Iowa Valley Community College District
2015 Legislative Updates
By Cindy S. Schulte, IVCCD Director of Governmental Affairs

Week of May 22nd:

**Governor Signs Legislation into Law**

On May 22, Governor Branstad signed SF 501 (SARA) and SF 486 (Reverse Referendum) into law.

SF 501 supports online education and student consumer protection. The bill relates to reciprocity agreements involving certain postsecondary educational institutions and creates a student tuition refund fund. The consumer protection bill will allow Iowa to register with the National Council for State Authorization Reciprocity Agreements (SARA) without sacrificing Iowa’s strong consumer protection laws. This agreement standardizes distance learning regulations and eliminates a burdensome and costly state-by-state authorization process. The streamlined system will generate a Tuition Refund Fund in the Office of the State Treasurer under the control of the Iowa Attorney General’s Office for purposes of student tuition refunds for Iowa’s educational institutions by increasing the availability of their online programs as well as saving $5.7 million that otherwise would have been passed onto students in tuition increases. A fiscal note was requested on May 7 and it was determined by the Iowa Fiscal Services Division that the number of refunds to be sought under the provisions of SF 501 is unknown and the fiscal impact could not be estimated. Legislation enacted during the 2014 session permitted Iowa to participate in SARA but was deemed inadequate by the national organization because it preserved the rights of Iowa students to rely on Iowa’s consumer protection laws, including the right to a full tuition refund. Under SARA, a student seeking a refund must rely first on the laws of the state in which the school is operating. If the state does not guarantee a full refund, the student must rely on the provisions of their enrollment agreement with the school. SF 501 received unanimous support in the House and Senate chambers during the 2015 session.

SF 486 (Reverse Referendum) provides the boards of directors at Iowa’s Community Colleges the authority to pass a resolution to impose the facility property tax levy and the equipment replacement and program sharing property tax levy at the same rate for a period not to exceed ten years. The bill was sent to the Governor’s Office for consideration on May 12.

**Standing Appropriations**

On May 20, the House passed SF 510 (Standing Appropriations), which provides for limitations on certain standing appropriations, including the Legislature, and technical corrections to a number of legislation which already passed during the session. The House adopted an amendment (H-1365) which strikes the language in the Senate version of the bill and inserted certain changes which pertain to the budget process for FY2017 and FY2018. Other changes in the bill include:

- **Education Budgeting Matters** – Amends Iowa Code 8.22A to require the Revenue Estimating Conference (REC) to establish a revenue estimate for the fiscal year beginning on July 1 of the following calendar year. (At the March REC meeting it was discussed to revise its estimate for FY2016 and FY2017 and set an initial estimate for FY2018). Amends Iowa Code 257.8 to change the timeline for the Legislature to set Supplemental State Aid for schools from 30 days from the date the Governor presents his budget to the Legislature for the fiscal year after the next fiscal year to the date before the end of that legislative session.

- **Area Education Association Funding Adjustment** – Amends Iowa Code 257.35 by inserting language which reduces the state aid by $15 million in FY2016 (same level as FY2015).

- **Iowa New Job Training Agreements** – Includes
language which allows a community college that entered into a 260E jobs training agreement with an employer in April 2012 to use that employer’s base employment from April 2012 to determine the new jobs eligible under a new agreement with the employer in September 2015. (The April base employment must be 2,125).

- **Elective Public Officer Contact Information** – Creates Iowa Code 70A.40 which requires elected public officials to provide designated contact information which will be published on the requisite government entity’s public website, should it have a site, within 30 days of being sworn into office. The new section defines “contact information” as the official’s phone number and email address and defines “elected public officials” to include members of the Iowa General Assembly, a county board of supervisors, city council, and a board of directors of a school district.

- **Medicaid Program – Asset, Income, and Identity Verification** – Directs the Iowa Department of Human Services (DHS) to issue an RFP to contract with a vendor to establish an electronic asset, income, and identity eligibility verification system. (Federal law already requires that the DHS establish an asset verification system and Iowa is currently not in compliance with the federal law).

SF 501 moves back to the Senate to consider changes made to their version of the appropriations bill.

### 2015 Legislation

**ACTIVE – SF 510 – Standings Bill** – Voted out of Senate Appropriations on May 12 and voted out of the Senate on May 14. Voted out of the House on May 20 with House amendments 1365 and 1370. SF 510 was referred back to the Senate for consideration on May 21.

**NEW LAW – SF 501 – An act relating to interstate student tuition agreements involving certain postsecondary educational institutions, creating a tuition refund fund, and appropriating money from the fund.** SF 501 passed out of the Senate on May 12 and HF 663 passed out of the House on May 12. HF 663 was substituted for SF 501 in the House on May 12. Signed by the Governor on May 22.

**ACTIVE – HF 658** – **Education Appropriations** – Passed the out of the Senate with Senate Amendment 3150 on May 6th. HF 658 was referred to the House which refused to concur with House Amendment – 1339 and sent to a conference committee for compromise on May 6. A conference committee was established on May 11 with Senators Schoenjahn, Horn, Quirmbach, Sinclair, and Kraayenbrink and Representatives Dolecheck, Forristall, Nunn, Winckler, and Bearinger.


**ACTIVE – HF 650** – **Rebuild Iowa Infrastructure Fund (RIIF) Appropriations** – Passed out of the Senate with Senate amendments 3176 and 3172 and House refused to concur with the Senate on May 11. Conference committee members are Senator McCoy, Bowman, Petersen, Kapucian, and Chapman and Representatives Huseman, Maxwell, Stanerson, Cohoon, and Dawson on May 12.

**NEW LAW - SF486** – An act relating to the approval and imposition of the facilities property
tax levy and the equipment replacement and program sharing property tax levy for a merged area. SF 486 was voted out of the House on May 12. Signed by the Governor on May 22.

**ACTIVE - HF 121/SF 258** – An act relating to the eligibility requirements for the GAP Tuition Assistance Program. HF 121 was referred back to the House Education Committee and SF 258 passed out of the Senate 49 – 1 on March 18 and was sent to the House for consideration. Language in both bills is included in SF 493 (Education Appropriations) which passed out of the Senate on April 29 and included in Senate Amendment – 3150 in HF 658 which is in a conference committee assignment.

**NEW LAW - HF 205** – An act that extends reporting requirements of postsecondary educational institutions regarding Veterans to include certain members of the reserves and National Guard. Signed by Governor on March 4.

**FAILED FUNNEL - HF 387** – An act relating to interstate reciprocity agreements entered into, administered, or recognized by the Iowa College Student Aid Commission. HF 387 was referred back to House Education and failed the funnel. Language will be prepared by the Iowa Attorney General’s Office to create a fund that will provide refunds to students who cannot acquire refunds from certain postsecondary institutions and for profit organizations. The language will be included as a leadership bill and incorporated in the final Standing Bill for the session. (See HF 663 and SF 501).

**NEW LAW - HF 167** – An act concerning access to documents during the competitive bidding process for public improvement contracts (involves government entities). Signed by the Governor on March 4.

**NEW LAW - HF 421** – An act relating to the qualifications for community college career and technical education instructors. Signed into law by Governor on April 17.

**NEW LAW - SF 130** – An act making changes to certain limitations within the Iowa National Educational Assistance Program. SF 130 was signed by the Governor on March 30.

**ACTIVE - HSB 236/SSB 1178** – An act creating a student debt reduction organization tax credit available against the individual and corporate income tax, providing for the exclusion of student debt reduction grants from the individual income tax, and including retroactive and other applicability provisions. Filed by the Governor’s Office. HSB 236 was referred to the House Ways & Means subcommittee of Forristal, Baltimore, and Steckman on April 15 and SSB 1178 was referred to the Senate Ways & Means subcommittee of Bolkcom, McCoy, and Feenstra on February 12.

**NEW LAW - HF 172** - An act relating to corporations’ powers and duties, document filings, meetings, mergers, voting procedures, and the functions of directors and officers. Signed by the Governor on April 17.

**NEW LAW – Senate File 227** – An act relating to school start date and eliminating the waiver. Signed by the Governor on April 10.

**Events of Importance**

**June 24 – 26** – The Midwest Educators Forum on Entrepreneurship Conference sponsored by the U.S. DOL Technology Grant on the NIACC campus. Registration can be done at: [http://www.niacc.edu/mefe](http://www.niacc.edu/mefe). The registration fee is $175.
June 25 – 27 – Preserve Iowa Summit coordinated by the Iowa Department of Cultural Affairs in Winterset. Registration can be done at: www.preserveiowasummit.com.


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