
FISCAL UPDATE Article

Fiscal Services Division

May 5, 2020



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COVID-19 — GOVERNOR'S PROCLAMATIONS — APRIL 27, 2020

Proclamation of Disaster Emergency, April 27, 2020

Governor Reynolds proclaimed a State of Disaster Emergency on March 9, 2020, in response to the outbreak of COVID-19 following a national public health emergency declaration issued by the United States Department of Health and Human Services on January 31, 2020, and multiple individuals within the State of Iowa testing presumptive positive for COVID-19. The Governor issued an additional Proclamation of Disaster Emergency on March 17, 2020, establishing a State of Public Health Disaster Emergency.

On April 27, 2020, the Governor issued an additional [Proclamation of Disaster Emergency](#) which, in addition to encouraging all vulnerable Iowans in all counties to limit activities outside the home, ordered the following measures to be in effect immediately until the end of the Public Health Disaster Emergency or unless otherwise stated:

- In all counties, the orders closing and prohibiting bars, theaters, casinos, social clubs, senior citizen centers, amusement halls and establishments, museums, aquariums, zoos, skating facilities, playgrounds, campgrounds, swimming pools, salons, barbershops, medical spas, tattoo establishments, tanning facilities, massage therapy establishments, and door-to-door sales are extended to May 15, 2020.
- In Allamakee, Benton, Black Hawk, Bremer, Dallas, Des Moines, Dubuque, Fayette, Henry, Iowa, Jasper, Johnson, Linn, Louisa, Marshall, Muscatine, Polk, Poweshiek, Scott, Tama, Washington, and Woodbury counties, the orders closing restaurants, fitness centers, malls, libraries, racetracks, and nonessential retail establishments are extended to May 15, 2020.
- In all counties except Allamakee, Benton, Black Hawk, Bremer, Dallas, Des Moines, Dubuque, Fayette, Henry, Iowa, Jasper, Johnson, Linn, Louisa, Marshall, Muscatine, Polk, Poweshiek, Scott, Tama, Washington, and Woodbury, restaurants, fitness centers, malls, libraries, racetracks, and nonessential retail establishments may reopen effective May 1, 2020, under the following conditions:
 - The number of customers present must be limited to 50.0% of normal operating capacity, and the establishment must take reasonable measures to encourage social distancing and increased hygiene practices to reduce the risk of transmission of COVID-19.
 - Restaurants must limit group sizes to no more than six people, must position tables at least six feet apart, and must not have any self-service food or beverage options.
 - Fitness centers must position all equipment at least 6 feet apart and must limit group activities to no more than 10 people.
 - Malls must keep all common seating and play areas closed, and all food vendors may only operate on a carryout basis.
 - Racetracks must not permit any spectators to attend events in person.
- All State agencies are directed to continue efforts to mitigate the economic effects of the ordered closings and restrictions.
- Mass gatherings of more than 10 people will continue to be prohibited with the exception of spiritual and religious gatherings. Individuals who remain inside enclosed vehicles shall not be counted as present at the gathering to the extent that they remain in their vehicles.

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- Farmers markets are not prohibited as mass gatherings and may take place under the following restrictions:
 - Only vendors selling food or farm products will be allowed.
 - Musical performances, children's activities, common seating areas, or other entertainment is prohibited.
 - Vendors must be spaced no less than six feet apart.
 - Farmers markets must implement reasonable measures to ensure social distancing of vendors and customers, increased hygiene practices, and other measures to reduce the risk of transmission of COVID-19.
 - Auctions attended by more than 10 people continue to be prohibited until May 15, 2020, except that auctions of livestock that only include food animals may operate with up to 25 people present.
 - The prohibition of mass gatherings and closure of certain facilities continue to not apply to elections or precinct election official training activities.
 - Prohibitions and restrictions on nonessential or elective surgeries and procedures continue to be in place until May 15, 2020, under the same conditions set in place by the Proclamation issued on April 24, 2020.
 - Nonessential and nonemergency dental services continue to be prohibited until May 15, 2020.
 - All health care facilities must continue to screen staff at the beginning of their shift for fever or other COVID-19 symptoms.
 - All public and nonpublic schools are to remain closed for the remainder of the regularly scheduled school year. The minimum instructional time and school day requirements are waived for schools that adopt and offer a continuous learning plan approved by the Iowa Department of Education by April 10, 2020. Graduation requirements for the Iowa high school graduating class of 2020 have been modified, and the minimum fire and tornado drill requirements for schools have been waived for the 2020 school year.
 - Provisions of the Iowa Code and Iowa Administrative Code regarding health care facilities and residential care facilities that were temporarily suspended in previous Proclamations continue to be suspended.
 - Provisions of the Iowa Code and Iowa Administrative Code requiring face-to-face interactions with health care providers and imposing requirements for residential and outpatient substance use disorder treatment, and provisions restricting the use of telehealth services through audio-only telephone transmission, continue to be suspended, and health carriers continue to be directed to reimburse health care professionals for covered services provided through telehealth practices.
 - Provisions of the Iowa Code and Iowa Administrative Code prohibiting pharmacists from practicing therapeutic substitution without prior consent by the prescriber continue to be suspended.
 - Provisions of the Iowa Code and Iowa Administrative Code permitting a residential care facility or nursing facility to involuntarily discharge or transfer a resident for nonpayment for the resident's stay continue to be suspended.
 - Provisions of the Iowa Code and Iowa Administrative Code prohibiting a county hospital from borrowing moneys secured solely by hospital revenues, preventing a board of a county hospital from authorizing noncurrent debt, and requiring notice and publication of the proposed action prior to the authorization of noncurrent debt continue to be suspended.
 - Provisions of the Iowa Code and Iowa Administrative Code previously suspended regarding certain professional licensing examination requirements, expirations and renewals, practical and clinical hours, internship completion, and background checks continue to be suspended.
 - Provisions of the Iowa Code and Iowa Administrative Code allowing for the commencement and prosecution of foreclosure proceedings continue to be suspended.
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- Provisions of the Iowa Code allowing for the recovery of collateral for nonpayment of debt continue to be suspended.
- Provisions of the Iowa Code and Iowa Administrative Code authorizing the commencement of proceedings or the prosecution of ongoing proceedings subject to mandatory mediation between farmers and creditors under Iowa Code section [654A.6](#) continue to be suspended.
- Provisions of the Iowa Code authorizing garnishment, except for those provisions relating to enforcement of domestic support orders, continue to be suspended.
- Provisions of the Iowa Code allowing for the commencement and proceedings of foreclosures and certain evictions in the State of Iowa continue to be suspended.
- Provisions of the Iowa Code previously suspended requiring service of a notice to quit or service of original notice before commencing an action under Iowa Code sections [648.1\(2\)](#) through [648.1\(6\)](#) (Forcible Entry and Detainer) during the duration of the Proclamation, insofar as this suspension is consistent with prior suspensions of regulatory provisions allowing for the termination of a rental agreement or eviction of a tenant, continue to be suspended.
- Provisions of the Iowa Code previously suspended so that court debts not paid by the date set in the court order shall not be deemed delinquent during the duration of the Proclamation continue to be suspended until May 27, 2020. The Proclamation advises Iowans not to anticipate an additional extension to this provision.
- Provisions of the Iowa Code requiring a county attorney who collects delinquent court debt to satisfy applicable threshold amounts for the remainder of this fiscal year, and requiring the State Court Administrator to send a notice for this fiscal year to a county attorney regarding continued eligibility in the County Attorney Collection Program, continue to be suspended.
- Provisions of the Iowa Code requiring the imposition of penalty and interest for delay in payment of property taxes continue to be suspended.
- Provisions of the Iowa Code requiring a county treasurer to hold a tax sale for any parcel on which real estate taxes are delinquent, including notice and publication requirements, provisions permitting a county treasurer to collect delinquent taxes by alternative remedy, provisions relating to the expiration of right of redemption, provisions requiring the accrual or imposition of interest for a tax sale redemption, and provisions requiring a treasurer to make out a deed immediately after the expiration of 90 days from the date of completed service of a notice of expiration of the right of redemption, continue to be suspended.
- Provisions of the Iowa Code and Iowa Administrative Code requiring a taxpayer who has made contributions to the Iowa Educational Savings Plan Trust on or after January 1, 2020, but on or before the deadline, to elect to be deemed to have made contributions in the preceding tax year continue to be suspended, so long as that election is made before the end of this suspension.
- Provisions of the Iowa Code and Iowa Administrative Code requiring the designation of a beneficiary of a first-time homebuyer savings account by April 30, 2020, for accounts opened in 2019 continue to be suspended, so long as the designation is made before the end of this suspension.
- Provisions of the Iowa Code previously suspended regulating the sale of beer, wine, alcoholic liquor, and mixed drinks or cocktails, as well as the provisions previously suspended setting monthly timelines for taxation of the sale of alcohol, prohibiting refunds for seasonal or short-term licenses or permits, and prohibiting the refund or raffle license fees, continue to be suspended.
- Provisions of the Iowa Code and Iowa Administrative Code requiring that a food establishment renew its license within 60 days of expiration continue to be suspended.
- Provisions of the Iowa Code and Iowa Administrative Code requiring sellers of beverages on which an Iowa deposit was made to accept empty beverage containers for deposit redemption continue to be suspended.
- Provisions of the Iowa Code and Iowa Administrative Code prohibiting attorneys from submitting interim indigent defense fee claims in juvenile and criminal defense cases continue to be suspended.

- Provisions of the Iowa Code and Administrative Code previously suspended so that counties may expend allocations from the county commissions of veteran affairs to aid veterans in coping with the disaster continue to be suspended.
- Provisions of the Iowa Code limiting the amount of School Ready Children Grant funding an Early Childhood Iowa Area Board may carry forward from fiscal year 2020 to fiscal year 2021, thereby raising the limit from 20.0% to 35.0%, continue to be suspended.
- Provisions of the Iowa Code requiring governmental entities to distribute, receive, open, or record paper documents used under the Iowa Construction Bidding Act continue to be suspended.
- Provisions of the Iowa Code requiring a peace officer's statement on a return of service to be made under oath so that the peace officer may use electronic means to file the return of service and submit an inventory of seized property continue to be suspended.
- Provisions of the Iowa Code requiring corporate shareholders, policyholders, or members, as well as governmental bodies, to vote in person continue to be suspended so that meetings and votes can happen by means of remote communication.
- Provisions of the Iowa Code setting requirements for public meetings and hearings for government subdivisions continue to be suspended to make allowances for electronic meetings and hearings.
- Provisions of the Iowa Code requiring a lawful custodian of public records to maintain office hours to receive in-person record requests, as well as previously temporarily suspended provisions requiring in-person examination or copying of public records, continue to be suspended to the extent that those records can be examined and copies can be provided by mail or electronic means.
- Provisions of the Iowa Code requiring city council vacancies to be filled within 60 days after the vacancy occurs continue to be suspended.
- Provisions of the Iowa Code requiring physical presence for notarizations or the witnessing of certain legal documents continue to be suspended.
- Provisions of the Iowa Code requiring in-person case reviews of children receiving foster care continue to be suspended.
- Provisions of the Iowa Code requiring any reference to a "forensic interview" to require the interview to be conducted face-to-face continue to be suspended.
- Provisions of the Iowa Code and Iowa Administrative Code setting an enforcement date of May 1, 2020, for the American Society of Mechanical Engineers Safety Code for Existing Elevators and Escalators continue to be suspended.
- Previously suspended provisions of the Iowa Code and Iowa Administrative Code restricting the movement of oversize and overweight loads and regulating hours of service when transporting certain goods continue to be suspended. The Iowa Department of Transportation continues to be directed to monitor the operation of this provision.
- Previously suspended provisions of the Iowa Code regarding driver and vehicle licensing and registration continue to be suspended.
- Provisions of the Iowa Code requiring firearm permit applications be delivered in person continue to be suspended. Each sheriff's office continues to be directed to establish drop-off, mail-in, or electronic submission to the extent practical. Permits to carry shall continue to not expire during the Proclamation.
- Provisions of the Iowa Code limiting the use of online instruction in determining contact hours for apprenticeship sponsors continue to be suspended.
- Provisions of the Iowa Code and the Iowa Administrative Code requiring an applicant to retake a high school equivalency degree test if the applicant has not earned a high school equivalency degree within five years of taking the first subtest continue to be suspended.
- Provisions of the Iowa Administrative Code that set a minimum contact hour requirement for community college instruction continue to be suspended.

- Provisions of the Iowa Code and Iowa Administrative Code requiring each student participating in interscholastic athletics to present a certificate indicating that the student has been examined by an appropriate medical professional and determined to be able to safely engage in athletic competition continue to be suspended.
- Provisions of the Iowa Code requiring instructional courses for drinking drivers to be delivered in person rather than online continue to be suspended.
- Provisions of the Iowa Code requiring an unattended fueling dispenser to provide a public phone continue to be suspended.
- Provisions of the Iowa Code pertaining to pesticide applicators' certification requirements continue to be suspended to the extent that they apply to applicators who were certified as of December 21, 2019, or if not certified, so long as the applicator is under the direct supervision of a certified applicator.
- Provisions of the Iowa Code requiring certification of commercial applicators of pesticides who apply pesticides to agricultural land continue to be suspended so long as the applicator meets the requirements of a private applicator.
- Provisions of the Iowa Code requiring certification of a pesticide applicator continue to be suspended insofar as the applicator is engaging in the business of applying pesticides to the lands or property of another with the purpose of disinfecting or sanitizing areas where humans live, work, or congregate.
- Provisions of the Iowa Code previously suspended so that retired State health care professionals, police officers, or fire fighters may return to work during this Public Health Disaster Emergency without receiving a reduction or requiring a repayment of the retired employee's retirement allowance continue to be suspended.
- The disaster response and recovery aspects of the Iowa Department of Homeland Security and Emergency Management's (HSEMD) Iowa Emergency Response Plan and any additional response plans activated by previous Proclamations continue to be active.
- Provisions of the Iowa Code prohibiting certain State employees from receiving overtime pay for hours worked in excess of 40 hours continue to be suspended.
- The order to all State agencies to utilize personnel, equipment, and facilities as necessary to assist the HSEMD and Iowa Department of Public Health in performing any and all activities necessary to prevent, contain, and mitigate the effects of COVID-19 continues to be in place.
- Provisions of the Iowa Code and Iowa Administrative Code regarding maximum hours a temporary employee may work for the State continue to be suspended.
- Provisions of the Iowa Code and Iowa Administrative Code regarding the procurement of goods and services when those goods and services are necessary to prevent, contain, or mitigate the effects of COVID-19 continue to be suspended.

For additional information regarding the Proclamation of a State Disaster Emergency see the LSA [Legal Background Briefing](#).

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Doc ID 1136183