criminal offenses under Iowa Code Section 708.1, subsection 2, for commission of assaults by lasers if the person intentionally points a laser with the intent to cause pain or injury to another. A person who commits an assault, as defined in Section 708.1 against a peace officer, jailer, correctional staff, member or employee of the board of parole, health care provider, employee of the department of human services, employee of the department of revenue, a firefighter, whether paid or volunteer, and now this Act adds, “civilian employee of a law enforcement agency, civilian employee of a fire department” with the knowledge that the person is a member of one of those classes, with the intent to inflict serious injury on a member of one of those classes commits</p>
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		<p>a class 'D' felony. If the person displays a dangerous weapon in connection with an assault on one of the members of the listed classes, it is also a class "D" felony. If the person commits the assault on one of the members of the listed classes and causes bodily injury, it is an aggravated misdemeanor. If the person commits any other assault on one of the members of the listed classes, it is a serious misdemeanor.</p> <p>This Act provides another means by which Harassment in the First Degree may be committed. This is when the harassment occurs against another person who is lawfully in a place of public accommodation as defined in Iowa's Civil Rights statute. This Act also adds an additional means by which criminal mischief in the second degree may be committed. Under this Act, a person commits criminal mischief in the second degree when the criminal mischief damages, defaces, alters, or destroys any publicly owned property, including a monument or statue. If a person is convicted of committing criminal mischief in the second degree in this way, the sentencing order is required to include an order of restitution for any property damaged or destroyed.</p> <p>This Act amends the definition of the crime of "Riot" by requiring that the three or more persons must be assembled in a disturbing manner, in addition to being assembled in a violent manner. It is committed with the use of any unlawful force or violence by them or any of them against another person, or causes property damage. A person who joins in or remains a part of a riot, knowing or having reasonable grounds to believe that it is such, commits a class "D" felony. Before the enactment of this Act, unlawful assembly was an aggravated misdemeanor.</p> <p>This Act adds an additional means by which the offense of unlawful assembly may be committed. One who joins a lawful assembly, but willingly remains after the assembly becomes unlawful, knowing or having reasonable grounds to believe it is such, commits an aggravated misdemeanor. All means of committing unlawful assembly are increased from being simple misdemeanors to being aggravated misdemeanors.</p> <p>This Act enhances the crime of obstructing a street, sidewalk, highway or other public way, with the intent of its lawful use by others from a simple misdemeanor to a serious misdemeanor.</p>
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<p>SF 343</p>	<p>An Act Relating to Authorized Access to Certain Confidential Records by Employees of the Department of Correctional Services, a Judicial District Department of</p>	<p>This Act authorizes certain substance abuse treatment commitment records, mental health information, information filed with the court for purposes of securing an arrest or search warrant, and presentence investigation reports to be disclosed to an employee of the department of corrections, if authorized by the director of the department of corrections, or to an employee of a judicial district department of correctional services, if authorized by the director of the judicial district department of correctional service. It also</p>

	<p>Correctional Services, and the Board of Parole.</p> <p>Effective 07/01/21</p>	<p>authorizes the presentence investigation report to be disclosed to an employee of the board of parole, if authorized by the chairperson of the board of parole.</p>
<p><u>SF 357</u></p> <p>Relating to code §232.45, & §232.45A</p> <p>Compare Code</p>	<p>An Act Relating to the Placement of a Child in Detention, and Including Effective Date Provisions.</p> <p>Effective 12/08/21</p>	<p>This Act relates to the placement of persons under 18 years old in detention. It provides that a judge or magistrate may authorize the detention of a child for a period of time in excess of 6 hours, but less than 24 hours, only if the facility serves a geographic area outside a standard metropolitan statistical area as designated by the United States Department of Management, not the United States Census Bureau as under prior law.</p> <p>This Act also provides if the juvenile court has waived its jurisdiction over the child pursuant to Iowa Code Section 232.45 or 232.45A, or the child is excluded from the jurisdiction of the juvenile court for offenses that involve the manufacture, delivery, or possession of controlled substances while in the immediate possession or control of a firearm or offensive weapon, gang activity involving firearms or offensive weapons, or any forcible felony, and the child is awaiting trial or other legal process, the child shall not be detained in any facility intended for the detention of adults unless the district court determines that after a hearing and written findings, such detention is in the best interests of the child and the community. The Act specifies the factors the court is to consider.</p> <p>This Act further provides the conditions applicable if the court determines it is in the best interests of the child and the community to permit a child to be detained in a facility intended for the detention of adults. The Act further specifies the conditions and time limit of 180 days in such detention unless the court orders an extension for good cause.</p>
<p><u>SF 367</u></p> <p>Relating to code §910.1</p> <p>Compare Code</p>	<p>An Act Relating to Certain Financial Obligations, Including Under the Consumer Credit Code, and Including Under the Criminal and Juvenile Justice System by Modifying Criminal and</p>	<p>This Act relates to certain financial obligations, including those under the criminal and juvenile justice system, by modifying criminal and civil surcharges, fines, fees, costs and court debt. This Act expands the debts which the county attorney can collect a percentage to include current surcharges. This Act amends the definition of court debt to mean all restitution as defined in Iowa Code Section 910.1. fees, forfeited bail, and other debt paid to or collected by the clerk of court. The Act provides that the Iowa</p>

	<p>Civil Surcharges, Fines, Fees, Costs, and Court Debt, Providing Civil Penalties, and Including Effective Date and Retroactive Applicability Provisions.</p> <p>Partially effective 07/01/21, latter effective 01/01/22</p>	<p>Department of Revenue shall receive 15% of each court payment as a processing fee on cases assigned to the Iowa Department of Revenue for collection, with the remainder of the court debt to be collected by the clerk of the district court. The Iowa Department of Revenue collection fee must not include the amount of court debt collected for restitution for pecuniary damages, the victim compensation fund, the crime services surcharge, the domestic and sexual abuse crimes surcharge, and the agricultural surcharge, or the sex offender civil penalty.</p> <p>The Act also provides for procedures for the implementation of the new procedure, with some of the procedures becoming effective on January 1,2022, and transition procedures in effect in the meantime.</p>
<p>SF 413</p> <p>Relating to code §721</p>	<p>An Act Relating to the Conduct of Elections, Absentee Ballots and Voter Lists Maintenance Activities, Making Penalties Applicable, and Including Effective Date and Applicability Provisions.</p> <p>Effective 03/8/21. Certain provisions effective 01/01/22</p>	<p>This Act creates a number of new criminal offenses and/or new ways in which to commit existing criminal offenses related to the conduct of elections and voting. This Act allows the state superintendent of elections to issue guidance outside the rulemaking process to clarify election laws and rules. This Act makes a willful failure to follow or implement such guidance the crime of election misconduct in the first degree, a class “D” felony. It also makes a willful failure to perform election duties and performance of election duties in such a way as to hinder or disregard the object of the law the crime of election misconduct in the first degree, the class “D” felony, The Act makes the willful failure to perform voter list maintenance the crime of election misconduct in the second degree, an aggravated misdemeanor. The Act makes interference with a person permitted at a polling place the crime of election misconduct in the third degree, a serious misdemeanor. The Act also prohibits a person other than a registered voter, the registered voter’s immediate family member, an individual in the voter’s household, an individual acting as caretaker for the registered voter, or an election official assisting a confined person, from collecting and returning a completed absentee ballot, including to a drop box. A violation of this prohibition is election misconduct in the third degree, a serious misdemeanor. Act also requires the commissioner of elections to issue a civil fine of up to \$10,000 to be paid to the general fund, to a county commissioner of elections when the state issues a technical infraction to a county commissioner.</p> <p>The Act requires the state commissioner of elections to report a technical infraction to the attorney general and the relevant county</p>

		<p>attorney if the infraction constitutes or may constitute election misconduct. The attorney general or county attorney shall report the results of the investigation to the state commissioner of elections and explain whether the attorney will pursue charges. The Act also requires the attorney general or county attorney to investigate allegations of election misconduct, and to investigate misconduct by election officials for prosecution under Iowa Code Chapter 721 (official misconduct).</p>
<p><u>SF 450</u></p> <p>Relating to code §235B</p> <p>Compare Code</p>	<p>An Act Relating to the Death of a Dependent Adult, and Providing Penalties.</p> <p>Effective 07/01/21</p>	<p>This Act creates a new crime of murder in the second degree. A caretaker who intentionally or recklessly commits dependent adult abuse on a dependent adult in violation of Iowa Code Chapter 235B is guilty of murder in the second degree in violation of Iowa Code Section 707.3.</p>
<p><u>SF 482</u></p> <p>Relating to code §206</p> <p>Compare Code</p>	<p>An Act Regulating the Application of Pesticides, Including by Providing for the Certification of Applicators, and Certain Actions Taken by the Department of Agriculture and Land Stewardship Against Private Applicators, and Providing Penalties.</p> <p>Effective 07/01/21</p>	<p>This Act amends the “Pesticide Act of Iowa”, Iowa Code Chapter 206. The Pesticide Act of Iowa regulates the use of pesticides by certain persons referred to as applicators. Generally, a person who violates a provision of Iowa Code Chapter 206 is guilty of a serious misdemeanor.</p>
<p><u>SF 562</u></p> <p>Relating to code §709.15, §702.17, §726.2, §802.2B, & §710A.2</p> <p>Compare Code</p>	<p>An Act Relating to Sexual Exploitation by an Adult providing Training or Instruction and Statute of Limitations Time Periods for Certain Criminal Offenses Committed on or with Minors and Including Effective Date Provisions.</p>	<p>Division I of this Act relates to Sexual Exploitation by an Adult Providing Training and Instruction. It amends Iowa Code Section 709.15 (sexual abuse by a counselor, therapist, or school employee) to include an adult providing training or instruction. “Adult providing training or instruction” means an adult who is not a school employee who provides paid training or instruction to a minor outside of a school setting. For purposes of this definition, “adult” is a person age 18 or older who is four or more years older than the minor receiving the training or instruction. The Act also defines the circumstances under which sexual exploitation by an adult providing training or instruction occurs. An adult providing training or</p>

	<p>Generally Effective 05/12/21, some provisions effective 07/01/21</p>	<p>instruction who commits sexual exploitation in violation of Iowa Code Section 709.15. The Act further provides that an adult providing training or instruction who commits sexual exploitation in violation of Iowa Code Section 709.15, subsection 3A, paragraph “a” subparagraph (1) (a pattern or practice or scheme of conduct to engage in any of the conduct described in subparagraph 2 below) commits a class “D” felony. And, an adult providing training or instruction who commits sexual exploitation in violation of Iowa Code Section 709.15, subsection 3A, paragraph “a” subparagraph (2) (kissing, touching of the clothed or unclothed inner thigh, breast, groin, buttock, anus, pubes, or genitals, or a sex act as defined in Iowa Code Section 702.17, if any of those alternatives is done with a minor for purposes of arousing or satisfying the sexual desires of the adult providing training or instruction of the minor) commits an aggravated misdemeanor. Certain very limited exceptions apply.</p> <p>Division II of the Act amends the statutes of limitations applicable to criminal offenses involving persons who are under 18 years of age. An information or indictment for sexual abuse in the first, second, or third degree committed on or with a person who is under the age of 18 years may be commenced at any time after the commission of the offense. An information or indictment for incest under Iowa Code Section 726.2 committed on or with a person who is under 18 years of age may be commenced at any time after the commission of the offense. An information or indictment for sexual exploitation by a counselor, therapist, school employee, or adult providing training or instruction, under Iowa Code Section 709.15 committed on or with a person who is under the age of 18 may be commenced at any time after the commission of the offense. An information or indictment for any of the offense listed in Iowa Code Section 802.2B committed on or with a person under the age of 18 (lascivious acts with a child; assault with intent to commit sexual abuse; indecent contact with a child; lascivious acts with a minor; sexual misconduct with a juvenile; child endangerment; sexual exploitation of a minor) may be commenced at any time after the commission of the offense. And, an information or indictment for human trafficking in violation of Iowa Code Section 710A.2, committed with a person who is under the age of 18 years, may be commenced at any time.</p>
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<p><u>SF 578</u></p>	<p>An Act relating to the Powers and Duties of the Department of Agriculture and Land Stewardship, Including by Providing for Administration, Providing for Administration Programs, and Regulations, and Providing Fees, Providing Penalties, and Making Penalties Applicable.</p> <p>Effective 07/01/21</p>	<p>This Act amends, enacts, or repeals a number of provisions administered or regulated by the department of agriculture and land stewardship. A number of the amended provisions provide for simple misdemeanor offenses for their violation. E.g. violations of rules relating to weights and measures, rules relating to inspections and recalibrations of fuel pumps.</p>
<p><u>SF 608</u></p>	<p>An Act Relating to the Administration of the Tax and Related Laws by the Department of Revenue by Requiring Composite Returns for Pass-Through Entities, Restricting Public Disclosure of Certain Information, Providing Penalties, and Including Applicability Provisions.</p> <p>Effective 07/01/21</p>	<p>This Act relates to the Administration of the tax and related laws by the Iowa Department of Revenue. Many of the provisions relate to civil penalties, but some relate to criminal offenses too. The Act amends the criminal offense of fraudulent practice relating to state taxes so a taxpayer who willfully submits false information in support of the taxpayer’s taxes with the intent to receive a refund, credit exemption, reimbursement, rebate, or other payment or benefit, to which the taxpayer is not entitled, is included. This offense is also amended to include actions of a taxpayer who willfully submits false information in support of an application for refund with the intent to evade tax or receive a refund. The Act also adds that the criminal offense of fraudulent practice is not waivable by the Iowa Department of Revenue. The penalties for fraudulent practice extend from a simple misdemeanor offense to a class “C” felony depending upon the amount of money or property involved.</p>
<p><u>SJR 7</u></p>	<p>A Joint Resolution Proposing an Amendment to the Constitution of the State of Iowa Relating to the Right of the People to Keep and Bear Arms. Amendment up for vote 11/2022</p>	<p>This Joint Resolution provides for the Iowa Constitution to be amended to provide that the right of the people to keep and bear arms shall not be infringed. The proposed Constitutional amendment further provides that the state of Iowa recognizes this right to be a fundamental right, and that any restrictions on this right shall be subject to strict scrutiny. The proposed amendment will now be submitted to a vote of the people in the state of Iowa at the general election in November 2022.</p>

An Act relating to the sex offender registry Including duration of registration requirements and sexually motivated extortion.

HF 201 Comparison

Old	New
n/a	<p>Section 1. Section 692A.102r subsection 1, paragraph c. Code 2021, is amended by adding the following new subparagraph:</p> <p>NEW SUBPARAGRAPH, (033) Extortion in violation of section 711.4, if a determination is made that the offense was sexually motivated pursuant to section 692A.126.</p> <p>Sec. 2. Section 692A.106, Code 2021, is amended by adding the following new subsection:</p> <p>NEW SUBSECTION. 8. A sex offender who is required to register in another jurisdiction under the other jurisdiction's sex offender registry but who resides, is employed, or attends school in this state shall be required to register for a period of time equal to the period of time required under the other jurisdiction's requirements or under Iowa law, whichever is longer.</p> <p>Sec. 3. Section 692A,126, subsection 1, Code 2021, is amended by adding the following new paragraph:</p> <p>NEW PARAGRAPH, w. Extortion in violation of section 711.4.</p> <p>Sec. 4. Section 711.4, Code 2021, is amended by adding the following new subsection:</p> <p>NEW SUBSECTION. 4. A person convicted of extortion under this section shall be required to register as a sex offender pursuant to the provisions of chapter 692A,if a determination is made that the offense was sexually motivated pursuant to section 692A.126.</p>

An Act relating to a special sentence for sexual abuse committed during a burglary.

HF 231 Comparison

Old	New
<p>Section 1. Section 903B.I</p>	<p>Section 1. Section 903B.I, Code 2021, is amended to read as follows:</p> <p>903B.1 Special sentence—class B or class "C" felonies. A person convicted of a class "C" felony or greater offense under chapter 709, a class "b" felony under section 713.3, subsection 1, paragraph "d", or a class "C" felony under section 728.12, shall also be sentenced, in addition to any other punishment provided by law, to a special sentence committing the person into the custody of the director of the Iowa department of corrections for the rest of the person's life, with eligibility for parole as provided in chapter</p> <p>906. The board of parole shall determine whether the person should be released on parole or placed in a work release program. The special sentence imposed under this section shall commence upon completion of the sentence imposed under any applicable criminal sentencing provisions for the underlying criminal offense and the person shall begin the sentence under supervision as if on parole or work release. The person shall be placed on the corrections continuum in chapter 901B, and the terms and conditions of the special sentence, including violations, shall be subject to the same set of procedures set out in chapters 901B, 905, 906, and chapter 908, and rules adopted under those chapters for persons on parole or work release. The revocation of release shall not be for a period greater than two years upon any first revocation, and five years upon any second or subsequent revocation. A special sentence shall be considered a category "A" sentence for purposes of calculation earned time under 903A.2.</p>

<p>An Act Relating to the Crime of Disorderly Conduct and Making Penalties Applicable.</p>	
<p>HF 232 Comparison</p>	
Old	New

<p>§723.4 Disorderly conduct.</p> <p>A person commits a simple misdemeanor when the person does any of the following:</p> <p>2. Makes loud and raucous noise in the vicinity of any residence or public building which causes unreasonable distress to the occupants thereof.</p>	<p>§723.4 Disorderly conduct.</p> <p>A person commits a simple misdemeanor when the person does any of the following:</p> <p>2. Makes loud and raucous noise in the vicinity of any residence or public building which intentionally or recklessly causes unreasonable distress to the occupants thereof.</p>
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<p>An Act creating the criminal offense of defrauding a drug or alcohol test and providing penalties.</p>	
<p>HF 283 Comparison</p>	
<p>Old</p>	<p>New</p>
<p>n/a</p>	<p>Section 1. Section 715A.1, Code 2021, is amended by adding the following new subsections:</p> <p>NEW SUBSECTION. IA. "Drug or alcohol test" includes a drug or alcohol test given in a private-sector workplace pursuant to section 730.5 and a drug or alcohol test given by a public employer.</p> <p>NEW SUBSECTION. IB. "Public employer" means the state, its boards, commissions, agencies, and departments, and its political subdivisions including school districts and other special purpose districts.</p> <p>NEW SUBSECTION. IC. "Synthetic urine" means any substance that is designed to simulate the composition, chemical properties, physical appearance, or physical properties of human urine for the purpose of defrauding a drug or alcohol test.</p> <p>NEW SUBSECTION ID. "Urine additive" means any substance that is designed to be added to human urine for the purpose of defrauding a drug or alcohol test.</p>

	<p>Sec. 2. NEW SECTION. 715A.11 Synthetic urine and urine additives — defrauding drug or alcohol test.</p> <p>1. A person shall not manufacture, market, sell, distribute, use, or possess synthetic urine or a urine additive for the purpose of defrauding a drug or alcohol test.</p> <p>2. A person shall not knowingly use the person's own urine expelled or withdrawn prior to the collection of a urine sample from the person for a drug or alcohol test for the purpose of defrauding a drug or alcohol test.</p> <p>3. A person shall not knowingly use the urine of another person for the purpose of defrauding a drug or alcohol test.</p> <p>4. This section shall not apply to the manufacture, marketing, sale, distribution, use, or possession of synthetic urine or a urine additive if the manufacture, marketing, sale, distribution, use, or possession is solely for educational or law enforcement purposes.</p> <p>5. A person who violates this section is guilty of a simple misdemeanor for a first offense and a serious misdemeanor for each subsequent offense. The court may require a substance abuse evaluation and treatment through a program licensed by the Iowa department of public health in lieu of or in addition to other penalties. All substance abuse evaluation required under this subsection shall be completed at the expense of the defendant.</p> <p>6. Except as prohibited by law, a person who collects a urine sample from another person for a drug or alcohol test, having knowledge or a reasonable suspicion that the other person has used synthetic urine or a urine additive to defraud the test in violation of subsection 1, may report such information to law enforcement authorities.</p> <p>7. Notwithstanding any other law to the contrary, the prosecution of a person for a violation of this section shall not preclude a prosecution of that person under other applicable law.</p> <p>8. This section shall not be construed to encourage, conflict with, or otherwise interfere with the preemption of any federal, state, or local laws or regulations related to drug and alcohol testing procedures and confidentiality.</p>
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An Act Relating to the Crime of Disorderly Conduct and Making Penalties Applicable.	
HF 304 Comparison	
Old	New

<p>Section 1. Section 321.1</p> <p>Sec. 2. Section 321.519</p> <p>n/a</p>	<p>Section 1. Section 321.1, subsection 90, Code 2021, is amended by adding the following new paragraph: NEW PARAGRAPH. Oc. Any personal delivery device operated pursuant to chapter 3210.</p> <p>Sec. 2. Section 321.519, Code 2021, is amended by adding the following new subsection:</p> <p>NEW SUBSECTION. 3. Sections 321.514 through 321.518 and this section do not apply to personal delivery devices operated pursuant to chapter 3210.</p> <p>Sec. 3. NEW SECTION. 3210.1 Definitions. As used in this chapter, unless the context otherwise requires:</p> <ol style="list-style-type: none"> 1. "Agent" means any officer, director, or employee of a business entity, or any other person who is authorized to act on behalf of a business entity. 2. "Business entity" means a corporation, sole proprietorship, association, partnership, limited liability company, limited liability partnership, or other legal entity, that is formed for the purpose of making a profit. 3. "Pedestrian area" means an area intended to be used by any person afoot, including a sidewalk, crosswalk, or safety zone, as those terms are defined in section 321.1. 4. "Personal delivery device" or "device" means a device to which all of the following apply: <ol style="list-style-type: none"> a. The device is manufactured for transporting cargo and goods in a pedestrian area or supplementary area. b. The device is equipped with automated driving technology, including software and hardware, that enables the operation of the device with the remote support and supervision of a natural person. a. The weight of the device is not greater than five hundred fifty pounds, excluding cargo and goods. <p>Sec. 4. NEW SECTION. 3210.2 Applicable law.</p> <ol style="list-style-type: none"> 1. The operation of a personal delivery device is governed exclusively by this chapter and any applicable ordinance regulating personal delivery devices adopted by a local authority, as defined in section 321.1, that is not inconsistent with this chapter. 2. For the purposes of this title, a personal delivery device operated in compliance with this chapter shall not be considered a vehicle. 3. A claim for personal injury or property damage arising from the operation of a personal delivery device shall be

<p>n/a</p>	<p>subject to the laws applicable to such claims arising from the conduct of pedestrians.</p> <p>Sec. 5. NEW SECTION. 3210.3 Operators.</p> <p>1. A business entity may operate a personal delivery device under this chapter only if a natural person who is an agent of the business entity has the capability to monitor and remotely exercise physical control over the navigation and operation of the device while the device is engaged.</p> <p>2. Except as provided by subsection 3, when a personal delivery device operated by a business entity is engaged, the business entity is considered to be the operator of the device solely for the purpose of assessing compliance with this chapter and laws made applicable to the operation of the device under this chapter.</p> <p>3. When a personal delivery device operated by a business entity is engaged and an agent of the business entity exercises control over the device in a manner that is outside the scope of the agent's office or employment, the agent is considered to be the operator of the device solely for the purpose of assessing compliance with this chapter and laws made applicable to the operation of the device under this chapter.</p> <p>4. A person is not considered to be the operator of a personal delivery device solely because the person requests a delivery or service provided by the device or dispatches the device.</p>
<p>n/a</p>	<p>Sec. 6. NEW SECTION. 3210.4 Operation.</p> <p>1. The operator of a personal delivery device shall ensure that, while engaged, the device does all of the following:</p> <ul style="list-style-type: none">a. Operates in a manner that complies with the provisions of chapter 321 applicable to pedestrians, other than section 321.326, unless the provision of chapter 321 cannot by its nature apply to the device.b. Yields the right-of-way to all other traffic, including pedestrians.c. Operates in a manner that does not unreasonably interfere with other traffic, including pedestrians.d. Complies with any ordinance regulating personal delivery devices adopted by a local authority, as defined in section 321.1, that is not inconsistent with this chapter.e. Is monitored or controlled by an agent of the business entity operating the device.f. Operates in a manner that allows the device to come to a controlled stop in a reasonably safe time and distance. <p>2. The operator of a personal delivery device shall</p>

n/a

n/a

ensure that, while engaged, the device does not do any of the following:

- a. Obstructs the right-of-way of any other traffic, including pedestrians.
 - b. Transports any hazardous material regulated by section 321.450 or 49 U.S.C. ch. 51 that is required to be placarded.
3. A person who violates this section commits a simple misdemeanor punishable as a scheduled violation under section 805.8A, subsection 9B.

Sec. 7. NEW SECTION. 3210.5 Areas of operation.

1. A personal delivery device may operate on any of the following:
- a. A pedestrian area at a speed not to exceed six miles per hour.
 - b. A road, provided that the speed limit on the road is forty miles per hour or less, under all of the following conditions:
 - (1) The device operates as far to the right from the center of the road as is practicable.
 - (2) The device does not exceed twenty miles per hour, or the speed limit on the road, whichever is lower.
2. The operator of a personal delivery device that violates this section commits a simple misdemeanor punishable as a scheduled violation under section 805.8A, subsection 5.

Sec. 8. NEW SECTION. 3210.6 Equipment.

1. A personal delivery device operated under this chapter must be equipped with all of the following:
- a. A marker that clearly states the name and contact information of the business entity operating the device and a unique identification number.
 - b. A braking system that enables the device to come to a controlled stop in a reasonably safe time and distance.
2. A personal delivery device operated at the times specified in section 321.384 must be equipped with and display a lighted lamp on the front and rear of the device, including one or more lighted lamps visible on all sides of the device, which lamps must be recognizable in clear weather conditions from a distance of five hundred feet from the device when the device is directly in front of a motor vehicle's headlamps displaying the lowermost distribution of light as discussed in section 321.409, subsection 1, paragraph
3. The operator of a personal delivery device that violates subsection 1 commits a simple misdemeanor punishable

<p>n/a</p> <p>Sec. 11. Section 805.8A, subsection 5, paragraph a, unnumbered paragraph 1</p>	<p>by a fine of at least one hundred dollars but not more than one thousand dollars for each violation.</p> <p>4. The operator of a personal delivery device that violates subsection 2 commits a simple misdemeanor punishable as a scheduled violation under section 805.8A, subsection 9B. However, the citation shall first provide for a seventy-two-hour period within which the operator charged with the violation shall replace or repair the lamp as described in section 321.385A. If the operator complies with the directive to replace or repair the lamp, the citation shall be expunged.</p> <p>Sec. 9. NEW SECTION. 3210.7 Regulation by local authorities.</p> <p>1. A local authority, as defined in section 321.1, in the interest of public safety, may prohibit the operation of personal delivery devices on certain roads and pedestrian areas within its jurisdiction if operation in those areas would constitute a safety hazard.</p> <p>2. Except as authorized under subsection 1, a local authority shall not regulate the operation, equipment, licensing, registration, or taxation of a personal delivery device in a manner inconsistent with this chapter, including but not limited to imposing additional taxes, fees, assessments, surcharges, licenses, registrations, or certifications, or by imposing additional restrictions or requirements relating to hours or areas of operation, equipment, or the types of cargo or goods that may be transported.</p> <p>3. This section does not affect the power of a local authority's peace officers to enforce the laws of this state relating to the operation of a personal delivery device.</p> <p>Sec. 10. NEW SECTION. 3210.8 Insurance.</p> <p>A business entity that operates a personal delivery device under this chapter shall maintain an insurance policy that includes general liability coverage of not less than five hundred thousand dollars for damages arising from the operation of the device.</p> <p>Sec. 11. Section 805.8A, subsection 5, paragraph a, unnumbered paragraph 1, Code 2021, is amended to read as follows:</p> <p>For excessive speed violations in excess of the limit under section 321.236, subsections 5 and 11, section 321.285, section 321.383, subsection 5, section 3210.5, subsection 1, and section 461A.36, the scheduled fine shall be the following:</p>
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	<p>(2) The defendant's sureties shall, at their own expense, deliver the defendant or facilitate delivery of the defendant to the custody of the sheriff. Such</p> <p>(3) The court determines, upon consideration of all circumstances, that setting aside the judgment is warranted.</p> <p>b. A judgment shall not be set aside, however, under this subsection unless as a condition precedent thereto, the defendant and the defendant's sureties shall have paid all costs and expenses incurred in connection with the judgment.</p>
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An Act Relating to Certain Civil and Criminal Enforcement Activities Relating to the Practice of Massage Therapy and Cosmetology, and Human Trafficking, and Providing Penalties.

HF 452 Comparison

Old	New
n/a	<p>NEW SECTION</p> <p>152C.5B License and government-issued identification — peace officer request.</p> <p>1. For purposes of this section, unless the context otherwise requires:</p> <p>a. "Government-issued identification" means any of the following:</p> <p>(1) An unexpired driver's license issued by any state, territory, or district of the United States.</p> <p>(2) An unexpired identification card issued by any state, territory, or district of the United States.</p> <p>(3) An unexpired United States passport.</p> <p>(4) A naturalization certificate issued by the United States citizenship and immigration services.</p>

(5) An unexpired permanent resident card, also known as a green card, issued by the United States citizenship and immigration services.

(6) An unexpired employment authorization document issued by the United States citizenship and immigration services.

b. "Peace officer" means any of the following;

(1) Sheriffs and their regular deputies who are subject to mandated law enforcement training.

(2) Marshals and police officers of cities.

(3) Peace officer members of the department of public safety as defined in chapter 80.

(4) Special security officers employed by board of regents institutions as set forth in section 262.13.

(5) Such employees of the department of transportation are designated "peace officers" by resolution of the department under section 321.477.

(6) Employees of an aviation authority designated as "peace officers" by the authority under section 330A.8, subsection 16.

2. A person licensed or who purports to be licensed under this chapter shall, upon the request of any peace officer investigating a complaint of illegal services, present a copy of the person's valid Iowa massage therapist license and a government-issued identification to the peace officer. A person who violates this subsection commits a serious misdemeanor.

Falsely represent the person's self as licensed under this chapter.

c. Offer the services of massage therapy if paragraph or of this subsection applies.

n/a

d. Offer, or imply the offer of, services that violate state law.

3. A person who violates subsection 2 commits a serious misdemeanor.

NEW SECTION

152C.5C Announcements to the public.

- 1. For purposes of this section, “announcement to the public” means the use of any print media, broadcast media, subscription internet site, internet site available to the public, or any other means to do any of the following:**
 - a. Advertise or market massage therapy services.**
 - b. Provide a site for clients to post reviews.**
 - c. Offer a virtual marketplace at which goods or services may be offered or clients may be solicited.**
- 2. A person shall not do any of the following in an announcement to the public:**
 - a. Represent that another person is licensed under this chapter when the person knows, or has reason to know, that the other person is not licensed.**
 - b. Falsely represent the person’s self as licensed under this chapter.**
 - c. Offer the services of massage therapy if paragraph “a” or “b” of this subsection applies.**
 - d. Offer, or imply the offer of, services that violate state law.**
- 3. A person who violates subsection 2 commits a serious misdemeanor.**

NEW SECTION

157.4A License and government-issued identification — peace officer request.

- 1. For purposes of this section, unless the context otherwise requires:**

n/a

a. "Government-issued identification" means any of the following:

(1) An unexpired driver's license issued by any state, territory, or district of the United States.

(2) An unexpired identification card issued by any state, territory, or district of the United States.

(3) An unexpired United States passport.

(4) A naturalization certificate issued by the United States citizenship and immigration services.

(5) An unexpired permanent resident card, also known as a green card, issued by the United States citizenship and immigration services.

(6) An unexpired employment authorization document issued by the United States citizenship and immigration services.

b. "Peace Officer" means any of the following:

(1) Sheriffs and their regular deputies who are subject to mandated law enforcement training.

(2) Marshals and police officers of cities.

(3) Peace officer members of the department of public safety as defined in chapter 80.

(4) Special security officers employed by board of regents institutions as set forth in section 262.13.

(5) Such employees of the department of transportation are designated peace officers" by resolution of the department under section 321.477.

(6) Employees of an aviation authority designated as "peace officers" by the authority under section 330A.8, subsection 16.

n/a

§710A.1, subsection 3

A person licensed or who purports to be licensed under this chapter shall, upon the request of any peace officer investigating a complaint of illegal services, present a copy of the person's valid license issued pursuant to this chapter and a government-issued identification to the peace officer.

NEW SECTION

157.48 Announcements to the public.

1. For purposes of this section, announcement to the public by means the use of any print media, broadcast media, subscription internet site, internet site available to the public, or any other means to do any of the following:

a. Advertise or market cosmetology services.

b. Provide a site for clients to post reviews.

c. Offer a virtual marketplace at which goods or services may be offered or clients may be solicited.

2. A person shall not do any of the following in an announcement to the public:

a. Represent that another person is licensed under this chapter when the person knows, or has reason to know, that the other person is not licensed.

b. Falsely represent the person's self as licensed under this chapter.

c. Offer, or imply the offer of, services that violate state law.

3. A person who violates subsection 2 commits a serious misdemeanor.

Section 710A.1, subsection 3, Code 2021, is amended to read as follows:

3. "Forced labor or services" means labor or services that are performed or provided by another person and that are obtained or maintained through any of the following:

a. Causing or threatening to cause serious physical injury to any person.

b. Physically restraining or threatening to physically restrain another person.

c. Abusing or threatening to abuse the law or legal process.

d. Knowingly destroying, concealing, removing, confiscating, or possessing any actual or purported ~~passport or other immigration document, or any other actual or purported government~~ identification document, of another person.

e. Knowingly providing or facilitating the provision of a forged, altered, or fraudulent license purportedly issued pursuant to chapter 152C or 157, or a forged, altered, or fraudulent government identification, to another person in order to force, coerce, entice, assist, facilitate, or permit the other person to perform labor or services.

f. Knowingly Forcing, coercing, enticing, assisting, facilitating, or permitting another person in possession of a forged, altered, or fraudulent license purportedly issued pursuant to chapter 152C or 157, or a forged, altered, or fraudulent government identification, to produce such license or government identification to a peace officer upon request of the peace officer pursuant to section 152C.5B or 157.4A.

g. Knowingly forcing, coercing, intimidating, or compelling another person to perform an act in violation of state or federal law through the use of debt bondage or servitude or as a condition of being allowed to remain in the United States.

§710A.2, subsection 6

Section 710A.2, subsection 6, Code 2021, is amended to read as follows:

6. A person who knowingly engages in human trafficking by knowingly destroying, concealing, removing, confiscating, or possessing any actual or purported passport or other immigration documentation or any other actual or purported government identification document of a victim another person is guilty of a class felony, except that if that other person is under the age of eighteen, the person is guilty of a class felony.

§710A.2

Section 710A.2, Code 2021, is amended by adding the following new subsections:

NEW SUBSECTION. 7A. A person who knowingly engages in human trafficking by knowingly providing or facilitating the provision of a forged, altered, or fraudulent license purportedly issued pursuant to chapter 152C or 157, or a forged, altered, or fraudulent government identification to another person, to force, coerce, entice, assist, facilitate, or permit the other person to perform labor or services is guilty of an aggravated misdemeanor, except if that other person is under the age of eighteen, the person is guilty of a class "D" felony.

NEW SUBSECTION. 7B. A person who knowingly engages in human trafficking by knowingly forcing, coercing, enticing, assisting, facilitating, or permitting another person in possession of a forged, altered, or fraudulent license purportedly issued pursuant to chapter 152C or 157, or a forged, altered, or fraudulent government identification, to produce such license or government identification upon request of a peace officer pursuant to section 152C.5B or 157.4A, is guilty of an aggravated misdemeanor, except if that other person is under the age of eighteen, the person is guilty of a class "D" felony.

NEW SUBSECTION. 9. A person who is found guilty, enters a plea of guilty, receives a deferred judgment, or

n/a

receives a deferred or suspended sentence for a violation of this chapter shall be ineligible for a license pursuant to chapter 152C or 157 for a period of not less than five years from the date of conviction, plea, judgment, or sentence.

NEW SECTION

710A.2B Premises used for human trafficking.

1. A person who owns, rents, leases, or uses any part of a building, structure, boat, trailer, or other place offering shelter or seclusion, and who knows, or has reason to know, that the building, structure, boat, trailer, or other place offering shelter or seclusion is being used for the purposes of human trafficking, commits a class "D" felony.
2. It shall be an affirmative defense to a prosecution of a person pursuant to subsection 1, if immediately upon acquiring knowledge that the building, structure, boat, trailer, or other place offering shelter or seclusion is used for the purposes of human trafficking, the person notifies a law enforcement agency with jurisdiction and fully cooperates with any subsequent investigation.
3. a. If a law enforcement agency notifies a person who owns, rents, leases, or uses any part of a building, structure, boat, trailer, or other place offering shelter or seclusion of an investigation pursuant to chapter 152C or 157 that may involve the building, structure, boat, trailer, or other place offering shelter or seclusion, the person shall have an affirmative duty to fully cooperate with the investigation.

b. A person who fails to fully cooperate with an investigation pursuant to paragraph "a" commits a serious misdemeanor.

§710A.3

Section 710A.3, Code 2021, is amended by striking the section and inserting in lieu thereof the following:

§710A.4

n/a

710A.3 Affirmative defense.

It shall be an affirmative defense, in addition to any other affirmative defenses for which a defendant may be eligible, to a prosecution for a criminal violation of section 152C.5B, 152C.5C, 157.4A, 157.4B, 710A.2, 710A.2A, or 710A.2B, that the violation directly resulted from the defendant's status as a victim of any human trafficking crime under chapter 710A.

Section 710A.4, Code 2021, is amended to read as follows:

710A.4 Restitution — restorative expenses.

1. For purposes of this section, "restorative expenses" means the projected costs of education, vocational training, medical health, mental health, transportation, housing, child care, or other projected costs that will aid in a victim's recovery.

2. The gross income of a defendant or the value of labor or services performed by of the defendant shall be considered when determining the amount of restitution pursuant to chapter 910. For purposes of this section, restitution may include restorative expenses for a period not to exceed three years as approved and ordered by the court.

3. A defendant's ability to pay shall not be a factor in the court's decision to order restorative expenses.

4. A defendant's obligation to pay court-ordered restorative expenses shall not be dischargeable in any proceeding under the federal Bankruptcy Act of 1898, as amended.

NEW SECTION

710A.7 Peace officer referral.

If during the course of an investigation or prosecution under this chapter a peace officer has reason to believe that a person who purports to be licensed pursuant to

	<p>chapter 152C or 157 does not possess a valid license or is in violation of any other state or federal laws, the peace officer may report such noncompliance to the appropriate licensing board under the professional licensure division within the department of public health, and to the appropriate state or federal authorities.</p>
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An Act Relating to Low-Speed Electric Bicycles, Providing Penalties, Making Penalties Applicable

HF 493 Comparison

Old	New
<p>§308A.1, subsection 1</p>	<p>Section 308A.1, subsection 1, Code 2021, is amended to read as follows:</p> <p>1. The department of natural resources, in consultation with the state transportation commission, is hereby authorized to establish recreational bikeways within this state for the use, enjoyment, and participation of the public in nonmotorized bicycling, <u>not including the use of motorized bicycles as defined in section 321.1</u>. The routes established for such bikeways shall be designed to maximize the safety of cyclists and motorists and may utilize secondary roads when the normal flow of motor vehicle traffic will not be hindered, as well as other infrequently traveled roads, streets, parkways, and appropriate thoroughfares. Such bikeways shall be routed, wherever possible, to allow the enjoyment of scenic views and points of historical interest, and may connect state parks and other recreational areas throughout the state.</p>
<p>§321.1</p>	<p>Section 321.1, Code 2021, is amended by adding the following new subsection:</p> <p>036A. "Low-speed electric bicycle" means a device having a saddle or seat for the use of a rider, two or three</p>

§321.1, subsection 40

wheels equipped with fully operable pedals, and an electric motor of less than seven hundred fifty watts that meets the requirements of one of the following classes:

a. "Class 1 low-speed electric bicycle" means a low-speed electric bicycle equipped with a motor that may be used to provide assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches a speed of twenty miles per hour or more.

b. "Class 2 low-speed electric bicycle" means a low-speed electric bicycle equipped with a motor that may be used exclusively to propel the bicycle and that is not capable of providing assistance when the bicycle reaches a speed of twenty miles per hour or more.

c. "Class 3 low-speed electric bicycle" means a low-speed electric bicycle equipped with a motor that may be used to provide assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches a speed of twenty-eight miles per hour or more.

Section 321.1, subsection 40, Code 2021, is amended to read as follows:

40. a. "Motorcycle" means every motor vehicle having a saddle or seat for the use of the rider and designed to travel on not more than three wheels in contact with the ground including a motor scooter but excluding a tractor, an auticycle, a low-speed electric bicycle, and a motorized bicycle.

b. "Motorized bicycle" means a motor vehicle having a saddle or a seat for the use of a rider, designed to travel on not more than three wheels in contact with the ground, and not capable of operating at a speed in excess of thirty-nine miles per hour on level ground unassisted by human power, but excluding a low-speed electric bicycle.

c. "Bicycle" means either of the following:

§321.1, subsection 90, paragraph a

n/a

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

(2) A device having two or three wheels with fully operable pedals and an electric motor of less than seven hundred fifty watts (one horsepower), whose maximum speed on a paved level surface, when powered solely by such a motor while ridden, is less than twenty miles per hour A low-speed electric bicycle.

Section 321.1, subsection 90, paragraph a, Code 2021, is **amended** to read as follows:

a. Any device moved by human power, **including a low-speed electric bicycle.**

NEW SECTION

§321.235B Low-speed electric bicycles -- labels -- operation

1. A manufacturer or distributor of low-speed electric bicycles shall apply a label that is permanently affixed in a prominent location to each of the manufacturer's or distributor's low-speed electric bicycles. The label shall contain all of the following information printed in arial font with a font size not less than nine point type:

a. A classification number for the low-speed electric bicycle that corresponds with a class defined in section 321.1, subsection 036A.

b. The low-speed electric bicycle's top assisted speed.

c. The low-speed electric bicycle's motor wattage.

2. A person shall not knowingly modify the speed capability or engagement of a low-speed electric bicycle such that the low-speed electric bicycle does not qualify for a class defined in section 321.1, subsection 036A. If a person has modified the speed capability or engagement of a low-speed electric bicycle, the person shall affix a

new label containing the information listed in subsection 1 to the modified low-speed electric bicycle.

3. A low-speed electric bicycle shall be manufactured and equipped in compliance with 16 C.F.R. pt. 1512.

4. A low-speed electric bicycle shall be manufactured to operate in such a manner that when the rider stops pedaling, applies the brakes, or the electric motor is disengaged, the electric motor assist ceases to function.

5. A class 3 low-speed electric bicycle shall not be operated unless it is equipped with a speedometer that displays its speed in miles per hour.

6. A person under the age of sixteen shall not operate a class 3 low-speed electric bicycle. A person under the age of sixteen may ride as a passenger on a class 3 low-speed electric bicycle in compliance with section 321.234, subsection 4.

7. A person operating a low-speed electric bicycle on a highway is subject to the provisions of this chapter applicable to a rider of a bicycle on a highway and has all the rights and duties under this chapter applicable to a rider of a bicycle, except those provisions of this chapter which by their nature can have no application, or except as otherwise provided in this section.

8. Except for provisions of the Code made specifically applicable to low-speed electric bicycles in this section, low-speed electric bicycles are not subject to provisions of the Code applicable to vehicles, including provisions relating to all of the following;

a. Licensure, registration, titling, inspection, and proof of financial liability coverage.

b. Possession of a driver's license or permit.

9. a. A low-speed electric bicycle may be operated in any place where a bicycle is allowed to operate, including but

<p>§322D.1, subsection 8</p>	<p>not limited to streets, highways, roadways, shoulders, bicycle lanes, bikeways, and bicycle or multi-use paths.</p> <p>b. A person shall not operate a class 3 low-speed electric bicycle on a bicycle lane or multi-use path in excess of the posted or applicable speed limit, or if there is no posted or applicable speed limit, twenty miles per hour.</p> <p>Section 322D.1, subsection 8, Code 2021, is amended to read as follows:</p> <p>8. "Motorcycle" means a motor vehicle as defined in section 321.1 other than an all-terrain vehicle, which has a saddle or seat for the use of a rider and that is designed to travel on not more than two wheels in contact with the ground, but excluding a motorized bicycle, <u>a low-speed electric bicycle</u>, or auticycle as defined in section 321.1.</p>
<p>§805.8A, subsection 9A</p>	<p>Section 805.8A, subsection 9A, Code 2021, is amended to read as follows:</p> <p>9A. Electric personal assistive mobility device violations. For <u>electric device</u> violations under section 321.235A the following sections, the scheduled fine is twenty-five dollars, <u>is as follows:</u></p> <p>a. Section 321.235A -- \$25</p> <p>b. Section 321.235B -- \$25</p>

<p>An act relating to motor vehicle accidents resulting in injury or death, providing penalties, and making penalties applicable.</p>	
<p>HF 524 Comparison</p>	
<p>Old</p>	<p>New</p>

Section 1. Section 321.209, subsection 3

Section 1. Section 321.209, subsection 3, Code 2021, is amended to read as follows:

3. Failure to stop and render aid as required under the laws of this state **or to otherwise comply with section 321.261** in the event of a motor vehicle accident resulting in the death or personal injury of another.

Sec. 2. Section 321.261, subsection 1

Sec. 2. Section 321.261, subsection 1, Code 2021, is amended to read as follows:

1. **a.** The driver of any vehicle **who knows or has reason to believe** that the driver's vehicle was involved in an accident resulting in injury to or death of any person shall immediately stop the vehicle at the scene of the accident or as close as possible and if able, shall then return to and remain at the scene of the accident in accordance with section 321.263. Every such stop shall be made without obstructing traffic more than is necessary.

b. **If the driver of a vehicle leaves the scene of an accident resulting in injury to or death of a person without knowledge or reason to believe that the driver's vehicle was involved in the accident, and later discovers that the driver's vehicle may have been involved in an accident that resulted in injury to or death of a person, the driver shall, as soon as reasonably possible, make a good-faith effort to immediately contact emergency services or make a 911 call and provide the dispatcher with any requested information described in section 321.263 and the location and possible time of the accident.**

Sec. 3. Section 321.261, subsections 3 and 4

Sec. 3. Section 321.261, subsections 3 and 4, Code 2021, are amended to read as follows:

3. **a.** Notwithstanding subsection 2, any person failing to stop or to comply with the requirements in subsection 1, in the event of an accident resulting in a serious injury to any person, is guilty upon conviction of an aggravated misdemeanor.

b. **Notwithstanding paragraph "3", the driver of a vehicle who knows or has reason to believe that the driver's vehicle caused an accident resulting in a serious injury to one or more persons, and who fails to stop or comply with the requirements of**

Section 1. Section 321.393, subsections 4 and 5

Section 1. Section 321.393, subsections 4 and 5, Code 2021, are amended to read as follows:

4. The provisions of this section shall not prohibit the use of a lighting device or reflector displaying an amber light when such lighting device or reflector is mounted on a motor truck, trailer, tractor, or motor grader owned by the state,

or any political subdivision of the state, ~~or any municipality therein~~ including any local authority, while such equipment is being used for snow removal, sanding, maintenance, or repair of the public streets or highways.

5. The provisions of this section shall not prohibit the use of a lighting device or reflector displaying an amber, white, or blue light when the lighting device or reflector is rear-facing and mounted on a motor truck, trailer, tractor, truck-mounted snow blower, or motor grader owned by the ~~department~~ state or any political subdivision of the state, including any local authority, while the equipment is being used for snow and ice treatment or removal on the public streets or highways.

Sec. 2. Section 321.423, subsection 2, paragraph f

Sec. 2. Section 321.423, subsection 2, paragraph f. Code 2021, is amended to read as follows:

f, A flashing white light, including a flashing headlamp, is permitted on a vehicle pursuant to subsection 7.

Sec. 3. Section 321.423, subsection 3, paragraph a, subparagraphs (3) and (4), Code 2021, are amended to read as follows:

(3) An authorized emergency vehicle, other than a vehicle described in paragraph subparagraph (1) or (2) if the blue light is positioned on the passenger aide of the vehicle and is used in conjunction with a red light positioned on the driver side of the vehicle.

(4) A motor truck, trailer, tractor, truck-mounted snow blower, or motor grader owned by the ~~department-state~~ or any political subdivision of the state, including any local authority, if the blue light is rear-facing and used in conjunction with amber and white lighting devices or reflectors while the equipment is being used for snow and ice treatment or removal on the public streets or highways.

Sec. 4. Section 321.423, subsection 7, paragraph a, subparagraph (4)

Sec. 4. Section 321.423, subsection 7, paragraph a, subparagraph (4), Code 2021, is amended to read as follows:

Sec. 5. Section 321.423, subsection 7, paragraph a

(4) On a motor truck, trailer, tractor, truck-mounted snow blower, or motor grader owned by the ~~department~~ **state or any political subdivision of the state**, including any local authority, if the white light is rear-facing and used in conjunction with amber and blue lighting devices or reflectors while the equipment is being used for snow and ice treatment or removal on the public streets or highways.

Sec. 5. Section 321.423, subsection 7, paragraph a. Code 2021, is amended by adding the following new subparagraphs: **NEW SUBPARAGRAPH. (5) On a motor truck or trailer owned and operated by the department equipped with an impact attenuator and audible warning system, if the flashing white light is rear-facing on the audible warning system and used in conjunction with amber lighting devices or reflectors while the motor truck or trailer is being used for slow-moving maintenance operations.**

NEW SUBPARAGRAPH. (6) On a vehicle or other equipment not owned and operated by the department when used in road work zones on state or local highways as authorized by the department. The department shall adopt rules pursuant to chapter 17A regarding the vehicles or equipment eligible to use a flashing white light under this subparagraph.

Sec. 6. NEW SECTION. 321.424 Authorized emergency vehicle lights.

Notwithstanding any provision of law to the contrary: 1. An authorized emergency vehicle may be equipped with a combination of interior and exterior lights, flashing headlamps, and flashing tail lamps as provided in this section and in this chapter.

2. An official law enforcement, fire department, emergency medical services, or emergency management vehicle owned by the state or a municipality, as defined in section 670.1, may be equipped with flashing headlamps.

3. An authorized emergency vehicle owned by the state, a municipality, as defined in section 670.1, or a private emergency medical services company delivering services to the state, a municipality, or a hospital pursuant to a written contract, or a privately owned vehicle designated as an authorized emergency vehicle pursuant to section

321.451, shall be equipped with a combination of operational red and blue lights.

4. An authorized emergency vehicle equipped with an interior or exterior light bar must have the light bar positioned such that front and rear facing red lights are on the driver's side of the vehicle and front and rear facing blue lights are on the passenger's side of the vehicle.

5. An authorized emergency vehicle equipped with an interior or exterior light bar with red and blue flashing lights may be equipped with flashing or solid white lights scattered among or between a clear or colored lens that displays a red or blue flashing light.

6. An authorized emergency vehicle may be equipped with one or more lights capable of emitting a split red and blue steady or flashing light, which may be mounted on or in the vehicle.

7. An authorized emergency vehicle may be equipped with one or more lights on the side of the vehicle capable of emitting red and blue light, red and white light, or blue and white light.

8. An authorized emergency vehicle may be equipped with one or more lights with a clear or colored lens.

9. An official law enforcement, fire, rescue, emergency medical services, or emergency management vehicle may be equipped with lights or light bars containing one or more rear zone amber lights or amber directional arrows, which shall

be in addition to any other required lighting equipment. An authorized emergency vehicle shall not be equipped with an amber light positioned on the front or side of the vehicle. However, an aerial fire apparatus may be equipped with amber flashing lights on the outriggers of the apparatus.

10. An authorized emergency vehicle may be equipped with one or more steady, oscillating, or flashing white lights, flashing headlamps, or flashing reverse lamps, which shall be in addition to any other required lighting equipment. A light bar shall not be equipped or used to display flashing white lights visible from the rear of the vehicle. This subsection shall not be construed to prohibit an authorized emergency vehicle owned by the state or a municipality, as defined in section 670.1, from being equipped with or using a spotlight or exterior light bar capable of displaying a steady white light for use as a work light, alley light, search light, or take down light.

11. An authorized emergency vehicle owned by a state or a municipality, as defined in section 670.1, that is

primarily used as an incident command vehicle may be equipped with one or more steady or flashing green lights, which shall be in addition to any other required lighting equipment. A steady or flashing green light equipped pursuant to this subsection shall not be activated unless the vehicle is being used as a stationary incident command post at the location of an emergency incident, an official training exercise, or for maintenance or demonstration purposes.

12. An official fire department or emergency medical services vehicle purchased, delivered, or refurbished on or after July 1, 2021, shall be equipped with a master warning switch to activate all emergency lights on the vehicle, in addition to one or more switches to separately activate or isolate the front, side, and rear warning lights.

Sec. 7. Section 321.433

Sec. 7. Section 321.433, Code 2021, is amended to read as follows:

321.433 Sirens, whistles, and bells prohibited.

1. A vehicle shall not be equipped with and a person shall not use upon a vehicle any siren, whistle, or bell, except as otherwise permitted in this section. It is permissible but not required that any commercial vehicle be equipped with a theft alarm signal device which is so arranged that it cannot be used by the driver as an ordinary warning signal. Any authorized emergency vehicle may be equipped with a siren, whistle, or bell capable of emitting sound audible under normal conditions from a distance of not less than five hundred feet, but the siren, whistle, or bell shall not be used except when the vehicle is operated in response to an emergency call, **an incident dangerous to the public, an official training exercise, for maintenance or demonstration purposes,** or in the immediate pursuit of an actual or suspected violator of the law, and the driver of the vehicle shall sound the siren, whistle, or bell when necessary to warn pedestrians and other drivers of the approach of the vehicle.

2. A towing or recovery vehicle, unless owned by the state or a municipality, as defined in section 670.1, shall not be equipped with a siren.

Section 805.8A, subsection 3

Sec. 8. Section 805.8A, subsection 3, Code 2021, is amended by adding the following new paragraph:
NEW PARAGRAPH. Oac. Section 321.424... § 45.

An Act Relating to Pretrial Contact Between a Prosecuting Witness Who is a Minor and the Defendant.	
HF 709 Comparison	
Old	New
n/a	<p>NEW SECTION</p> <p>915.36A Minor prosecuting witness — pretrial contact.</p> <p>A prosecuting witness who is a minor shall have the right to have the interview or deposition taken outside of the presence of the defendant. The interview or deposition may be televised by closed-circuit equipment to a room where the defendant can view the interview or deposition or in a manner that ensures that the defendant shall not have contact with the minor. The defendant shall be allowed to communicate with the defendant's counsel in the room where the minor is being interviewed or deposed by an appropriate electronic method.</p>

An Act relating to child endangerment committed by a sex offender and providing penalties.	
HF 710 Comparison	
Old	New
Section 1. Section 726.6	<p>Section 1. Section 726.6, Code 2021, is amended by adding the following new subsection:</p> <p>NEW SUBSECTION. IA. A person who is required to register as a sex offender under chapter 692A for a sex offense against a minor who knowingly has control of a minor, or who knowingly has unsupervised access to a minor, commits child endangerment. However, this subsection does not apply to any of the following:</p> <p>a. A person who is required to register as a sex offender under chapter 692A for a sex offense against a minor who knowingly has control of a minor, or who knowingly has unsupervised access to a minor, when the person is the legal parent or guardian of the minor and the control or unsupervised access is not otherwise illegal.</p>

<p>Sec. 2. Section 726.6, subsection 6</p>	<p>h. A person who is required to register as a sex offender under chapter 692A for a sex offense against a minor who knowingly has control of a minor, or who knowingly has unsupervised access to a minor, when the person is married to and living with the legal parent or guardian of the minor and the control or unsupervised access is not otherwise illegal.</p> <p>Sec. 2. Section 726.6, subsection 6, Code 2021, is amended to read as follows:</p> <p>6 . A person who commits child endangerment resulting in bodily injury to a child or minor or child endangerment in violation of subsection 1, paragraph “g”, that does not result in a serious injury, or a person who commits child endangerment in violation of subsection 1A, is guilty of a class felony.</p>
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<p>An Act Providing for Representation of Adoptive Parents by Local Public Defenders.</p>	
<p>HF 743 Comparison</p>	
<p>Old</p>	<p>New</p>
<p>§13B.9, subsection 1, paragraph b</p>	<p>Section 13B.9, subsection 1, paragraph b, Code 2021, is amended to read as follows:</p> <p>b. Represent an indigent party, upon order of the court, in child in need of assistance, family in need of assistance, delinquency, and termination of parental rights proceedings pursuant to chapter 232 when designated by the state public defender to represent the indigent party in the type of case for that county. The local public defender shall counsel and represent an indigent party in all proceedings pursuant to chapter 232 to which the local public defender is appointed and prosecute before or after judgment any appeals or other remedies which the local public defender considers to be in the interest of justice unless other counsel is appointed to the case. A local public defender office shall represent in a subsequent adoption proceeding an indigent party who files an adoption petition pursuant to section 600.3 to adopt a child who was the subject of a termination of parental rights proceeding pursuant to</p>

	<p>hunting preserve on a date after March 31 pursuant to an extension granted under this paragraph shall only hunt for and take chukars, quail, or rooster Pheasants.</p>
<p>An Act relating to unintentionally causing the death of a person by operating a motor vehicle at an excessive speed, providing penalties, and making penalties applicable.</p>	
<p>HF 753 Comparison</p>	
<p>Old</p>	<p>New</p>
<p>Section 1. Section 707.6A, subsection 2</p>	<p>Section 1. Section 707.6A, subsection 2, Code 2021, is amended by adding the following new paragraph:</p> <p>NEW PARAGRAPH, c. Exceeding a speed limit established or lawfully posted pursuant to section 262.68, section 321.236, subsection 5 or 11, section 321.236, subsection 13, paragraph "a", section 321.285, section 321.288, subsection 2, paragraph, "f", or section 321.289,321.290,321.293,321.295, or 461A,36, by twenty-five miles per hour or more, if the violation is the proximate cause of the death of the other person. This paragraph does not apply to a member of a public safety agency, as defined in section 34.1 performing official duties.</p>

<p>An Act Relating to the Acquisition and Possession of Weapons And Providing Penalties</p>	
<p>HF 756 Comparison</p>	
<p>Old</p>	<p>New</p>
<p>§724.11A</p>	<p>Section 724.11A, Code 2021, is amended to read as follows:</p> <p>724.11A Recognition.</p> <p>A valid permit or license issued by another state to any nonresident of this state shall be considered to be a valid permit or license to carry weapons issued pursuant to this chapter, except that such permit or license shall not be considered to be a substitute for a permit to acquire pistols or revolvers issued pursuant to section</p>

§724.15

~~724.15~~ deemed to satisfy the requirements of section 724.15.

Section 724.15 is **amended** by striking the section and inserting in lieu thereof the following:

724.15 Acquiring pistols or revolvers.

1. It is the intent of this section to satisfy federal requirements of 18 U.S.C. §922(t)(3) in order to acquire pistols or revolvers. In order to acquire a pistol or revolver from a federally licensed firearms dealer, an unlicensed person is required to have a valid permit to acquire or a valid permit to carry weapons issued in accordance with this chapter or the person must complete a satisfactory national instant criminal background check pursuant to 18 U.S.C. S922(t).

2. A person shall not acquire a pistol or revolver if the person is any of the following:

a. Under twenty-one years of age except for those persons included in section 724.22, subsection 4, who acquire a pistol or revolver when the person's duty so requires.

b. Prohibited by section 724.26 or federal law from possessing, shipping, transporting, or receiving a firearm.

c. Prohibited by court order from possessing, shipping, transporting, or receiving a firearm.

d. Ineligible to possess dangerous weapons pursuant to section 724.BB.

e. Intoxicated as provided under the conditions set out in section 321J.2, subsection 1.

3. An issuing officer who finds that a person issued a permit to acquire pistols or revolvers under this chapter

§724.16

has been arrested for a disqualifying offense or who is the subject of proceedings that could lead to the person's ineligibility for such permit, may immediately suspend such permit. An issuing officer proceeding under this subsection shall immediately notify the permit holder of the suspension by personal service or certified mail on a form prescribed and published by the commissioner of public safety and the suspension shall become effective upon the permit holder's receipt of such notice. If the suspension is based on an arrest or a proceeding that does not result in a disqualifying conviction or finding against the permit holder, the issuing officer shall immediately reinstate the permit upon receipt of proof of the matter's final disposition. If the arrest leads to a disqualifying conviction or the proceedings to a disqualifying finding, the issuing officer shall revoke the permit. The issuing officer may also revoke the permit of a person whom the issuing officer later finds was not qualified for such a permit at the time of issuance or whom the officer finds provided materially false information on the permit application. A person aggrieved by a suspension or revocation under this subsection may seek review of the decision pursuant to section 724.21A.

Section 724.16, Code 2021 is **amended** by striking the section and inserting in lieu thereof the following:

724.16 Prohibited transfers of firearms.

1. A person shall not transfer a firearm to another person if the person knows or reasonably should know that the other person is ineligible to possess dangerous weapons pursuant to section 724.8B, is intoxicated as provided under the conditions set out in section 321J.2, subsection 1, or is prohibited from receiving or possessing a firearm under section 724.26 or federal law.
2. A person shall not loan or rent a firearm to another person for temporary use during lawful activities if the person knows or reasonably should know that the other person is ineligible to possess dangerous weapons

§724.7

n/a

pursuant to section 724.8B, is intoxicated as provided under the conditions set out in section 321J.2, subsection 1, or is prohibited from receiving or possessing a firearm under section 724.26 or federal law.

3. A person who transfers, loans, or rents a firearm in violation of this section commits a class "D" felony.

Section 724.7, Code 2021 is **amended** to read as follows:

724.27 Offenders' rights restored.

1. The provisions of section 724.8, section 724.15, subsection ~~1~~ **2**, and section 724.26 shall not apply to a person who is eligible to have the person's civil rights regarding firearms restored ~~under section 914.7~~ if any of the following occur:

a. The person is pardoned by the President of the United States or the chief executive of a state for a disqualifying conviction.

b. The person's civil rights have been restored after a disqualifying conviction, commitment, or adjudication.

c. The person's conviction for a disqualifying offense has been expunged.

2. Subsection 1 shall not apply to a person whose pardon, restoration of civil rights, or expungement of conviction expressly forbids the person to receive, transport, or possess firearms or destructive devices **and a person not eligible to have the person's civil rights restored under section 914.7.**

NEW SECTION. 724.31A Identifying Information – background checks

1. When a court issues an order or judgment by which a person is prohibited from acquiring a pistol or revolver under section 724.15, subsection 2, paragraph "d", the clerk of the district court shall forward only such information as is necessary to identify the person to the

§8A.322

department of public safety, which in turn shall forward the information to the federal bureau of investigation or its successor agency for the sole purpose of inclusion in the national instant criminal background check system database. The clerk of the district court shall also notify the person of the prohibitions imposed under this section.

2. The department of public safety shall, as soon as is practicable after receiving a written request from the person prohibited from acquiring a pistol or revolver under section 724.15, subsection 2, paragraph "d", update, correct, modify, or remove the person's record in any database that the department of public safety makes available to the national instant criminal background check system and shall notify the United States department of justice that the basis for such record being made available no longer applies.

Section 8A.322, subsection 3, Code 2021, is amended to read as follows:

3. The director shall establish, publish, and enforce rules regulating and restricting the use by the public of the capitol buildings and grounds and of the state laboratories facility in Ankeny. The rules when established shall be posted in conspicuous places about the capitol buildings and grounds and the state laboratories facility, as applicable. Any person violating any rule, except a parking regulation, shall be guilty of a simple misdemeanor. The rules shall prohibit a person, other than a peace officer, from openly carrying a pistol or revolver in the capitol building and on the grounds surrounding the capitol building including state parking lots and parking garages. However, this subsection shall not be construed to allow the director to prohibit the lawful carrying, transportation, or possession of any pistol or revolver in the capitol building and on the grounds surrounding the capitol building including state parking lots and parking garages by a person who displays to capitol security personnel a valid permit to

<p>§232.52, subsection 2, paragraph a, subparagraph (4), subparagraph division (a), subparagraph subdivision (viii)</p>	<p>carry weapons upon request regardless of whether the person has a valid permit to carry weapons.</p> <p>Section 232.52, subsection 2, paragraph a, subparagraph (4), subparagraph division (a), subparagraph subdivision (viii), Code 2021, is amended to read as follows:</p> <p>(viii) Section 724.4, if the child used the dangerous weapon in the commission of a crime.</p>
<p>§724.2A</p>	<p>Section 724.2A, Code 2021, is amended to read as follows:</p> <p>724.2A Peace officer - defined - reserved peace officer included.</p> <p>As used in sections 724.4, 724.4B, 724.6, and 724.11, 'peace officer' includes a reserve peace officer as defined in section 80D.1A.</p>
<p>§724.4</p>	<p>Section 724.4, Code 2021, is amended by striking the section and inserting in lieu thereof the following:</p> <p>724.4 Use of a dangerous weapon in the commission of a crime. A person who goes armed with a dangerous weapon on or about the person, and who uses the dangerous weapon in the commission of a crime, commits an aggravated misdemeanor, except as provided in section 708.8.</p>
<p>§724.4B</p>	<p>Section 724.4B, Code 2021, is amended by striking the section and inserting in lieu thereof the following:</p> <p>724.4B Carrying firearms on school grounds - penalty - exceptions.</p> <p>1. A person who goes armed with, carries, or transports a firearm of any kind, whether concealed or not, on the grounds of a school commits a class "o" felony. For the purposes of this section, "school" means a public or nonpublic school as defined in section 280.2.</p> <p>2. Subsection 1 does not apply to the following:</p> <p>a. A person who has been specifically authorized by the school to go armed with, carry, or transport a firearm on the school grounds for any lawful purpose.</p>

- b.** A peace officer including a peace officer who has not been certified and a federal officer when the officer when the officer's employment requires going armed, whether or not the peace officer or federal officer is acting in the performance of official duties.
- c.** A member of the armed forces of the United States or of the national guard or person in the service of the United States, when the firearm is carried in connection with the person's duties as such.
- d.** A correctional officer, when the officer's duties require the officer to carry a firearm, serving under the authority of the Iowa department of corrections.
- e.** A person who for any lawful purpose carries an unloaded pistol, revolver, or other firearm inside a closed and fastened container or securely wrapped package that is too large to be concealed on the person.
- f.** A person who for any lawful purpose carries or transports an unloaded pistol, revolver, or other firearm in a vehicle or common carrier inside a closed and fastened container or securely wrapped package that is too large to be concealed on the person or carries or transports an unloaded pistol, revolver, or other firearm inside a cargo or luggage compartment where the pistol or revolver will not be readily accessible to any person riding in the vehicle or common carrier.
- g.** A law enforcement officer from another state when the officer's duties require the officer to carry a firearm and the officer is in this state for any of the following reasons:
- (1)** The extradition or other lawful removal of a prisoner from this state.
 - (2)** Pursuit of a suspect in compliance with chapter 806.
 - (3)** Activities in the capacity of a law enforcement officer with the knowledge and consent of the chief of police of the city or the sheriff of the county in which the activities occur or of the commissioner of public safety.
- h.** A licensee under chapter 80A or an employee of such a licensee, while the licensee or employee is engaged in the performance of duties, and if the licensee or employee possesses a valid professional or professional

<p>n/a</p>	<p>permit to carry weapons issued pursuant to this chapter.</p> <p>NEW SECTION. 724.40 Carrying dangerous weapons duty to cooperate reasonable suspicion.</p> <p>A person carrying a dangerous weapon whose behavior creates a reasonable suspicion that the person presents a danger to the person's self or others shall cooperate with an investigating officer.</p>
<p>n/a</p>	<p>NEW SECTION. 724.4E Possession of dangerous weapons and loaded firearms by minors.</p> <ol style="list-style-type: none">1. A minor who goes armed with a dangerous weapon concealed on or about the person commits a serious misdemeanor.2. A minor who carries, transports, or possesses a loaded firearm of any kind within the limits of a city or knowingly carries or transports a pistol or revolver in a vehicle commits a serious misdemeanor.3. A minor who goes armed with a dangerous weapon that directs an electric current impulse, wave, or beam that produces a high-voltage pulse designed to immobilize a person, whether concealed or not, commits a simple misdemeanor. <p>Section 724.5, Code 2021, is amended by striking the section and inserting in lieu thereof the following:</p>
<p>§724.5</p>	<p>724.5 Availability of permit not to be construed as prohibition on unlicensed carrying of weapons.</p> <p>The availability of a professional or nonprofessional permit to carry weapons under this chapter shall not be construed to impose a general prohibition on the otherwise lawful unlicensed carrying or transport, whether openly or concealed, of a dangerous weapon, including a loaded firearm.</p>

<p>§724.6, subsection 1, paragraph a</p>	<p>Section 724.6, subsection 1, paragraph a, Code 2021, is amended to read as follows:</p> <p>2) A person may be issued a permit to carry weapons if the person is an emergency medical care provider who is designated and attached to a law enforcement tactical team by the authorities having jurisdiction. A person issued a permit to carry weapons under this paragraph shall train with the law enforcement tactical team the person is designated and attached to, complete a prescribed firearm safety training course offered pursuant to section 724.9, subsection 1, paragraph e, complete any additional training as prescribed by the authorities having jurisdiction, and not be disqualified under section 724.8.</p>
<p>§724.6, subsection 2</p>	<p>Section 724.6, subsection 2, Code 2021, is amended to read as follows:</p> <p>2. Notwithstanding subsection 1, fire fighters, as defined in section 411.1, subsection 10, airport fire fighters included under section 97B.49B, and emergency medical care providers, as defined in section 147A.1 other than emergency medical care providers specified in subsection 1, paragraph a, subparagraph (2), shall not, as a condition of employment, be required to obtain a permit under this section. However, the provisions of this subsection shall not apply to a person designated as an arson investigator by the chief fire officer of a political subdivision.</p>
<p>§724.6</p> <p>n/a</p>	<p>Section 724.6, Code 2021, is amended by adding the following new subsection:</p> <p>NEW SUBSECTION. 3. For purposes of this section, - <i>emergency medical care provider</i>- means the same as defined in section 1 4 7 A .l.</p> <p>NEW SECTION. 724.8B Persons ineligible to carry dangerous weapons.</p> <p>A person determined to be ineligible to receive a permit to carry weapons under section 724.8, subsection 2, 3, 4,</p>

5, or 6, a person who illegally possesses a controlled substance included in chapter 124, subchapter II, or a person who is committing an indictable offense is prohibited from carrying dangerous weapons. Unless otherwise provided by law, a person who violates this section commits a serious misdemeanor.

Section 724.31, subsection 1, Code 2021, is **amended** to read as follows:

§724.31

When a court issues an order or judgment under the laws of this state by which a person becomes subject to the provisions of 18 U.S.C. S922(d)(4) and (g)(4), the clerk of the district court shall forward only such information as is necessary to identify the person to the department of public safety, which in turn shall **enter the information on the Iowa on-line warrants and articles criminal justice information network and forward** the information to the federal bureau of investigation or its successor agency for the sole purpose of inclusion in the national instant criminal background check system database. The clerk of the district court shall also notify the person of the prohibitions imposed under 18 U.S.C. S922(d)(4) and (g)(4).

§724.9, subsection 1, paragraphs a and b

Section 724.9, subsection 1, paragraphs a and b, Code 2021, are **amended** to read as follows:

a. Completion of any national rifle association handgun safety training course **or a handgun safety training course offered by an instructor certified by an organization approved by the department of public safety pursuant to section 724.9A.**

b. Completion of any handgun safety training course available to the general public offered by a law enforcement agency, community college, college, private or public institution or organization, or firearms training school, utilizing instructors certified by the national rifle association or an **organization approved by the department of public safety pursuant to section**

n/a

§724.28, subsection 2 and 3

724.9A or another state's department of public safety, state police department, or similar certifying body.

NEW SECTION. 724.9A Approval of organizations that may certify handgun safety training instructors.

The department of public safety shall adopt rules to approve organizations that may certify individuals as handgun safety training instructors eligible to offer a handgun safety training course under section 724.9, subsection 1, paragraphs "a" and "b".

Section 724.28, subsections 2 and 3, Code 2021, are **amended** as follows:

2. A political subdivision of the state shall not enact an ordinance, motion, resolution, policy, or amendment regulating the ownership, possession, **carrying**, legal transfer, lawful transportation, modification, registration, or licensing of firearms, firearms attachments, or other weapons when the ownership, possession, **carrying**, transfer, transportation, or modification is otherwise lawful under the laws of this state. An ordinance regulating firearms, firearms attachments, or other weapons in violation of this section existing on or after April 5, 1990, is void.

3. If a political subdivision of the state, prior to, on, or after July 1, 2020, adopts, makes, enacts, or amends any ordinance, measure, enactment, rule, resolution, motion, policy regulating the ownership, possession, **carrying**, legal transfer, lawful transportation, modification, registration, or licensing of firearms, firearms attachments, or other weapons when the ownership, possession, **carrying**, transfer, transportation, modification, registration, or licensing of firearms, firearms attachments, or other weapons is otherwise lawful under the laws of this state, a person adversely affected by the ordinance, measure, enactment, rule, resolution, motion, or policy may file suit in the appropriate court for declaratory and injunctive relief and all damages attributable to the

§562A.11

violation. A court shall also award the prevailing party in any such lawsuit reasonable attorney fees and court costs.

Section 562A.11, Code 2021, is **amended** to read as follows:

562A.11 Prohibited provisions in rental agreements.

1. A rental agreement shall not provide that the tenant or landlord **does any of the following:**
 - a. Agrees to waive or to forego rights or remedies under this chapter provided that this restriction shall not apply to rental agreements covering single family residences on land assessed as agricultural land and located in an unincorporated area~~;~~
 - b. Authorizes a person to confess judgment on a claim arising out of the rental agreement~~;~~
 - c. Agrees to pay the other party's attorney fees~~;~~~~or.~~
 - d. Agrees to the exculpation or limitation of any liability of the other party arising under law or to indemnify the other party arising under law or to indemnify the other party for that liability or the **associated** costs ~~connected therewith~~.

1A. If the landlord receives rental assistance payments under a rental assistance agreement administered by the United States department of agriculture under the multifamily housing rental assistance program under Tit. V of the federal Housing Act of 1949, Pub. L. No. 81-171, or receives housing assistance payments under a housing assistance payment contract administered by the United States department of housing and urban development under the housing choice voucher program, the new construction program, the substantial rehabilitation program, or the moderate rehabilitation program under section 8 of the United States Housing Act of 1937, Pub. L. No. 75-412, a rental agreement shall not contain a provision or impose a rule that requires a person to agree, as a condition of tenancy, to a prohibition or restriction on the lawful ownership, use,

§562A.16

§562A.27A, subsection 2, paragraph b

or possession of a firearm, a firearm component, or ammunition within the tenant's specific rental unit. A landlord may impose reasonable restrictions related to the possession, use, or transportation of a firearm, a firearm component, or ammunition within common areas as long as those restrictions do not circumvent the purpose of this subsection. A tenant shall exercise reasonable care in the storage of a firearm, a firearm component, or ammunition. This subsection does not apply to any prohibition or restriction that is required by federal or state law, rule, or regulation.

2. A provision prohibited by ~~subsection 1~~ this section included in a rental agreement is unenforceable. If a landlord willfully uses a rental agreement containing provisions known by the landlord to be prohibited, a tenant may recover actual damages sustained by the tenant and not more than three months' periodic rent and reasonable attorney fees.

Section 562A.16, Code 2021, is **amended** by adding the following new subsection:

3. Except in cases of willful, reckless, or gross negligence, a landlord is not liable in a civil action for personal injury, death, property damage, or other damages resulting from or arising out of an occurrence involving a firearm, a firearm component, or ammunition that the landlord is required to allow on the property under section 562A.11.

Section 562A.27A, subsection 2, paragraph b, Code 2021, is **amended** to read as follows:

- b.* **Illegal use of a firearm or other weapon, the threat to use a firearm or other weapon illegally, or possession of an illegal firearm. The mere possession or storage of a firearm by a tenant in the dwelling unit that the tenant rents does not constitute a clear and present danger.**

§562B.11

Section 562B.11, Code 2021, is **amended** by adding the following new subsection:

1. If the landlord receives rental assistance payments under a rental assistance agreement administered by the United States department of agriculture under the multifamily housing rental assistance program under Tit. V of the federal Housing Act of 1949, Pub. L. No. 81-171, or receives housing assistance payments under a housing assistance payment contract administered by the United States department of housing and urban development under the housing choice voucher program, the new construction program, the substantial rehabilitation program, or the moderate rehabilitation program under section 8 of the United States Housing Act of 1937, Pub. L. No. 75-412, a rental agreement shall not contain a provision or impose a rule that requires a person to agree, as a condition of tenancy, to a prohibition or restriction on the lawful ownership, use, or possession of a firearm, a firearm component, or ammunition within the tenant's specific rental unit. A landlord may impose reasonable restrictions related to the possession, use, or transportation of a firearm, a firearm component, or ammunition within common areas as long as those restrictions do not circumvent the purpose of this subsection. A tenant shall exercise reasonable care in the storage of a firearm, a firearm component, or ammunition. This subsection does not apply to any prohibition restriction that is required by federal or state law, rule, or regulation.

§562B.11, subsection 2

Section 562B.11, subsection 2, Code 2021, is **amended** to read as follows:

2. A provision prohibited by ~~subsection 1~~ this section included in a rental agreement is unenforceable. If a landlord or tenant knowingly uses a rental agreement containing provisions known to be prohibited by this chapter, the other party may recover actual damages sustained.

§321J.2, subsection 3, paragraph d

period is shorter, ~~and the department shall not issue a new driver's license to the person during the extended period.~~

Section 321J.2, subsection 3, paragraph d. Code 2021, is amended to read as follows:

d. Revocation of the person's driver's license for a minimum period of one hundred eighty days up to a maximum revocation period of one year, pursuant to section 321J.4, subsection 1, section 321J.9, or section 321J.12. The department shall require the defendant to install an ignition interlock device of a type approved by the commissioner of public safety on all vehicles ~~owned~~ or operated by the defendant if the defendant seeks a temporary restricted license.

§321J.4, subsections 1 and 3

Section 321J.4, subsections 1 and 3, Code 2021, are amended to read as follows:

1. If a defendant is convicted of a violation of section 321J.2 and the defendant's driver's license or nonresident operating privilege has not been revoked under section 321J.9 or 321J.12 for the occurrence from which the arrest arose, the department shall revoke the defendant's driver's license or nonresident operating privilege for one hundred eighty days if the defendant submitted to chemical testing and has had no previous conviction or revocation under this chapter and shall revoke the defendant's driver's license or nonresident operating privilege for one year if the defendant refused to submit to chemical testing and has had no previous conviction or revocation under this chapter. The department shall require the defendant to install an ignition interlock device of a type approved by the commissioner of public safety on all vehicles ~~owned~~ or operated by the defendant if the defendant seeks a temporary restricted license.

3. If the court defers judgment pursuant to section 907.3 for a violation of section 321J.2, and if the defendant's driver's license or nonresident operating privilege has not been revoked under section 321J.9 or 321J.12, or

§321J.4, subsection 8, paragraphs a and d

has not otherwise been revoked for the occurrence from which the arrest arose, the department shall revoke the defendant's driver's license or nonresident operating privilege for a period of not less than thirty days nor more than ninety days. The department shall require the defendant to install an ignition interlock device of a type approved by the commissioner of public safety on all vehicles owned or operated by the defendant if the defendant seeks a temporary restricted license.

Section 321J.4, subsection 8, paragraphs a and d. Code 2021, are **amended** to read as follows:

a. On a conviction for or as a condition of a deferred judgment for a violation of section 321J.2, the court may order the defendant to install ignition interlock devices of a type approved by the commissioner of public safety on all motor vehicles owned or operated by the defendant which, without tampering or the intervention of another person, would prevent the defendant from operating the motor vehicle with an alcohol concentration greater than a level set by rule of the commissioner of public safety. **However, if the defendant has had no previous conviction or revocation under this chapter, the court's order shall require the defendant to install approved ignition interlock devices only on all motor vehicles operated by the defendant.**

d. If the defendant's driver's license or nonresident operating privilege has been revoked, the department shall not issue a temporary permit or a driver's license to the person without certification that approved ignition interlock devices have been installed if on all motor vehicles owned or operated by the defendant while the order is in effect. **However, if the defendant has had no previous conviction or revocation under this chapter, the department shall require certification that approved ignition interlock devices have been installed only on all motor vehicles operated by the defendant.**

§321J.9, subsection 2

Section 321J.9, subsection 2, Code 2021, is **amended** to read as follows:

2. The department shall require the defendant to install an ignition interlock device of a type approved by the commissioner of public safety on all vehicles owned or operated by the defendant if the defendant seeks a temporary restricted license. **However, if the defendant has had no previous conviction or revocation under this chapter, the department shall only require the defendant to install an approved ignition interlock device on all vehicles operated by the defendant if the defendant seeks a temporary restricted license. A temporary restricted license shall not be granted by the department until the defendant installs the ignition interlock device.**

§ 321J.12, subsection 2

Section 321J.12, subsection 2, Code 2021, is **amended** to read as follows:

2. The department shall require the defendant to install an ignition interlock device of a type approved by the commissioner of public safety on all vehicles owned or operated by the defendant if the defendant seeks a temporary license. **However, if the defendant has had no previous conviction or revocation under this chapter, the department shall only require the defendant to install an approved ignition interlock device on all vehicles operated by the defendant if the defendant seeks a temporary restricted license. A temporary restricted license shall not be granted by the department until the defendant installs the ignition interlock device.**

§321J.20, subsection 2

Section 321J.20, subsection 2, Code 2021, is **amended** to read as follows:

2. A temporary restricted license issued under this section shall not be issued until the applicant installs an approved ignition interlock device on all motor vehicles owned or operated by the applicant. However, if the applicant has had no previous conviction or revocation

under this chapter, a temporary restricted license issued under this section shall not be issued until the applicant installs an approved ignition interlock device on all motor vehicles operated by the applicant. Installation of an ignition interlock device under this section shall be required for the period of time for which the temporary restricted license is issued, and for such additional period of time following reinstatement as is required under section 321J.17, subsection 3. However, a person whose driver's license or nonresident operating privilege has been revoked under section 321J.21 may apply to the department for a temporary restricted license without the requirement of an ignition interlock device if at least twelve years have elapsed since the end of the underlying revocation period for a violation of section 321J.2.

§321J.21, subsection 2

Section 321J.21, subsection 2, Code 2021, is **amended** to read as follows:

2. In addition to the fine, the department, upon receiving the record of the conviction of a person under this section upon a charge of driving a motor vehicle while the license of the person was suspended, denied, revoked, or barred shall extend the period of suspension, denial, revocation, or bar for an additional like period, **and the department shall not issue a new license during the additional period.**

§901D.7, subsection 2, paragraph a, subparagraph (4)

Section 901D.7, subsection 2, paragraph a, subparagraph (4), Code 2021, is **amended** to read as follows:

(4) A requirement that the participant submit to the law enforcement agency of the participating jurisdiction proof that the participant has installed an approved ignition interlock device on all motor vehicles owned or operated by the participant, **or only motor vehicles operated by the participant if authorized under chapter 321J, as applicable,** prior to the end of participation in the program, unless the court enters an order pursuant to paragraph finding the participant is not required to

<p>§901D.7, subsection 2, paragraph c, subparagraph (1), unnumbered paragraph 1</p> <p>§ 901D.7, subsection 2, paragraph c, subparagraph (1), subparagraph division (b)</p>	<p>provide proof of installation of an approved ignition interlock device as a condition of the participant's completion of the program.</p> <p>Section 901D.7, subsection 2, paragraph c, subparagraph (1), unnumbered paragraph 1, Code 2021, is amended to read as follows:</p> <p>A court shall only enter an order finding the participant is not required to provide proof of installation Of an approved ignition interlock device on all motor vehicles owned or operated by the participant, or only motor vehicles operated by the participant if authorized under chapter 321J, as applicable, if any of the following apply:</p> <p>Section 901D.7, subsection 2, paragraph c, subparagraph (1), subparagraph division (b). Code 2021, is amended to read as follows:</p> <p>(b) The participant will not own or operate a motor vehicle or have a motor vehicle registered in the participant's name at the time the participant completes the program, and the participant has submitted an affidavit stating such.</p>
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<p>An act concerning unauthorized entry or access, including placement or use of a camera or electronic surveillance device while trespassing, unauthorized gathering of samples of certain materials relating to animals and animal feeding operations, and providing penalties.</p>	
<p>HF 775 Comparison</p>	
<p>Old</p>	<p>New</p>
<p>n/a</p>	<p>Section 1. NEW SECTION. 716.14 Unauthorized sampling. 1. As used in this section, unless the context otherwise requires: a. "Agricultural animal" means an animal belonging to the bovine, caprine, equine, ovine, or porcine species; farm deer as defined in section 170.1; ostriches, rheas, and emus; turkeys, chickens, domestic geese or ducks, or other domestic fowl; fish or other aquatic organisms confined in private waters for human consumption; or</p>

honey bees.

b. "Agricultural crop" means a plant produced for food, animal feed, fiber, oil, or fuel if the plant is classified as a forage or cereal plant, including but not limited to alfalfa, barley, buckwheat, corn, flax, forage, hemp as defined in section 204.2, millet, oats, popcorn, rye, sorghum, soybeans, sunflowers, wheat, and grasses used for forage or silage. A plant which is a noxious weed pursuant to section 317.1A shall not be considered an agricultural crop unless the plant is produced as a research crop.

c. (1) "Convicted" means the entry of a judgment of conviction under chapter 901 or adjudicated delinquent for an act which is an indictable offense in this state or in another state under chapter 232.

(2) "Convicted" does not mean a plea, sentence, adjudication, deferred sentence, or deferred judgment which has been reversed or otherwise set aside.

2. A person commits unauthorized sampling, if the person knowingly enters private property, without consent of the owner or any other person having real or apparent authority to grant consent, and obtains samples of any of the following:

a. Bodily fluids or substances from an agricultural animal.

b. Any product from an agricultural animal.

c. Soil, air, surface water, or ground water from land or structures used for the production of an agricultural animal or the production of an agricultural crop.

3. A person who commits unauthorized sampling as provided in subsection 2 is guilty of an aggravated misdemeanor.

4. Notwithstanding subsection 3, a person who commits unauthorized sampling as provided in subsection 2 is guilty of a class felony if the person has previously been convicted of committing unauthorized sampling under subsection 2.

Sec. 2. NEW SECTION. 727.8A Cameras or electronic surveillance devices — trespass.

A person committing a trespass as defined in section 716.7 who knowingly places or uses a camera or electronic surveillance device that transmits or records images or data while the device is on the trespassed property commits an aggravated misdemeanor for a first offense and a class D felony for a second or subsequent offense.

An Act Creating a Civil Action Relating to Harassment by the Reporting of False Information to Law Enforcement Authority.

HF 821 Comparison

Old	New
§708.7	<p>Section 708.7, Code 2021 is amended by adding the following new subsection:</p> <p>NEW SUBSECTION. 07. A person injured by a violation of section 1 paragraph subparagraph (4) may bring a civil action against the person whose conduct violated section 1 paragraph "a", subparagraph (4).</p>

An Act relating to the financial exploitation of designated eligible adults and making an appropriation.

HF 839 Comparison

Old	New
n/a Sec. 2. Section 502.607, subsection 3	<p>Section 1. Section 502.607, subsection 2, Code 2021, is amended by adding the following new paragraph: NEW PARAGRAPH, g. A record obtained by the administrator or by law enforcement under section 502.809.</p> <p>Sec. 2. Section 502.607, subsection 3, Code 2021, is amended to read as follows: 3. Administrator discretion to disclose. If disclosure is for the purpose of a civil, administrative, or criminal investigation, action, or proceeding or to a person specified in section 502.608, subsection 1, the administrator may disclose a record obtained in connection with an audit or inspection under section 502.411, subsection 4, or a record obtained in connection with an investigation under section 502.602 or section 502.809.</p> <p>Sec. 3. NEW SECTION. 502.801 Definitions. For purposes of this article, unless the context otherwise requires:</p>

1. "Eligible adult" means any of the following:
 - a, A person sixty-five years of age or older.
 - b. A dependent adult as defined in section 235B.2.
2. "Financial exploitation" means any act or omission taken by a person to wrongfully and knowingly deprive an eligible adult of money, assets, or property, or to obtain control over or otherwise use, convert, or divert the benefits, property, resources, or assets of the eligible adult by intimidation, deception, coercion, fraud, extortion, or undue influence.
3. "Permissible third party" means any of the following:
 - a, A person the eligible adult previously designated to receive the notification described in section 502.804.
 - b, A person otherwise permitted to receive the notification described in section 502.804 by any state or federal law or any rule issued by the financial industry regulatory authority.
4. "Qualified individual" means any of the following:
 - a. An agent who has received training pursuant to section 502.808.
 - b. An investment adviser representative who has received training pursuant to section 502.808.
 - a, A person who has received training pursuant to section 502.808 and who serves in a supervisory, compliance, senior investor protection, or legal capacity for any of the following:
 - (1) A broker-dealer.
 - (2) An investment adviser.

Sec. 4. NEW SECTION. 502.802 Notification to administrator.

If a broker-dealer, investment adviser, or qualified individual reasonably believes financial exploitation of an eligible adult has occurred, has been attempted, or is being attempted, the broker-dealer, investment adviser, or qualified individual may promptly notify the administrator. The administrator may adopt rules regarding the form and manner of the notification under this section.

Sec. 5. NEW SECTION. 502.803 Notification to administrator — immunity.

A broker-dealer, investment adviser, or qualified individual who, acting reasonably and in good faith, makes a disclosure of information to the administrator pursuant to this article shall be immune from administrative or civil liability that might otherwise arise from such disclosure or

for any failure to notify the eligible adult of the disclosure. Other than matters related to the reporting of the financial exploitation of an eligible adult pursuant to this section, this section shall not abrogate or modify any existing statutory or common law privileges or immunities.

Sec. 6. NEW SECTION. 502.804 Notification to permissible third party.

1. If a broker-dealer, investment adviser, or qualified individual reasonably believes financial exploitation of an eligible adult has occurred, has been attempted, or is being attempted, the broker-dealer, investment adviser, or qualified individual may notify a permissible third party. The administrator may adopt rules regarding the form and manner of the notification under this section.

2. Broker-dealers, investment advisers, and qualified individuals shall not notify a permissible third party the broker-dealer, investment adviser, or qualified individual reasonably suspects of financial exploitation or other abuse of the eligible adult.

Sec. 7. NEW SECTION. 502.805 Notification to permissible third party — immunity.

A broker-dealer, investment adviser, or qualified individual who, acting reasonably and in good faith, complies with section 502.804 shall be immune from any administrative or civil liability that might otherwise arise from such disclosure.

Sec. 8. NEW SECTION. 502.806 Disbursements or transactions — delay.

1. If a broker-dealer, investment adviser, or qualified individual reasonably believes a disbursement or transaction will likely result in or contribute to the financial exploitation of an eligible adult, the broker-dealer, investment adviser, or qualified individual shall initiate an internal review of the requested disbursement or transaction.

2. A broker-dealer or investment adviser may delay a disbursement or transaction from an eligible adult's account or an account on which an eligible adult is a beneficiary if all of the following apply:

a. The broker-dealer, investment adviser, or qualified individual reasonably believes, after initiating the internal review referenced in subsection 1, that the requested disbursement or transaction will likely result in or

contribute to the financial exploitation of an eligible adult.

b. Immediately, but in no event more than two business days after the disbursement or transaction is delayed, the broker-dealer or investment adviser provides written notification of the delay and the reason for the delay to all persons authorized to transact business on the account. Broker-dealers, investment advisers, and qualified individuals shall not notify a person authorized to transact business

on the account if the broker-dealer, investment adviser, or qualified individual reasonably believes the person has committed financial exploitation, attempted financial exploitation, or other abuse of the eligible adult.

c. Immediately, but in no event more than two business days after the disbursement or transaction is delayed, the broker-dealer or investment adviser notifies the administrator of the delay and provides to the administrator the reason for the delay, including the results of the internal review referenced in subsection 1.

d. The broker-dealer or investment adviser continues the internal review of the suspected or attempted financial exploitation of the eligible adult, as necessary, and provides the administrator with updates upon request.

3. Any delay of a disbursement or transaction authorized by this section will expire upon the first to occur of any of the following:

a. A determination by the broker-dealer or investment adviser that the disbursement or transaction will not result in or contribute to financial exploitation of the eligible adult.

b. Fifteen business days after the date on which the broker-dealer or investment adviser first delayed disbursement of the funds or transaction, unless the administrator requests the broker-dealer or investment adviser to extend the delay, in which case the delay shall expire no more than twenty-five business days after the date on which the broker-dealer or investment adviser first delayed the disbursement of the funds or the transaction.

4. Notwithstanding subsection 3, upon the petition of the administrator, the broker-dealer or investment adviser

who initiated the delay pursuant to this section, or another interested party, a court of competent jurisdiction may enter an order terminating, extending, or

modifying the delay of the disbursement or transaction and may order other protective relief.

5. The administrator may adopt rules regarding the form and manner of the notifications under this section.

Sec. 9. NEW SECTION. 502.807 Disbursements of transactions — delay — immunity.

A broker-dealer or investment adviser who, acting reasonably and in good faith, complies with section 502.806 shall be immune from any administrative or civil liability that might otherwise arise from such delay in a disbursement or transaction.

Sec. 10. NEW SECTION. 502.808 Training requirements.

1. A broker-dealer or investment adviser shall provide to its qualified individuals training appropriate to the job responsibilities of a qualified individual. The training shall include all of the following:

a. Instruction on how to identify the suspected or attempted exploitation of an eligible adult, including common signs indicating the financial exploitation of an eligible adult, and how to provide notification regarding the suspected or attempted exploitation of an eligible adult.

b. Instruction regarding privacy and confidentiality requirements.

2. A broker-dealer or investment adviser shall provide the training required by this section as soon as reasonably practicable, but at least within one year after the date the qualified individual begins employment with or becomes affiliated or associated with a broker-dealer or investment adviser.

3. The administrator may adopt rules specifying the content and method of the training required by this section.

Sec. 11. NEW SECTION. 502.809 Records.

A broker-dealer or investment adviser shall provide access to or copies of records that are relevant to the suspected or attempted financial exploitation of an eligible adult to the administrator, either as part of a notification to the administrator pursuant to section 502.802, or upon the request of the administrator. The records may include historical records as well as records relating to the most recent transactions that may comprise financial exploitation of an eligible adult. The administrator may

	<p>share the records with law enforcement if the administrator determines it is necessary or appropriate in the public interest and for the protection of the eligible adult. All records made available to the administrator or law enforcement pursuant to this section shall be considered confidential public records under chapter 22 and shall not be available for examination by the public pursuant to section 22.2. Nothing in this section shall limit or otherwise impede the authority of the administrator or law enforcement to access or examine the books and records of broker-dealers and investment advisers as otherwise provided by law.</p> <p>Sec. 12. NEW SECTION. 502.810 Financial exploitation — reporting. Annually, on or before January 15 of each year, the insurance division shall submit a report to the governor and the general assembly concerning the notifications the insurance division received related to the potential financial exploitation of eligible adults, and the insurance division's investigation of the notifications, during the preceding calendar year. The report shall include the number of notifications the insurance division received, the amount of time employees of the insurance division spent investigating the notifications, the number of incidents of founded financial exploitation of ineligible adults.</p>
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An Act Relating to the Definition of Sex Act or Sexual Activity for Purposes of the Iowa Criminal Code.

SF 172 Comparison

Old	New
<p>§702.17, subsections 2 and 3</p>	<p>Section 702.17, subsections 2 and 3, Code 2021, are amended to read as follows:</p> <p>2. Contact between the mouth and genitalia or mouth and anus or by contact between the genitalia of one person and the genitalia or anus of another person.</p> <p>3. Contact between the finger or hand finger, hand, or other body part of one person and the genitalia or anus of another person, except in the course of examination</p>

<p>§321.194, subsection 2, paragraph a, subparagraph (3)</p>	<p>origin and the destination and the driving distance between the point of origin and the destination is no more than fifty miles.</p> <p>Section 321.194, subsection 2, paragraph a, subparagraph (3), Code 2021, is amended to read as follows:</p> <p>(3) To a service station for the purpose of refueling, so long as the service station is the station closest to the route on which the licensee is traveling under subparagraph (1), (2), or, (3).</p>
<p>§321.194, subsection 3, paragraph b</p>	<p>Section 321.194, subsection 3, paragraph b, Code 2021, is amended to read as follows:</p> <p>b. Upon receipt of a statement of necessity, the department shall issue the driver's license provided the applicant is otherwise eligible for issuance of the license. The fact that the applicant resides at a distance less than one mile from the applicant's school of enrollment is prima facie evidence of the nonexistence of necessity for the issuance of a license. However, the distance between the applicant's residence and school of enrollment shall not be considered if the applicant resides on a farm or is employed for compensation on a farm.</p>

<p>An Act relating to public safety including the crimes of failure to assist, abuse of a corpse, and interference with official acts, and providing penalties.</p>	
<p>SF 243 Comparison</p>	
<p>Old</p>	<p>New</p>

Section 1. Section 708.14, subsection 1

Section 1. Section 708.14, subsection 1, Code 2021, is amended by adding the following new paragraph:

NEW PARAGRAPH, c. Fails to disclose the known location of a corpse with the intent to conceal a crime.

Sec. 2. Section 719.1, subsection 1

Sec. 2. Section 719.1, subsection 1, paragraph a. Code 2021, is amended to read as follows:

a, A person commits interference with official acts when the person knowingly resists or obstructs anyone known by

the person to be a peace officer, jailer, emergency medical care provider under chapter 147A, **medical examiner**, or fire fighter, whether paid or volunteer, or a person performing bailiff duties pursuant to section 602.1303, subsection 3, in the performance of any act which is within the scope of the lawful duty or authority of that officer, jailer, emergency medical care provider under chapter 147A, **medical examiner**, or fire fighter, whether paid or volunteer, or a person performing bailiff duties pursuant to section 602.1303, subsection 3, or who knowingly resists or obstructs the service or execution by any authorized person of any civil or criminal process or order of any court.

n/a

Sec. 3 NEW SECTION. 727.12 Failure to assist.

1. A person who reasonably believes another person is suffering from a risk of serious bodily injury or imminent danger of death shall, if the person is able, attempt to contact local law enforcement or local emergency response authorities, if doing so does not place the person or the other person at risk of serious bodily injury or imminent danger of death. A person shall not be required to contact local law enforcement or emergency response authorities if the person knows or reasonably believes that the other person is not in need of help or assistance.

2. A person who violates this section without lawful cause commits the following:

a. A simple misdemeanor if the failure to assist results in the other person suffering serious bodily injury.

b. An aggravated misdemeanor if the failure to assist results in the death of the other person.

An Act Relating to Sexual Abuse in the Second Degree and Sexual Abuse in the Third Degree.

SF 253 Comparison

Old	New
<p>§692A.102, subsection 1, paragraph a, subparagraph (3)f.</p> <p>§709.3, subsection 1, paragraph b</p> <p>§709.4</p>	<p>Section 692A.102, subsection 1, paragraph a, subparagraph (3)f Code 2021, is amended to read as follows:</p> <p>(3) Sexual abuse in the third degree in violation of section 709.4, subsection 1, paragraph subparagraph (1) or (2), if committed by a person under the age of fourteen.</p> <p>Section 692A.102, subsection 1, paragraph c, subparagraph (11), Code 2021, is amended to read as follows:</p> <p>(11) Sexual abuse in the third degree in violation of section 709.4, subsection 1, paragraph subparagraph (1) or (3), if committed by a person fourteen years of age or older.</p> <p>Section 709.3, subsection 1, paragraph b. Code 2021, is amended to read as follows:</p> <p>b. The other person is under the age of twelve a child.</p> <p>Section 709.4, subsection 1, paragraph b, subparagraph (2), Code 2021, is amended to read as follows:</p> <p>(2) The other person is twelve or thirteen years of age.</p>

An Act Relating to the Examination and Transportation of Dead Bodies, Including Associated Fees and Costs.

HF 307 Comparison

Old	New
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Section 1. Section 331.802, subsection 1

Section 1. Section 331.802, subsection 1, Code 2021, is amended to read as follows:

1. A person's death which that affects the public interest as specified in subsection 3 shall be reported to the county medical examiner or the state medical examiner by the physician in attendance, any law enforcement officer having knowledge of the death, the embalmer funeral director, or any other person present. The appropriate medical examiner shall notify the city or state law enforcement agency or sheriff and take charge of the body.

Sec. 2. Section 331.802, subsection 2, paragraph a. Code 2021, is amended to read as follows:

a. If a person's death affects the public interest as specified in subsection 3, the county medical examiner shall conduct a preliminary investigation of the cause and manner of death, prepare a written report of the findings, promptly submit the full report to the state medical examiner on forms prescribed for that purpose, and submit a copy of the report to the county attorney.

Sec. 3. Section 331.802, subsection 4, Code 2021, is amended to read as follows:

4. a. The county medical examiner shall conduct the investigation in the manner required by the state medical examiner and shall determine whether the public interest requires an autopsy or other special investigation.

However, if the death occurred in the manner specified in subsection 3, paragraph the county medical examiner shall order

an autopsy, claims for the payment of which shall be filed with the state appeal board and, if authorized by the board, shall be paid out of moneys in the general fund of the state not otherwise appropriated. In determining the need for an autopsy, the county medical examiner may consider the request for an autopsy from a public official or private person, but the state medical examiner or the county attorney of the county where the death occurred may require an autopsy except as provided in paragraph

b. If after the county medical examiner's or state medical examiner's investigation of a deceased child the medical examiner determines that the deceased child's cause and manner of death are obvious and there are no significant legal, medical, or investigative concerns by the medical examiner, social services, or law enforcement, an autopsy shall not be required under paragraph 'a',

c. The county medical examiner may refer a body for autopsy or further investigation pursuant to paragraph "

	<p>to any facility accredited by the national association of medical examiners. The county shall pay to the receiving facility a fee equal to an autopsy fee established by the office of the state medical examiner by rule.</p> <p>Sec. 4. Section 331.802, Code 2021, is amended by adding the following new subsection:</p> <p>NEW SUBSECTION. 9. If an autopsy is ordered under this section, the county shall reimburse the funeral director for all costs associated with the transportation of the body to and from the facility performing the autopsy at a rate equivalent to the rate of reimbursement allowed under the standard mileage rate method for computation of business expenses pursuant to the Internal Revenue Code at the time the transportation occurs.</p> <p>Sec. 5. Section 331.805, subsection 2, Code 2021, is amended to read as follows:</p> <p>2 . It is unlawful to embalm a body when the ombalмор funeral director has reason to believe death occurred in a manner specified in section 331.802, subsection 3, when there is evidence sufficient to arouse suspicion of crime in connection with the cause of death of the deceased, or where it is the duty of a medical examiner to view the body and investigate the death of the deceased person, until the permission of a county medical examiner has been obtained. When feasible, the body shall be released to the funeral director for embalming within twenty-four hours of death.</p> <p>Sec. 6. IMPLEMENTATION OF ACT. Section 25B.2, subsection 3, shall not apply to this Act.</p>
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<p>An Act Relating to Public Records and Communications in Professional Confidence; Uniform Commercial Code Filings; Qualified Immunity; Peace Office Plans and Workers' Compensation; Certain Law Enforcement Matters; Criminal Laws Involving Public Disorder, Assaults, and Harassment; Civil Liability for Certain Vehicle Operators; Window Tinting; Acts on Certain Highways; and Civil Service Commission Examinations; Providing Penalties; and Including Effective Date and Retroactivity Provisions.</p>	
<p>SF 342 Comparison</p>	
<p>Old</p>	<p>New</p>

§9E.1

Section 9E.1, Code 2021, is **amended** to read as follows:

a. "Eligible person" means a person who is ~~all~~ **a resident of this state, an adult, a minor, or an incapacitated person as defined in section 633.701, and is one** of the following:

~~(1) A resident of this state.~~

~~(2) An adult/ a minor, or an incapacitated person as defined in section 633.701.~~

~~(3)~~ A victim of domestic abuse, domestic abuse assault, sexual abuse, **assault**, stalking, or human trafficking as evidenced by the filing of a petition pursuant to section 236.3 or a criminal complaint or information pursuant to section **708.1**, 708.2A, 708.11, or 710A.2, or any violation contained in chapter 709.

(2) A currently active or retired state or local judicial officer, as defined in section 4.1, a federal judge, or a spouse or child of such a person.

(3) A currently active or retired state or local prosecuting attorney, as defined in section 801.4, or a spouse or child of such a person.

(4) A currently active or retired peace officer, as defined in section 801.4, civilian employee of a law enforcement agency, or a spouse or child of such a person.

Section 9E.2, subsection 6, paragraph a, Code 2021 is **amended** to read as follows:

§9E.2, subsection 6, paragraph a

(a) The eligible person listed on the application is a victim of domestic abuse, domestic abuse assault, sexual abuse, **assault**, stalking, or human trafficking.

Section 9E.3, subsection 1, paragraph b, subparagraph (1), subparagraph division (a) is **amended** to read as follows:

§9E.3, subsection 1, paragraph b, subparagraph (1), subparagraph division (a)

e. The residential address of the eligible person, disclosure of which could lead to an increased risk of domestic abuse, domestic abuse assault, sexual abuse, **assault**, stalking, or human trafficking.

Section 9E.3, subsection 1, paragraph e, Code 2021 is **amended** to read as follows:

An Act Relating to the Placement of a Child in Detention, and Including Effective Date Provisions.

SF 357 Comparison

Old

New

§232.22, subsection 5

Section 232.22, subsection 5, Code 2021, is **amended** to read as follows:

5.a A child shall not be detained in a facility under subsection 3, paragraph for a period of time in excess of six hours without the oral or written order of a judge or a magistrate authorizing the detention. A judge or magistrate may authorize detention in a facility under subsection 3, paragraph for a period of time in excess of six hours but less than twenty-four hours, excluding weekends and legal holidays, but only if all of the following occur or exist:

~~1~~(a) The facility serves a geographic area outside a standard metropolitan statistical area as determined by the United States ~~census bureau~~ **office of management and budget**.

~~2~~(b) The court determines that an acceptable alternative placement does not exist pursuant to criteria developed by the department of human services.

~~3~~(c) The facility has been certified by the department of corrections as being capable of sight and sound separation pursuant to this section and section 356.3.

~~4~~(d) The child is awaiting an initial hearing before the court pursuant to section 232.44.

~~The Restrictions Contained In This Subsection Relating to the detention of a child in a facility under subsection 3y paragraph do not apply if the court has waived its jurisdiction over the child for the alleged commission of a felony offense pursuant to section 232.45.~~

§232.22, subsection 7

Section 232.22, subsection 7, Code 2021, is amended to read as follows:

7. a) If the juvenile court has waived its jurisdiction over the child ~~for the alleged commission of a forcible felony offense~~ pursuant to section 232.45 or 232.45A, ~~and there is a serious risk that the child may commit an act which would inflict serious bodily harm on another person the child may be held in the county jail, notwithstanding section 356.3'. However, wherever possible the child shall be held in sight and sound separation from adult offenders. A child held in the county jail under this subsection shall have all the rights of adult post-arrest or pretrial detainees, or the child is excluded from the jurisdiction of the juvenile court pursuant to section 232.8, subsection 1, paragraph and the child is awaiting trial or other legal process, the child shall not be detained in any facility intended for the detention of adults unless the district court determines that after a hearing and issuing written findings, that such detention is in the best interest of the child and the community. In determining whether it is in the best interest of the child and the community to permit a child to be detained in a facility intended for the detention of adults, the court shall consider all of the following:~~

- (1) The age of the child, including the child's physical and mental maturity.
- (2) The present mental state of the child, including whether the child presents an imminent risk of harm to the child's self.
- (3) The nature and circumstances of the alleged offense.
- (4) The child's history of prior delinquent acts.
- (5) The relative ability of available adult and juvenile detention facilities to not only meet the specific needs of the child but also to protect the safety of the public as well as other detained children.

	<p>(6) Any other relevant factor.</p> <p>B. If a court determines pursuant to paragraph that it is in the best interest of the child and the community to permit a child to be detained in a facility intended for the detention of adults the following conditions shall apply:</p> <p>(1) The child shall not have sight or sound contact with adult inmates.</p> <p>(2) The court shall hold a hearing not less than once every thirty days, or in the case of a rural nonmetropolitan jurisdiction as determined by the United States office of management and budget/ not less than once every forty-five days to review whether it is still in the best interest of the child and the community to permit a child to be detained in a facility intended for the detention of adults.</p> <p>(3) The child shall not be detained in a facility intended for the detention of adults for more than one hundred eighty days unless the courts, in writing, determine there is good cause for an extension or the child expressly waives this limitation.</p> <p>(4) A child detained in a county jail in a facility intended for the detention of adults under this subsection shall have all the rights of adult post arrest or pretrial detainees.</p>
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<p>An Act Relating to Certain Financial Obligations, Including Under the Consumer Credit Code, and Including Under the Criminal and Juvenile Justice System by Modifying Criminal and Civil Surcharges, Fines, Fees, Costs, and Court Debt, Providing Civil Penalties, and Including Effective Date and Retroactive Applicability Provisions.</p>	
<p>SF 367 Comparison</p>	
<p>Old</p>	<p>New</p>

§537.1301, subsection 12

Section 537.1301, subsection 12, Code 2021, is amended to read as follows:

12. "Consumer credit transaction" means a consumer credit sale or consumer loan, or a refinancing or consolidating thereof, or a consumer lease, or a consumer rental purchase agreement. "Consumer credit transaction" does not include goods, services, or any other benefits provided by or on behalf of the state or a state agency.

§602.8105, subsection 2, paragraph h

Section 602.8105, subsection 2, paragraph h. Code 2021, is amended to read as follows:

h. For applicable convictions under section 692A.110 prior to ~~July 1, 2000, a civil penalty of two hundred ten dollars, and for applicable convictions under section 602A.110 on or after July 1, 2009~~ June 25, 2020, a civil penalty of two hundred sixty dollars.

- a. "Court debt" means all restitution as defined in section 910.1, fees, ~~and~~ forfeited bail, and other debt paid to or collected by the clerk of the district court.
- b. Sec. 4. Section 602.8107, subsection 3, Code 2021, is amended to read as follows:

b. (1) ~~In addition, court debt which is being collected under an installment agreement pursuant to section 321.210B which is in default that remains delinquent shall remain assigned to the department of revenue if the installment agreement was executed with the department of revenue; or to the county attorney or county attorney's designee if the installment agreement was executed with the county attorney or county attorney's designee~~The department of revenue shall receive fifteen percent of each court debt payment collected on cases assigned to the department of revenue for collection to reflect the cost of processing and the remaining eighty-five percent of such court debt collected shall be paid to the clerk of the district court for distribution under section 602.8108. The department

of revenue collection fee shall not include the amount of court debt collected for restitution involving pecuniary damages, the victim compensation fund, the crime services surcharge, the domestic and sexual abuse crimes surcharge, the agricultural surcharge, the sex offender civil penalty.

(2) Payments made by a person under subparagraph (1) between January 1, 2021, and January 1, 2022, including any portion of the payment applied to the department of revenue's processing fee, shall be reapplied as if no department of revenue processing fee had been added to the amount owed. The revenue shall be allocated a portion of such payments pursuant to subparagraph (1). If a payment made by a person owing court debt between January 1, 2021, and January 1, 2022, reduces the person's total amount of court debt owed to zero, the clerk of the district court shall issue a refund to the person in the amount attributable to the processing fee added to the court debt. This subparagraph was repealed on January 1, 2023.

The centralized debt collection facilities of the department of revenue established pursuant to section 421.17, subsection 21, shall collect court debt assigned to the department of revenue pursuant to this section.

Section 602.8107, subsection 4, paragraph a. Code 2021, is **amended** to read as follows:

a. This subsection does not apply to amounts collected for restitution involving pecuniary damages, the victim compensation fund, the crime services surcharge, ~~sex offender civil penalty~~, the domestic and sexual abuse crimes surcharge, the agricultural theft surcharge, or amounts collected as a result of procedures initiated under subsection 5, the sex offender civil penalty, or under section 8A.504.

Section 692A.110, subsection 2, Code 2021, is **amended** to read as follows:

§602.8107, subsection 4, paragraph a

§629.110, subsection 2

§910.3, subsection 8

2. In addition to any other penalty, at the time of conviction for a public offense committed on or after July 1, 1995, which requires a sex offender to register under this chapter, the offender shall be assessed a ~~civil penalty of two hundred dollars to be payable to the clerk of the district court as provided in section 602.8105 and distributed as provided in section 602.8108.~~ ~~With respect to a conviction for a public offense committed on or after July 1, 2000y which requires a sex offender to register under this chapter, the offender shall be assessed a civil penalty of two hundred fifty dollars,~~ payable to the clerk of the district court as provided in section 602.8105 and distributed as provided in section 602.8108.

Section 910.3, subsection 8, Code 2021, is amended to read as follows:

8. The court shall enter a permanent restitution order setting out the amount of restitution including the amount of public service to be performed as restitution and the persons to whom restitution must be paid. A permanent restitution order entered at the time of sentencing is part of the final judgment of sentence as defined in section 814.6 and shall be considered in a properly perfected appeal. ~~An appellate court shall not review or modify any issue related to a defendant's ability to pay unless the defendant has exhausted the defendant's remedies under section 910.7 and obtained a ruling from the district court prior to the issue being raised in the appellate court.~~

§911.2B

Section 911.2B, Code 2021, is amended to read as follows:

911.2B Domestic abuse ~~assaults domestic abuse protective order contempt~~ and sexual abuse ~~stalking and human trafficking crimes~~ surcharge.

1. In addition to any other surcharge, the court shall assess a ~~domestic abuse assault, domestic abuse protective order contempt, sexual abuse, stalking,~~

	<p>and human trafficking victim domestic and sexual abuse crimes surcharge of ninety dollars if an adjudication of guilt or a deferred judgment has been entered for a violation of section 708.2A, 708.11, or 710A.2, or chapter 709, or if a defendant is held in contempt of court for violating a domestic abuse protective order issued pursuant to chapter 236.</p>
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<p>An Act Relating to the Death of a Dependent Adult, and Providing Penalties.</p>	
<p>SF 450 Comparison</p>	
<p>Old</p>	<p>New</p>
<p>n/a</p>	<p>Section 1. Section 235B.20, Code 2021, is amended by adding the following new subsection:</p> <p>NEW SUBSECTION. IA. A caretaker who intentionally or recklessly commits dependent adult abuse on a dependent adult in violation of this chapter which resulted in the death of the dependent adult is guilty of murder in the second degree in violation of section 707.3.</p>

<p>An Act Relating to the Appointment of a Guardian Ad Litem, A Child Custody Investigator, or Child and Family Reporter, or an Attorney for Certain Child Custody and Visitation Matters, and a Guardian Ad Litem for Certain Child Prosecution Witnesses.</p>	
<p>SF 482 Comparison</p>	
<p>Old</p>	<p>New</p>
<p>§206.5, subsection 6</p>	<p>Section 206.5, subsection 6, Code 2021, is amended to read as follows:</p> <p>6. An employee of a food processing and distribution establishment is exempt from the certification requirements of this section provided that at least one person holding a supervisory position is certified and provided that the employer provides a program, approved by the department, for training, testing, and</p>

§206.19, subsection 5

n/a

certification of personnel who apply, as an incidental part of their duties, any pesticide on property owned or rented by the employer. **However, an employee exempt from the certification requirements of this section shall not apply restricted use pesticides.** The secretary shall adopt rules to administer the provisions of this ~~paragraph~~ **subsection.**

Section 206.19, subsection 5, Code 2021, is **amended** to read as follows:

5. a. Establish, assess, and collect civil penalties for a **violation of a provision in this chapter or a rule adopted pursuant to this chapter by commercial applicators or private or private applicator.** In determining the amount of the a civil penalty **to be assessed for a violation**, the department shall consider all of the following factors:

(1) The willfulness of the violation.

(2) The actual or potential danger of injury to the public health or safety, or damage to the environment caused by the violation.

(3) The actual or potential cost of the injury or damage caused by the violation to the public health or safety, or to the environment.

(4) The actual or potential cost incurred by the department in enforcing this chapter and rules adopted pursuant to this chapter against the violator.

(5) The remedial action required of the violator.

(6) The violator's previous history of complying with orders or decisions of the department.

b. The amount of the civil penalty that may be assessed for each violation committed by a commercial applicator or private applicator shall not exceed five hundred dollars for each offense.

NEW SECTION

206.23B Private pesticide applicator peer review panel.

1. The department shall establish a private pesticide applicator peer review panel to assist the department in assessing or collecting a civil penalty pursuant to section 206.19. The secretary shall appoint five members, including three certified private applicators and two members of the public who have not been licensed or certified under this chapter. The appointments shall be made on a geographically balanced basis.

2. a. The members appointed pursuant to this section shall serve four-year terms beginning and ending as provided in section 69.19. However, the secretary shall appoint initial members to serve for less than four years to ensure that members serve staggered terms. A member is eligible for reappointment. A vacancy on the panel shall be filled for the unexpired portion of the regular term in the same manner as regular appointments are made.

b. The panel shall elect a chairperson who shall serve for a term of year. The panel shall meet on a regular basis and at the call of the chairperson or upon the written request to the chairperson of two or more members. Three voting members constitute a quorum and the affirmative vote of a majority of the members present is necessary for any substantive action to be taken by the panel. The majority shall not include any member who has a conflict of interest and a statement by a member that the member has a conflict of interest is conclusive for this purpose. A vacancy in the membership does not impair the duties of the panel.

c. Notwithstanding section 7E.6, the members shall only receive reimbursement for actual expenses for performance of their official duties, as provided by the department.

d. The panel shall be staffed by the department.

3. The panel shall make recommendations to the department regarding the establishment of civil

penalties and procedures to assess and collect penalties, as provided in section 206.19. The panel may propose a schedule of penalties for minor and serious violations. The department may adopt rules based on the recommendations of the panel as approved by the secretary.

4. The panel shall review cases of persons required to be certified as private applicators who are subject to civil penalties as provided in section 206.19 according to rules adopted by the department. A review shall be performed upon request by the secretary or the person subject to the civil penalty. The panel may establish procedures for the review and establish a system of prioritizing cases for review, consistent with rules adopted by the department. The rules may exclude review of minor violations. The review may also include the manner of assessing and collecting the civil penalty. The findings and recommendations of the panel shall be included in a response delivered to the department and the person subject to the penalty. The response may include a recommendation that a proposed civil penalty be modified or suspended, that an alternative method of collection be instituted, or that conditions be placed upon the certification of a private applicator.

5. The department shall adopt rules establishing a period for the review and response by the panel which must be completed prior to a contested case hearing under chapter 17A. A hearing shall not be delayed after the required period for review and response, except as provided in chapter 17A.

6. This section does not apply to a certification revocation proceeding under section 206.11. This section does not require the department to delay the prosecution of a case if immediate action is necessary to reduce the risk of harm to the environment or public health or safety. This section also does not require a review or response if the department refers a violation of this chapter for criminal prosecution, or for an action involving a stop sale, use, or removal" order issued

§692A.102, subsection 1, paragraph c, subparagraph (28)

(11) Sexual exploitation by a counselor, therapist, school employee, or **adult providing training or instruction** in violation of section 709.15, if the victim is thirteen years of age or older.

Section 692A.102, subsection 1, paragraph c, subparagraph (28), Code 2021, is **amended** to read as follows:

(28) Sexual exploitation by a counselor, therapist, er-school employee, **or adult providing training or instruction** in violation of section 709.15, if the child is under thirteen years of age.

§702.11, subsection 2, paragraph d

Section 702.11, subsection 2, paragraph d, Code 2021, is **amended** to read as follows:

d. Sexual exploitation by a counselor, therapist, school employee, or **adult providing training or instruction** in violation of section 709.15.

§709.15, subsection 1

Section 709.15, subsection 1, Code 2021, is **amended** by adding the following new paragraph:

NEW PARAGRAPH. 'Adult Providing Training Or Instruction' means an adult who is not a school employee who provides paid training or instruction to a minor outside of a school setting. For purposes of this paragraph, "adult" is a person age eighteen years or older who is four or more years older than the minor receiving training or instruction.

§709.15

Section 709.15, Code 2021, is **amended** by adding the following new subsection:

NEW SUBSECTION. 3A. a. Sexual exploitation by an adult providing training or instruction occurs when any of the following are found:

(1) A pattern or practice or scheme of conduct to engage in any of the conduct described in subparagraph (2).

(2) Any sexual conduct with a minor for the purpose

of arousing or satisfying the sexual desires of the adult providing training or instruction or of the minor. Sexual conduct includes but is not limited to the following:

(a) Kissing.

(b) Touching of the clothed or unclothed inner thigh, breast, groin, buttock, anus, pubes, or genitals.

(c) A sex act as defined in section 702.17.

b. Sexual exploitation by an adult providing training or instruction does not include touching that is necessary in the performance 802.20 Human trafficking.

c. This subsection only applies to an offense under subparagraph (1) which occurs within the period of time the adult providing training or instruction is receiving payment for the training or instruction and to an offense under subparagraph (2) which occurs within the period of time the adult providing training or instruction is receiving payment for the training or instruction or within thirty days after any such period of training or instruction.

Section 709.15, Code 2021, is amended by adding the following new subsection:

NEW SUBSECTION. 6. a. An adult providing training or instruction who commits sexual exploitation in violation of subsection 3A, paragraph subparagraph (1), commits a class felony.

b. An adult providing training or instruction who commits sexual exploitation in violation of subsection 3A, paragraph subparagraph (2), commits an aggravated misdemeanor.

Section 802.2, subsections 1 and 2, Code 2021, are amended to read as follows:

An information or indictment for human trafficking in violation of section 710A.2, committed on or with a

§709.15

§802.2, subsections 1 and 2

§802.2D

person who is under the age of eighteen years shall may be found within ten years after the person upon whom the offence is committed attains eighteen years of age or if the person against whom the information or indictment is sought is identified through the use of a DNA profile and information or indictment shall be found within three years from the date the person is identified by the person's DNA profiler whichever is later commenced at any time after the commission of the offense.

Section 802.2D, Code 2021, is amended to read as follows:

802.20 Human trafficking.

Section 802.2, subsections 1 and 2, Code 2021, are amended to read as follows:

1. An information or indictment for sexual abuse in the first, second, or third degree committed on or with a person who is under the age of eighteen years ~~may shall~~ ~~may be found within fifteen years after the person upon whom the offense is committed attains eighteen years of age or if the person against whom the information or indictment is sought is identified through the use of a DNA profile an information or indictment shall be found within three years from the date the person is identified by the person's DNA profile whichever is later~~ commenced at any time after the commission of the offense.

2. An information or indictment for any other sexual abuse in the first, second, or third degree shall be ~~found~~ commenced within ten years after its commission, or if the person against whom the information or indictment is sought is identified through the use of a DNA profile, an information or indictment be ~~found~~ commenced within three years from the date the person is identified by the person's DNA profile, whichever is later.

§802.2A

Section 802.2A, Code 2021, is amended to read as follows:

802.2A Incest — sexual exploitation by a counselor, therapist, et school employee, or adult providing training or instruction.

1. An information or indictment for incest under section 726.2 committed on or with a person who is under the age of eighteen shall may be found within fifteen years after the person upon whom the offense is committed attains eighteen years of age. An information or indictment for any other incest shall be found within ten years after its commenced at any time after the commission of the offense.

2. An indictment or information for sexual exploitation by a counselor, therapist, school employee, or adult providing training or instruction, under section 709.15 committed on or with a person who is under the age of eighteen shall may be found within fifteen years after the person upon whom the offense is committed attains eighteen years of age commenced at any time after the commission of the offense. An information or indictment for any other sexual exploitation shall be found within ten years of the date the victim was last treated by the counselor or therapist — or within ten years of the date the victim was enrolled in or attended the school.

Section 802.2B, unnumbered paragraph 1, Code 2021, is amended to read as follows:

§802.2B

An information or indictment for the following offenses committed on or with a person who is under the age of eighteen years shall may be found within ten years after the person upon whom the offense is committed attains eighteen years of age or if the person against whom the information or indictment is sought is identified through the use of a DNA profile an information or indictment shall be found within three years from the date the person is identified by the person's DNA profile/

§802.2D

~~whichever is later~~ commenced at any time after the commission of the offense.

Section 802.2D, Code 2021, is **amended** to read as follows:

802.20 Human trafficking.

An information or indictment for human trafficking in violation of section 710A.2, committed on or with a person who is under the age of eighteen years ~~shall~~ **may** ~~be found within ten years after the person upon whom the offense is committed attains eighteen years of age or if the person against whom the information or indictment is sought is identified through the use of a DNA profile and information or indictment shall be found within three years from the date the person is identified by the person's DNA profiler whichever is later~~ commenced at any time after the commission of the offense.