

**NINETIETH GENERAL ASSEMBLY
2024 REGULAR SESSION
DAILY
HOUSE CLIP SHEET
February 29, 2024**

Clip Sheet Summary

Displays all amendments, fiscal notes, and conference committee reports for previous day.

Bill	Amendment	Action	Sponsor
HF 2318	H-8088	Filed	RECEIVED FROM THE SENATE
HF 2454	H-8105	Filed	JAMES of Dubuque
HF 2460	H-8084	Filed	LOHSE of Polk
HF 2524	H-8086	Filed	KNIFF MCCULLA of Marion
HF 2524	H-8103	Filed	HARRIS of Appanoose
HF 2556	H-8095	Filed	GUSTOFF of Polk
HF 2558	H-8083	Filed	COLLINS of Des Moines
HF 2558	H-8090	Filed	COLLINS of Des Moines
HF 2559	H-8099	Filed	RINKER of Des Moines
HF 2569	H-8093	Filed	P. THOMPSON of Boone, et al
HF 2581	H-8094	Filed	KNIFF MCCULLA of Marion
HF 2586	H-8089	Adopted	P. THOMPSON of Boone
HF 2592	H-8085	Filed	VONDRAN of Scott
HF 2593	H-8101	Filed	MEGGERS of Grundy

HF 2600	H-8092	Filed	DUNWELL of Jasper
HF 2610	H-8091	Filed	KAUFMANN of Cedar
HF 2610	H-8100	Filed	NIELSEN of Johnson
HF 2612	H-8107	Filed	WHEELER of Sioux
HF 2618	H-8096	Filed	STECKMAN of Cerro Gordo
SF 345	H-8087	Filed	KAUFMANN of Cedar
SF 345	H-8102	Filed	KAUFMANN of Cedar
SF 574	H-8097	Filed	DETERMANN of Clinton
SF 574	H-8098	Filed	ISENHART of Dubuque
SF 574	H-8104	Filed	SCHEETZ of Linn
SF 574	H-8109	Filed	COOLING of Linn
SF 2095	H-8106	Filed	JAMES of Dubuque
SF 2106	H-8108	Filed	COOLING of Linn

Fiscal Notes

- [SF 2349](#) — [Criminal Procedure, Defense Subpoenas](#) (LSB5336SV)
- [HF 2121](#) — [Captive Insurance Companies, Reinsurance Tax](#) (LSB5285HV)
- [HF 2453](#) — [Theft, Enhanced Penalties](#) (LSB6269HV)
- [HF 2459](#) — [Adoption, State Public Defender Representation](#) (LSB5549HV)
- [HF 2460](#) — [Criminal Procedure, Human Trafficking and Guardians Ad Litem](#) (LSB5337HV)
- [HF 2488](#) — [Insurance, Prior Authorizations](#) (LSB5718HV)
- [HF 2549](#) — [False Election Materials, Prohibition](#) (LSB5506HV)
- [HF 2550](#) — [State Government Reorganization, Code Changes](#) (LSB5333HV)

[HF 2557](#) — [State Employee Paid Parental Leave](#) (LSB5029HV)

[HF 2558](#) — [Higher Education Omnibus](#) (LSB5335HV)

[HF 2586](#) — [School Safety and Security](#) (LSB6276HV)

[HF 2605](#) — [Consumable Hemp, Penalties and Licensing](#) (LSB5341HV)

[HF 2610](#) — [Elections, Voting, Ballots, and Candidates](#) (LSB6288HV)

[HF 2612](#) — [Area Education Agencies](#) (LSB6302HV)

SENATE AMENDMENT TO
HOUSE FILE 2318

H-8088

- 1 Amend House File 2318, as passed by the House, as follows:
- 2 1. Page 2, after line 9 by inserting:
- 3 <(11) Engaging in a sex act in the presence of a minor.>

H-8088 FILED FEBRUARY 28, 2024

HOUSE FILE 2454

H-8105

1 Amend House File 2454 as follows:

2 1. Page 3, by striking lines 10 and 11 and inserting
3 <proceeding to which a government is a party and obtain
4 appropriate relief against that government>

5 2. Page 3, line 12, by striking <redress>

6 3. Page 3, after line 15 by inserting:

7 <3. This chapter shall not apply to any of the following:

8 a. Any provision of law or its implementation that provides
9 for or requires:

10 (1) A protection against discrimination or the promotion of
11 equal opportunity, including the Iowa civil rights Act of 1965,
12 chapter 216; the Civil Rights Act of 1964, 42 U.S.C. §2000a et
13 seq.; the Americans with Disabilities Act of 1990, 42 U.S.C.
14 §12101 et seq.; the Family and Medical Leave Act of 1993, 29
15 U.S.C. §2601 et seq.; Executive Order 11246, 42 U.S.C. §2000e
16 note; and the Violence Against Women Act of 1994, 42 U.S.C.
17 §13925 et seq.

18 (2) An employer to provide a wage, other compensation, or a
19 benefit, including leave, or a standard protecting collective
20 activity in the workplace.

21 (3) A protection against child labor, child abuse, or child
22 exploitation.

23 (4) Access to, information about, a referral for, provision
24 of, or coverage for any health care item or service.

25 b. Any term of a government contract, grant, cooperative
26 agreement, or other award that provides funds directly or
27 indirectly, and that requires a good, service, function, or
28 activity to be performed for or provided to a beneficiary of
29 or a participant in a program or activity funded, directly
30 or indirectly, by a government contract, grant, cooperative
31 agreement, or other award.

32 c. The extent that application would result in denying
33 a person the full and equal enjoyment of a good, service,
34 benefit, facility, privilege, advantage, or accommodation
35 provided by the government.>

H-8105 (Continued)

By JAMES of Dubuque

H-8105 FILED FEBRUARY 28, 2024

HOUSE FILE 2460

H-8084

1 Amend House File 2460 as follows:

2 1. Page 2, line 30, after <appoint> by inserting <, to the

3 extent practicable,>

4 2. Page 2, line 33, after <shall> by inserting <, to the

5 extent practicable,>

By LOHSE of Polk

H-8084 FILED FEBRUARY 28, 2024

HOUSE FILE 2524

H-8086

- 1 Amend House File 2524 as follows:
- 2 1. Page 1, before line 1 by inserting:
- 3 <Section 1. Section 96.4, subsection 3, paragraph b, Code
- 4 2024, is amended to read as follows:
- 5 b. Notwithstanding any provision of this chapter to the
- 6 contrary, the department may establish by rule a process to
- 7 waive or alter the work search requirements of this subsection
- 8 for a claim for benefits if an individual has a reasonable
- 9 expectation that the individual will be returning to employment
- 10 and is attached to a regular job or industry or is a member
- 11 in good standing of a union therein eligible for referral for
- 12 employment, and if the individual's employer will continue
- 13 to cover the cost of health insurance, and other employment
- 14 benefits provided to the employee by the employer, during the
- 15 period of the waiver or alteration. To be considered attached
- 16 to a regular job or industry, an individual must be on a
- 17 short-term temporary layoff. If work is not available at the
- 18 conclusion of the layoff period due to short-term circumstances
- 19 beyond the employer's control, the employer may request an
- 20 extension of the waiver or alteration for up to two weeks from
- 21 the department. For purposes of this paragraph, "short-term
- 22 temporary layoff" means a layoff period of sixteen weeks or
- 23 less due to seasonal weather conditions that impact the ability
- 24 to perform work related to highway construction, repair, or
- 25 maintenance with, which has a specific return-to-work date
- 26 verified by the employer.>
- 27 2. By renumbering as necessary.

By KNIFF MCCULLA of Marion

H-8086 FILED FEBRUARY 28, 2024

HOUSE FILE 2524

H-8103

1 Amend House File 2524 as follows:

2 1. Page 1, by striking lines 5 and 6 and inserting
3 <documented and reported each activity to the department. The
4 activities may be verified in real time at the discretion of
5 the>

By HARRIS of Appanoose

H-8103 FILED FEBRUARY 28, 2024

HOUSE FILE 2556

H-8095

1 Amend House File 2556 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. Section 724.28, subsection 3, Code 2024, is
5 amended to read as follows:

6 3. If a political subdivision of the state, prior to, on,
7 or after July 1, 2020, adopts, makes, enacts, or amends any
8 ordinance, measure, enactment, rule, resolution, motion, or
9 policy regulating the ownership, possession, carrying, legal
10 transfer, lawful transportation, modification, registration,
11 or licensing of firearms, firearms attachments, or other
12 weapons when the ownership, possession, carrying, transfer,
13 transportation, modification, registration, or licensing
14 of firearms, firearms attachments, or other weapons is
15 otherwise lawful under the laws of this state, a person
16 adversely affected by the ordinance, measure, enactment, rule,
17 resolution, motion, or policy may file suit in the appropriate
18 court for declaratory and injunctive relief and all damages
19 attributable to the violation, including all of the following:

20 a. A court shall assess against the political subdivision of
21 the state and other persons who participated in the violation
22 damages in the amount of not more than five hundred dollars
23 and not less than one hundred dollars per day after providing
24 written notice to the political subdivision of the state of the
25 violation, not to exceed five thousand dollars. A However,
26 if the political subdivision of the state or other persons
27 knowingly participated in such a violation, damages shall
28 be assessed against the political subdivision of the state
29 or participating person in the amount of not more than two
30 thousand five hundred dollars and not less than one thousand
31 dollars per day after providing written notice to the political
32 subdivision of the state of the violation, not to exceed
33 twenty-five thousand dollars. These damages shall be paid
34 by the political subdivision of the state directly to the
35 adversely affected person.

H-8095 (Continued)

1 b. The court shall ~~also~~ award the prevailing party in any
2 such lawsuit reasonable attorney fees and court costs.

3 c. The court, for good cause, may assess damages in excess
4 of the amounts set forth in paragraph "a" against the political
5 subdivision of the state or other persons found to be in
6 violation of this subsection.

7 Sec. 2. EFFECTIVE DATE. This Act takes effect January 1,
8 2025.>

9 2. Title page, line 2, by striking <subdivisions.>
10 and inserting <subdivisions, and including effective date
11 provisions.>

By GUSTOFF of Polk

[H-8095](#) FILED FEBRUARY 28, 2024

HOUSE FILE 2558

H-8083

- 1 Amend the amendment, H-8078, to House File 2558, as follows:
- 2 1. Page 2, line 27, after <full> by inserting <consecutive>
- 3 2. Page 2, line 30, after <classes> by inserting <by an
4 amount not to exceed three percent of the total amount of
5 resident tuition and mandatory fees the institution charged
6 to undergraduate students during the immediately preceding
7 academic year>
- 8 3. Page 2, line 31, after <c.> by inserting <(1)>
- 9 4. By striking page 2, line 35, through page 3, line 3, and
10 inserting <program for all of the following students:>
- 11 5. Page 3, by striking line 4 and inserting:
12 <(a) Students who take more than four full consecutive
13 academic years to>
- 14 6. Page 3, line 6, by striking <(2)> and inserting <(b)>
- 15 7. Page 3, line 10, after <full> by inserting <consecutive>
- 16 8. Page 3, after line 11 by inserting:
17 <(2) If an institution of higher education increases the
18 total amount of resident tuition and mandatory fees associated
19 with the baccalaureate program pursuant to this paragraph, the
20 institution shall not increase the total amount of resident
21 tuition and mandatory fees to an amount that is greater than
22 the amount of tuition and mandatory fees charged to the most
23 recent incoming class.>

By COLLINS of Des Moines

H-8083 FILED FEBRUARY 28, 2024

HOUSE FILE 2558

H-8090

- 1 Amend the amendment, H-8078, to House File 2558, as follows:
- 2 1. Page 1, by striking lines 10 through 20.
- 3 2. Page 2, line 27, after <full> by inserting <consecutive>
- 4 3. Page 2, line 30, after <classes> by inserting <by an
5 amount not to exceed three percent of the total amount of
6 resident tuition and mandatory fees the institution charged
7 to undergraduate students during the immediately preceding
8 academic year>
- 9 4. Page 2, line 31, after <c.> by inserting <(1)>
- 10 5. By striking page 2, line 35, through page 3, line 3, and
11 inserting <program for all of the following students:>
- 12 6. Page 3, by striking line 4 and inserting:
13 <(a) Students who take more than four full consecutive
14 academic years to>
- 15 7. Page 3, line 6, by striking <(2)> and inserting <(b)>
- 16 8. Page 3, line 10, after <full> by inserting <consecutive>
- 17 9. Page 3, after line 11 by inserting:
18 <(2) If an institution of higher education increases the
19 total amount of resident tuition and mandatory fees associated
20 with the baccalaureate program pursuant to this paragraph, the
21 institution shall not increase the total amount of resident
22 tuition and mandatory fees to an amount that is greater than
23 the amount of tuition and mandatory fees charged to the most
24 recent incoming class.>
- 25 10. Page 4, by striking lines 2 through 7.
- 26 11. By renumbering as necessary.

By COLLINS of Des Moines

H-8090 FILED FEBRUARY 28, 2024

HOUSE FILE 2559

H-8099

1 Amend House File 2559 as follows:

2 1. Page 1, before line 1 by inserting:

3 <Section 1. Section 80B.13A, subsection 2, Code 2024, is
4 amended by adding the following new paragraph:

5 NEW PARAGRAPH. *d.* Has twice been convicted of a violation
6 of section 321J.2, with the second or subsequent conviction
7 occurring on or after July 1, 2024, regardless of whether the
8 currently certified law enforcement officer or reserve peace
9 officer is currently employed by a law enforcement agency or
10 not and regardless of whether the currently certified law
11 enforcement officer or reserve peace officer was employed at
12 the time of the violation or conviction. For purposes of this
13 paragraph, "*convicted*" means found guilty of or pled guilty to
14 a violation of section 321J.2.

15 Sec. _____. Section 80B.13A, Code 2024, is amended by adding
16 the following new subsection:

17 NEW SUBSECTION. 4A. For purposes of subsection 2, paragraph
18 "*d*", the county attorney or assistant county attorney shall
19 notify the council when a currently certified law enforcement
20 officer or reserve peace officer within the county has pled
21 guilty to or been convicted of a second or subsequent violation
22 of section 321J.2.>

23 2. By renumbering as necessary.

By RINKER of Des Moines

H-8099 FILED FEBRUARY 28, 2024

HOUSE FILE 2569

H-8093

1 Amend House File 2569 as follows:

2 1. Page 1, before line 1 by inserting:

3 <Section 1. NEW SECTION. 306.48 Eminent domain power
4 restricted.

5 The department shall not exercise the power of eminent
6 domain, including as provided in chapters 6A and 6B, to acquire
7 land necessary to expand the two-lane portions of United States
8 highway 30 in accordance with a plan adopted under section
9 307A.2, subsections 3 and 5, until the department expends all
10 reasonable alternatives, if the land is part of a century farm,
11 as defined in section 403.17, subsection 10, or residential
12 real property, as defined in section 535B.1.>

13 2. Title page, by striking lines 1 and 2 and inserting <An
14 Act relating to the improvement of United States highway 30,
15 including prioritization by the state transportation commission
16 and restrictions on associated use of eminent domain.>

17 3. By renumbering as necessary.

By P. THOMPSON of Boone
NORDMAN of Guthrie

H-8093 FILED FEBRUARY 28, 2024

HOUSE FILE 2581

H-8094

1 Amend House File 2581 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. Section 480.1, Code 2024, is amended by adding
5 the following new subsections:

6 NEW SUBSECTION. 5A. *"Forty-eight-hour period"* means a
7 period of forty-eight consecutive hours beginning at 6:00 a.m.
8 the next business day from the day the notification center
9 receives a notice and excludes Saturdays, Sundays, and legal
10 holidays.

11 NEW SUBSECTION. 5B. *"Locator"* means a person proposing to
12 engage or engaging in the location and marking of underground
13 facilities under contract with or employed by an operator.

14 Sec. 2. Section 480.3, subsection 1, paragraph a,
15 subparagraph (1), Code 2024, is amended to read as follows:

16 (1) The center shall be governed by a board of directors,
17 which shall represent and be elected by operators, excavators,
18 and other persons who participate in the center. The board
19 shall include two locators and two excavators to serve as
20 nonvoting members. The board, with input from all interested
21 parties, shall determine the operating procedures and
22 technology needed for a single statewide notification center
23 and establish a notification process.

24 Sec. 3. Section 480.3, subsection 2, Code 2024, is amended
25 to read as follows:

26 2. a. The board shall implement the latest and most
27 cost-effective technological improvements for the center
28 in order to provide operators and excavators with the most
29 accurate data available and in a timely manner to allow
30 operators and excavators to perform their responsibilities with
31 the minimum amount of interruptions.

32 b. The center shall establish a communication system to
33 facilitate the provision of notice by operators, locators, and
34 excavators.

35 Sec. 4. Section 480.3, Code 2024, is amended by adding the

1 following new subsection:

2 NEW SUBSECTION. 4. The center shall provide records to the
3 utilities board upon request as a part of an investigation on
4 behalf of the attorney general's office.

5 Sec. 5. Section 480.4, subsection 1, paragraph a, Code 2024,
6 is amended to read as follows:

7 a. Except as otherwise provided in this section, prior to
8 any excavation, an excavator shall contact the notification
9 center and provide notice of the planned excavation occurring
10 after a forty-eight-hour period. ~~This notice must be given~~
11 ~~at least forty-eight hours prior to the commencement of the~~
12 ~~excavation, excluding Saturdays, Sundays, and legal holidays.~~
13 ~~Notices received after 5:00 p.m. shall be processed as if~~
14 ~~received at 8:00 a.m. the next business day.~~ The notice
15 shall be valid for twenty twenty-five calendar days ~~from the~~
16 ~~date beginning on the day the notice was provided to the~~
17 ~~notification center~~ forty-eight-hour period concludes. If all
18 locating and marking of underground facilities is completed
19 prior to the expiration of the forty-eight-hour period, the
20 excavator may proceed with excavation upon being notified
21 by the notification center that the locating and marking of
22 all underground facilities is complete. The notification
23 center shall establish a toll-free telephone number to allow
24 excavators to provide the notice required pursuant to this
25 subsection.

26 Sec. 6. Section 480.4, subsection 3, paragraph a,
27 subparagraphs (1), (2), and (3), Code 2024, are amended to read
28 as follows:

29 (1) An operator who receives notice from the notification
30 center shall mark the horizontal location of the operator's
31 underground facility and the excavator shall use due care in
32 excavating in the marked area to avoid damaging the underground
33 facility. The operator shall complete such locating and
34 marking, and shall notify the notification center that the
35 marking is complete within ~~forty-eight hours after receiving~~

1 ~~the notice, excluding Saturdays, Sundays, and legal holidays,~~
2 the forty-eight-hour period unless otherwise agreed by the
3 operator and the excavator. No later than the expiration of
4 the forty-eight-hour period, ~~excluding Saturdays, Sundays,~~
5 ~~and legal holidays,~~ the notification center shall notify the
6 excavator of the underground facility locating and marking
7 status, or the failure of the operator to notify the center
8 that the locating and marking is complete. The locating and
9 marking of the underground facilities shall be completed at no
10 cost to the excavator. If, in the opinion of the operator, the
11 planned excavation requires that the precise location of the
12 underground facilities be determined, the excavator, unless
13 otherwise agreed upon between the excavator and the operator,
14 shall hand dig test holes or use nondestructive methods to
15 determine the location of the facilities unless the operator
16 specifies an alternate method.

17 (2) (a) The marking required under this subsection shall
18 be done in a manner that will last for a minimum of five
19 working days on any nonpermanent surface, or a minimum of ten
20 working days on any permanent surface. If the excavation will
21 continue for any period longer than such periods, the operator
22 shall remark the location of the underground facility upon the
23 request of the excavator. The request shall be made through
24 the notification center.

25 (b) A locator shall use for marking a flag that includes the
26 name of the operator and a contact phone number.

27 (3) Unless otherwise agreed by the operator and excavator in
28 writing, no excavation shall be performed within twenty-five
29 feet of an underground ~~natural gas transmission line as defined~~
30 ~~in 49 C.F.R. §192.3~~ pipeline operating at one hundred fifty
31 pounds per square inch or greater and that is equal to or
32 greater than two inches in diameter unless a representative
33 of the operator of the underground ~~natural gas transmission~~
34 ~~line pipeline~~ is present at the planned excavation area. This
35 requirement shall not apply, however, when a representative of

1 the operator fails to be present at the proposed excavation
2 area at the time work is scheduled to commence or as otherwise
3 agreed by the operator and excavator in writing. In this
4 event, the excavator shall notify the operator that the
5 representative failed to appear, and excavation operations can
6 begin, provided the excavator uses due care to avoid damaging
7 the underground facilities.

8 Sec. 7. Section 480.4, subsection 3, paragraph b, Code 2024,
9 is amended to read as follows:

10 *b.* An operator who receives notice from the notification
11 center and who determines that the operator does not have
12 any underground facility located within the proposed area of
13 excavation shall notify the notification center concerning
14 this determination within ~~forty-eight hours after receiving~~
15 ~~the notice, excluding Saturdays, Sundays, and legal holidays~~
16 the forty-eight-hour period. No later than the expiration of
17 the ~~forty-eight-hour period, excluding Saturdays, Sundays,~~
18 ~~and legal holidays,~~ the notification center shall notify the
19 excavator that the operator does not have any underground
20 facilities within the proposed area of excavation.

21 Sec. 8. Section 480.6, subsection 1, Code 2024, is amended
22 by adding the following new paragraph:

23 NEW PARAGRAPH. *c.* If a locator violates a time limit set
24 forth in this chapter and a complaint relating to the violation
25 is filed with the utilities board, the locator is subject
26 to a civil penalty in an amount determined by the attorney
27 general. A civil penalty imposed by the attorney general under
28 this paragraph shall not exceed one hundred dollars for each
29 violation for each day the violation continues, up to a maximum
30 of five thousand dollars.

31 Sec. 9. Section 480.6, subsection 2, Code 2024, is amended
32 to read as follows:

33 2. *a.* The attorney general, upon the receipt of a
34 complaint, may institute any legal proceedings necessary to
35 enforce the penalty provisions of this chapter.

1 b. At the direction of the attorney general, the utilities
2 board shall investigate a violation of this chapter. Upon
3 completion of the investigation, the utilities board
4 shall submit to the attorney general a written summary of
5 the investigation and all evidence acquired during the
6 investigation, except as set forth in subsection 2, paragraph
7 "c".

8 c. The utilities board may independently receive and
9 investigate complaints alleging a violation of this chapter by
10 a locator.

11 Sec. 10. NEW SECTION. 480.11 Locator enforcement authority.

12 1. A locator who operates in this state and engages in
13 location services under a contract with an operator shall
14 satisfy all of the following requirements:

15 a. Take responsibility for completing location services as
16 required under section 480.4.

17 b. Correctly notify the notification center that a location
18 service could not be completed due to a lack of response by the
19 excavator and include in the notice the date, time, and method
20 of the attempted contact with the excavator, and the name and
21 contact information of any representative of the excavator.

22 2. A locator operating in this state is subject to
23 enforcement requirements as established in chapter 476. Any
24 enforcement action taken for a violation of this chapter by a
25 locator shall be taken solely against the locator and not the
26 operator.

27 Sec. 11. UNDERGROUND FACILITY EXCAVATION MEETING. The Iowa
28 utilities board shall convene interested stakeholders before
29 December 31, 2024, to discuss underground facility excavations,
30 including subjects relating to forecasting and future projects,
31 and operational challenges.>

By KNIFF MCCULLA of Marion

HOUSE FILE 2586

H-8089

1 Amend House File 2586 as follows:

- 2 1. Page 1, lines 16 and 17, by striking <grades nine through
3 twelve> and inserting <grade nine, grade ten, grade eleven, or
4 grade twelve>
- 5 2. Page 1, lines 31 and 32, by striking <grades nine through
6 twelve> and inserting <grade nine, grade ten, grade eleven, or
7 grade twelve>
- 8 3. Page 2, line 11, by striking <grades nine through twelve>
9 and inserting <grade nine, grade ten, grade eleven, or grade
10 twelve>
- 11 4. Page 2, line 14, after <dollars> by inserting <for
12 each attendance center of the school district that provides
13 education to students enrolled in grade nine, grade ten, grade
14 eleven, or grade twelve>

By P. THOMPSON of Boone

H-8089 FILED FEBRUARY 28, 2024

ADOPTED

HOUSE FILE 2592

H-8085

1 Amend House File 2592 as follows:

2 1. Page 1, line 9, by striking <of the of the evidence> and
3 inserting <of the evidence>

By VONDRAN of Scott

H-8085 FILED FEBRUARY 28, 2024

HOUSE FILE 2593

H-8101

1 Amend House File 2593 as follows:

2 1. Page 1, lines 7 and 8, by striking <for independent
3 review and a charging decision> and inserting <as provided in
4 section 13.12>

5 2. Page 1, line 9, after <review> by inserting <specified
6 in paragraph "a">

By MEGGERS of Grundy

H-8101 FILED FEBRUARY 28, 2024

HOUSE FILE 2600

H-8092

1 Amend House File 2600 as follows:

2 1. Page 1, line 8, by striking <If two> and inserting
3 <Notwithstanding section 803.3, subsection 1, if two>

4 2. Page 1, line 9, before <county> by inserting <agency in
5 the>

6 3. Page 1, line 10, by striking <priority> and inserting
7 <the primary right to proceed with prosecution of the offender>

By DUNWELL of Jasper

H-8092 FILED FEBRUARY 28, 2024

HOUSE FILE 2610

H-8091

- 1 Amend House File 2610 as follows:
- 2 1. Page 1, after line 31 by inserting:
- 3 <Sec. ____ . EFFECTIVE DATE. This division of this Act, being
- 4 deemed of immediate importance, takes effect upon enactment.>
- 5 2. Page 3, after line 20 by inserting:
- 6 <Sec. ____ . EFFECTIVE DATE. This division of this Act, being
- 7 deemed of immediate importance, takes effect upon enactment.>
- 8 3. Page 4, after line 10 by inserting:
- 9 <Sec. ____ . EFFECTIVE DATE. This division of this Act takes
- 10 effect January 1, 2025.>
- 11 4. Page 14, after line 13 by inserting:
- 12 <Sec. ____ . EFFECTIVE DATE. This division of this Act takes
- 13 effect January 1, 2025.>
- 14 5. Page 15, after line 10 by inserting:
- 15 <Sec. ____ . EFFECTIVE DATE. This division of this Act takes
- 16 effect January 1, 2025.>
- 17 6. Page 16, after line 7 by inserting:
- 18 <Sec. ____ . EFFECTIVE DATE. This division of this Act takes
- 19 effect January 1, 2025.>
- 20 7. Title page, line 3, after <elections> by inserting <, and
- 21 including effective date provisions>
- 22 8. By renumbering as necessary.

By KAUFMANN of Cedar

H-8091 FILED FEBRUARY 28, 2024

HOUSE FILE 2610

H-8100

1 Amend House File 2610 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <DIVISION I

5 AUTOMATIC VOTER REGISTRATION

6 Section 1. Section 48A.7, Code 2024, is amended to read as
7 follows:

8 **48A.7 Registration in person.**

9 An eligible elector may register to vote by appearing
10 personally and completing a voter registration form at the
11 office of the commissioner in the county in which the person
12 resides, at a motor vehicle driver's license station, including
13 any county treasurer's office that is participating in county
14 issuance of driver's licenses under chapter 321M, or at any
15 voter registration agency. A For paper registration forms,
16 a separate voter registration form shall be signed by each
17 individual registrant.

18 Sec. 2. Section 48A.8, subsection 1, Code 2024, is amended
19 to read as follows:

20 1. An eligible elector may request that a voter registration
21 form be mailed to the elector. The completed form may be
22 mailed or delivered by the registrant or the registrant's
23 designee to the commissioner in the county where the person
24 resides or to the state commissioner of elections for a
25 program participant, as provided in section 9E.6. A For paper
26 registration forms, a separate voter registration form shall be
27 signed by each individual registrant.

28 Sec. 3. Section 48A.18, subsections 1 and 3, Code 2024, are
29 amended to read as follows:

30 1. Each state motor vehicle driver's license application,
31 including any renewal application or application for a
32 nonoperator's identification card, submitted to the office
33 of driver services of the state department of transportation
34 shall serve as an application for voter registration unless
35 the commissioner of registration determines that the applicant

1 is not an eligible elector or the applicant declines to
2 register to vote after receiving notification under subsection
3 4A. A completed application or paper voter registration
4 form submitted to the office of driver services of the state
5 department of transportation shall be considered to update any
6 previous voter registration by the registrant.

7 3. Information relating to the ~~refusal~~ decision of an
8 applicant for a driver's license to ~~apply~~ decline to register
9 to vote shall not be used for any purpose other than voter
10 registration.

11 Sec. 4. Section 48A.18, subsection 4, Code 2024, is amended
12 by striking the subsection and inserting in lieu thereof the
13 following:

14 4. *a.* The state voter registration commission shall
15 establish schedules by which the department of transportation
16 shall transmit to the state registrar of voters electronic
17 records containing the legal name, age, residence, and
18 citizenship information for, and the electronic signature of,
19 each person submitting an application under this section.

20 *b.* The state voter registration commission shall establish
21 schedules by which the state registrar of voters shall make
22 accessible or transmit electronic records and electronic
23 signatures received under paragraph "a" to the appropriate
24 commissioner of registration.

25 *c.* The state voter registration commission shall establish
26 schedules by which the department of transportation shall
27 transmit any completed paper registration forms to the
28 appropriate commissioner of registration.

29 *d.* The state commissioner of elections shall adopt rules,
30 consistent with section 9E.6, for the registration of address
31 confidentiality program participants.

32 *e.* The state voter registration commission shall adopt
33 rules pursuant to chapter 17A to administer and interpret this
34 section, including rules to establish electronic and paper
35 forms and all procedures used by the office of driver services

1 for voter registration purposes, rules to establish schedules
2 for transmission of electronic records, electronic signatures,
3 and completed paper voter registration forms, and rules and
4 forms to decline being registered to vote.

5 Sec. 5. Section 48A.18, Code 2024, is amended by adding the
6 following new subsection:

7 NEW SUBSECTION. 4A. *a.* (1) Upon receiving the electronic
8 record for, and electronic signature of, a person under
9 subsection 4, the state registrar of voters shall transmit or
10 otherwise make accessible the electronic record and electronic
11 signature of the person to the commissioner of registration
12 of the county where the person resides. Upon reviewing the
13 electronic record received from the state registrar of voters,
14 along with any other relevant information, the commissioner of
15 registration shall determine if a person is an eligible elector
16 of the county. If the commissioner determines that a person is
17 an eligible elector of the county and is not registered to vote
18 in that county, the commissioner shall notify the person of the
19 separate processes to decline being registered to vote or to
20 declare a political party affiliation.

21 (2) If the person is registered to vote in the county, the
22 commissioner shall use the electronic record and information to
23 update the person's voter registration if appropriate.

24 *b.* If a person notified under paragraph "a" does not decline
25 to be registered to vote within twenty-one calendar days after
26 the commissioner of registration issues the notification, the
27 person's electronic record and electronic signature shall
28 constitute a completed voter registration form under section
29 48A.11, and the commissioner of registration shall register the
30 person to vote in that county. The commissioner shall send an
31 acknowledgment pursuant to section 48A.26.

32 *c.* A commissioner of registration shall not add a person
33 subject to registration under this subsection to a voter
34 registration list until at least twenty-one calendar days
35 after the commissioner has issued notification to the person

1 as described in paragraph "a".

2 d. The electronic record and electronic signature, received
3 under this subsection, of a person who does not qualify
4 as an eligible elector shall not constitute a completed
5 voter registration form under section 48A.11 and such a
6 person's application for a driver's license or nonoperator's
7 identification card shall not be considered to be a voter
8 registration application for purposes of section 39A.2,
9 subsection 1, paragraph "a".

10 Sec. 6. Section 48A.19, subsection 1, Code 2024, is amended
11 by adding the following new paragraph:

12 NEW PARAGRAPH. d. The department of education and all
13 state offices that collect personal information sufficient to
14 complete a voter registration application, as determined by the
15 state commissioner.

16 Sec. 7. Section 48A.19, subsection 4, paragraph a,
17 unnumbered paragraph 1, Code 2024, is amended to read as
18 follows:

19 The A voter registration agency that does not collect
20 personal information sufficient to complete a voter
21 registration application shall provide a form to applicants
22 that includes all of the following:

23 Sec. 8. Section 48A.21, Code 2024, is amended to read as
24 follows:

25 **48A.21 Transmission of forms from agencies and driver's**
26 **license stations.**

27 1. The state registrar of voters shall adopt administrative
28 rules regulating the transmission of completed voter
29 registration forms from voter registration agencies and from
30 driver's license stations, including county treasurer's offices
31 participating in county issuance of driver's licenses under
32 chapter 321M. All completed voter registration applications
33 in the possession of a voter registration agency, a driver's
34 license station, or a county treasurer's office that is
35 participating in county issuance of driver's licenses at 5:00

1 p.m. on the last workday of each week shall be transmitted
2 to the location designated by the state registrar of voters
3 by rule. Procedures or requirements for more frequent
4 transmissions may be specified by rule.

5 2. a. The state voter registration commission shall
6 establish schedules by which the voter registration agencies
7 pursuant to section 48A.19 that collect personal information
8 sufficient to complete a voter registration application shall
9 transmit to the state registrar of voters electronic records
10 containing the legal name, age, residence, and citizenship
11 information for, and the electronic signature of, each person
12 providing personal information as described in this section.

13 b. The state voter registration commission shall establish
14 schedules by which the state registrar of voters shall make
15 accessible or transmit electronic records and electronic
16 signatures received under paragraph "a" to the appropriate
17 commissioner of registration.

18 c. The state voter registration commission shall establish
19 schedules by which voter registration agencies shall transmit
20 any completed paper registration forms to the appropriate
21 commissioner of registration.

22 d. The state commissioner of elections shall adopt rules,
23 consistent with section 9E.6, for the registration of address
24 confidentiality program participants.

25 e. The state voter registration commission shall adopt
26 rules pursuant to chapter 17A to administer and interpret this
27 section, including rules to establish electronic and paper
28 forms and all procedures used by voter registration agencies
29 for voter registration purposes, rules to establish schedules
30 for transmission of electronic records, electronic signatures,
31 and completed paper voter registration forms, and rules and
32 forms to decline being registered to vote.

33 3. a. (1) Upon receiving the electronic record for, and
34 electronic signature of, a person under subsection 2, the state
35 registrar of voters shall transmit or otherwise make accessible

1 the electronic record and electronic signature of the person to
2 the commissioner of registration of the county where the person
3 resides. Upon reviewing the electronic record received from
4 the state registrar of voters, along with any other relevant
5 information, the commissioner of registration shall determine
6 if a person is an eligible elector of the county. If the
7 commissioner determines that a person is an eligible elector
8 of the county and is not registered to vote in that county, the
9 commissioner shall notify the person of the separate processes
10 to decline being registered to vote or to declare a political
11 party affiliation.

12 (2) If the person is registered to vote in the county, the
13 commissioner shall use the electronic record and information to
14 update the person's voter registration if appropriate.

15 b. If a person notified under paragraph "a" does not decline
16 to be registered to vote within twenty-one calendar days after
17 the commissioner of registration issues the notification, the
18 person's electronic record and electronic signature shall
19 constitute a completed voter registration form under section
20 48A.11, and the commissioner of registration shall register the
21 person to vote in that county. The commissioner shall send an
22 acknowledgment pursuant to section 48A.26.

23 c. A commissioner of registration shall not add a person
24 subject to registration under this subsection to a voter
25 registration list until at least twenty-one calendar days
26 after the commissioner has issued notification to the person
27 as described in paragraph "a".

28 d. The electronic record and electronic signature, received
29 under this subsection, of a person who does not qualify as
30 an eligible elector shall not constitute a completed voter
31 registration form under section 48A.11 and such a person shall
32 not be considered to have submitted a voter registration
33 application for purposes of section 39A.2, subsection 1,
34 paragraph "a".

35 Sec. 9. Section 48A.26, subsection 1, paragraph b, Code

1 2024, is amended to read as follows:

2 **b.** (1) For a voter registration form or change of
3 information in a voter registration record submitted at a
4 precinct caucus, the commissioner shall send an acknowledgment
5 within forty-five days of receipt of the form or change of
6 information.

7 (2) For a voter registration application or change of
8 information in a voter registration record completed pursuant
9 to section 48A.18 or 48A.19, the commissioner shall send an
10 acknowledgment within seven working days of the person being
11 registered under either section.

12 Sec. 10. Section 48A.26, subsection 8, Code 2024, is amended
13 to read as follows:

14 8. ~~An~~ A completed voter registration application,
15 improperly transmitted under section 48A.18, subsection
16 4A, or under section 48A.21, subsection 2, or an improperly
17 addressed or delivered registration form shall be transmitted
18 or forwarded to the appropriate county commissioner of
19 registration within two working days after it is received by
20 any other official. The date of registration shall be the date
21 the completed application or registration form was received by
22 the first official. If the registration form was postmarked
23 fifteen or more days before an election and the registration
24 form was received by the first official after the close of
25 registration, the registration form shall be considered on time
26 for the election.

27 Sec. 11. Section 48A.36, subsection 1, Code 2024, is amended
28 to read as follows:

29 1. ~~Voter registration agencies and the office of driver~~
30 ~~services of the state department of transportation may~~
31 ~~electronically transmit registration data to the state~~
32 ~~registrar of voters, who shall distribute the information,~~
33 ~~electronically or otherwise, to the appropriate commissioner~~
34 ~~in accordance with rules of the state voter registration~~
35 ~~commission and the state registrar of voters. The office of~~

1 driver services of the state department of transportation and
2 voter registration agencies that collect personal information
3 sufficient to complete a voter registration application
4 shall electronically transmit registration data to the state
5 registrar of voters as required pursuant to sections 48A.18
6 and 48A.21. The state agency originating the registration
7 data shall permanently retain an electronic copy of the
8 form completed by the registrant, including the registrant's
9 signature, and shall develop procedures for the retrieval and
10 printing of that electronic document. A printed copy of an
11 electronic registration document shall be made only upon the
12 agency's receipt of a court order.

13 Sec. 12. Section 331.557A, subsection 5, Code 2024, is
14 amended to read as follows:

15 5. Participate in voter registration according to the
16 terms of chapter 48A, and submit completed voter registration
17 forms to the ~~state registrar of voters~~ appropriate county
18 commissioner of registration.

19 Sec. 13. EMERGENCY RULES. The state voter registration
20 commission, in consultation with the department of
21 transportation and voter registration agencies, may adopt
22 emergency rules under section 17A.4, subsection 3, and section
23 17A.5, subsection 2, paragraph "b", to implement the provisions
24 of this division of this Act and the rules shall be effective
25 immediately upon filing unless a later date is specified in the
26 rules. Any rules adopted in accordance with this section shall
27 also be published as a notice of intended action as provided
28 in section 17A.4.

29 Sec. 14. IMPLEMENTATION OF ACT. Section 25B.2, subsection
30 3, shall not apply to this division of this Act.

31 DIVISION II

32 ABSENTEE VOTING PERIOD AND LOCATIONS

33 Sec. 15. Section 53.8, subsection 1, paragraph a,
34 unnumbered paragraph 1, Code 2024, is amended to read as
35 follows:

1 Upon receipt of an application for an absentee ballot and
2 immediately after the absentee ballots are printed, ~~but not~~
3 ~~more than twenty days before the election,~~ the commissioner
4 shall mail an absentee ballot to the applicant within
5 twenty-four hours, except as otherwise provided in subsection
6 3. The absentee ballot shall be sent to the registered voter
7 by one of the following methods:

8 Sec. 16. Section 53.10, subsection 1, Code 2024, is amended
9 to read as follows:

10 1. Not more than ~~twenty~~ forty-five days before the date of
11 the primary election or the general election, the commissioner
12 shall provide facilities for absentee voting in person at the
13 commissioner's office. This service shall also be provided
14 for other elections as soon as the ballots are ready, but in
15 no case shall absentee ballots be available under this section
16 more than ~~twenty~~ forty-five days before an election.

17 Sec. 17. Section 53.11, subsection 1, paragraphs a and b,
18 Code 2024, are amended to read as follows:

19 a. Not more than ~~twenty~~ forty-five days before the date
20 of an election, satellite absentee voting stations may be
21 established throughout the cities and county at the discretion
22 of the commissioner and shall be established upon receipt
23 of a petition signed by not less than one hundred eligible
24 electors requesting that a satellite absentee voting station
25 be established at a location to be described on the petition.
26 However, if a special election is scheduled in the county on a
27 date that falls between the date of the regular city election
28 and the date of the city runoff election, the commissioner is
29 not required to establish a satellite absentee voting station
30 for the city runoff election.

31 b. A satellite absentee voting station established by
32 petition must be open at least one day for a minimum of six
33 hours ~~and~~. A satellite absentee voting station established at
34 the direction of the commissioner or by petition may remain
35 open until 5:00 p.m. on the day before the election.

1 Sec. 18. Section 53.42, Code 2024, is amended to read as
2 follows:

3 **53.42 Voting in person in commissioner's office.**

4 Notwithstanding the provision as to time found in section
5 53.10, any qualified voter in the armed forces of the United
6 States may personally appear in the office of the commissioner
7 of the county of the voter's residence and there vote an absent
8 voter's ballot at any time not earlier than ~~forty~~ forty-five
9 days before the primary or general election, as the case may
10 be.

11 DIVISION III

12 ABSENTEE BALLOT COUNTING

13 Sec. 19. Section 53.23, subsection 3, paragraph c, Code
14 2024, is amended to read as follows:

15 c. The commissioner may convene the special precinct
16 election board on the ~~day~~ Saturday and Monday before the
17 election to begin counting absentee ballots. However, if
18 in the preceding general election the counting of absentee
19 ballots was not completed by 10:00 p.m. on election day, the
20 commissioner shall convene the special precinct election
21 board on the ~~day~~ Saturday and Monday before the next general
22 election to begin counting absentee ballots. The board shall
23 not release the results of its tabulation pursuant to this
24 paragraph until the count is completed on election day.

25 DIVISION IV

26 CANCELLATION OF REGISTRATION

27 Sec. 20. Section 48A.28, Code 2024, is amended by adding the
28 following new subsection:

29 NEW SUBSECTION. 3. A commissioner shall not conduct a
30 systematic program to remove records from the official list
31 of registered voters later than six months before a general
32 election.

33 Sec. 21. Section 48A.30, Code 2024, is amended by adding the
34 following new subsections:

35 NEW SUBSECTION. 3. A voter registration shall not be

1 canceled solely on the basis that mail to the voter was
2 returned as undeliverable except as provided in section 48A.29.

3 NEW SUBSECTION. 4. A voter registration shall not be
4 canceled unless the commissioner verifies that the registration
5 belongs to an ineligible voter. The commissioner shall verify
6 that the identity of the ineligible voter matches the voter
7 registration to be canceled through one of the following means:

8 a. The voter's full name.
9 b. The voter's date of birth.
10 c. The last four digits of the voter's social security
11 number.

12 d. Documentation from the electronic registration
13 information center that the voter is no longer a resident of
14 this state.

15 NEW SUBSECTION. 5. Prior to canceling a voter registration,
16 the commissioner shall publicly publish notice of the
17 cancellation as provided in chapter 618.

18 DIVISION V

19 ABSENTEE BALLOT DROP BOXES

20 Sec. 22. Section 53.17, subsection 1, paragraph c,
21 subparagraph (1), Code 2024, is amended to read as follows:

22 (1) A commissioner shall ~~not~~ establish ~~more than~~ at least
23 one ballot drop box, ~~which shall be located at the office of~~
24 ~~the commissioner, or on property owned and maintained by the~~
25 ~~county that directly surrounds the building where the office is~~
26 ~~located~~ per twenty-five thousand residents of the county. For
27 the purposes of this subparagraph, *"office of the commissioner"*
28 means a location where a voter may receive services pursuant to
29 ~~section 48A.17, 50.20, 53.10, or 53.18.~~

30 Sec. 23. Section 53.17, subsection 1, paragraph c, Code
31 2024, is amended by adding the following new subparagraph:

32 NEW SUBPARAGRAPH. (11) A ballot drop box shall be composed
33 of a material that cannot be readily destroyed or penetrated.

34 DIVISION VI

35 EFFECTIVE DATE

H-8100 (Continued)

1 Sec. 24. EFFECTIVE DATE. This Act, being deemed of
2 immediate importance, takes effect upon enactment.>
3 2. Title page, by striking lines 1 through 3 and inserting
4 <An Act relating to the conduct of elections, and including
5 effective date provisions.>

By NIELSEN of Johnson

H-8100 FILED FEBRUARY 28, 2024

HOUSE FILE 2612

H-8107

1 Amend House File 2612 as follows:

2 1. Page 1, line 5, by striking <Beginning July 1, 2025,
3 oversee> and inserting <Oversee>

4 2. By striking page 1, line 33, through page 2, line 2, and
5 inserting:

6 <2. Within the main office of each area education
7 agency, devote an amount of full-time equivalent positions,
8 as determined by the division of special education of the
9 department of education but not to exceed forty full-time
10 equivalent positions in the aggregate, that is commensurate
11 with the number of students enrolled in school districts
12 located within the area education agency to ensure the area
13 education agency complies with all applicable federal and state
14 laws related to special education and to review the services
15 provided by the area education agency.>

16 3. Page 2, after line 4 by inserting:

17 <Sec. ____ . Section 256.9, Code 2024, is amended by adding
18 the following new subsection:

19 NEW SUBSECTION. 36. Develop and distribute to school
20 districts, accredited nonpublic schools, and area education
21 agencies a list of evidence-based professional development
22 services that an area education agency may provide to a school
23 district or accredited nonpublic school pursuant to section
24 273.2, subsection 3, paragraph "b".>

25 4. Page 2, line 5, by striking <subsections 1 and 3,> and
26 inserting <subsections 1, 3, and 4,>

27 5. By striking page 2, line 33, through page 3, line 2, and
28 inserting:

29 <b. The area education agency may furnish evidence-based
30 professional development services to public or nonpublic
31 schools which are on the list of accredited schools pursuant
32 to section 256.11 if any of the following requirements are
33 satisfied:

34 (1) The professional development service is included on the
35 list developed by the director of the department of education

1 pursuant to section 256.9, subsection 36.

2 (2) The director of the department of education grants
3 approval to the area education agency to furnish the
4 evidence-based professional development services.

5 4. The area education agency board shall provide for special
6 education services and media services for ~~the local~~ school
7 districts ~~in the area~~ and shall encourage and assist school
8 districts ~~in the area~~ to establish programs for gifted and
9 talented children. The board shall assist in facilitating
10 interlibrary loans of materials between school districts and
11 other libraries.>

12 6. Page 3, before line 3 by inserting:

13 <Sec. ____ . Section 273.2, Code 2024, is amended by adding
14 the following new subsections:

15 NEW SUBSECTION. 4A. a. The area education agency board may
16 furnish services under subsection 3 or 4 to public or nonpublic
17 schools located within its boundaries, or within the boundaries
18 of a contiguous area education agency, which are on the list of
19 accredited schools pursuant to section 256.11.

20 b. Notwithstanding paragraph "a", the area education agency
21 board may furnish services under subsection 3 or 4 to a public
22 school located within the boundaries of an area education
23 agency that is not contiguous if the school district shares
24 a superintendent with another school district, pursuant to
25 section 257.11, subsection 5, that receives services from the
26 area education agency board pursuant to paragraph "a".

27 NEW SUBSECTION. 4B. A school district shall not receive
28 services under subsection 3 or 4 from different area education
29 agency boards.>

30 7. By striking page 3, line 8, through page 4, line 22, and
31 inserting:

32 <11. Employ personnel to carry out the functions of the
33 area education agency which shall include the employment of
34 an administrator who shall possess a license issued ~~under~~
35 chapter 256, subchapter VII, part 3 by the board of educational

1 examiners and, beginning July 1, 2025, a prekindergarten
2 through grade twelve superintendent and area education agency
3 administrator authorization issued by the board of educational
4 examiners and either a prekindergarten through grade twelve
5 principal and special education supervisor authorization issued
6 by the board of educational examiners or a director of special
7 education authorization issued by the board of educational
8 examiners. The administrator shall be employed pursuant to
9 section 279.20 and sections 279.23, 279.24, and 279.25. The
10 salary for an area education agency administrator shall be
11 established by the board based upon the previous experience
12 and education of the administrator; provided, however, that
13 the salary for an area education agency administrator shall
14 not exceed one hundred twenty-five percent of the average
15 salary of all superintendents of the school districts that
16 are located within the boundaries of the area education
17 agency at the time the employment agreement is entered into or
18 renewed between an area education agency and an area education
19 agency administrator, not including superintendents who are
20 responsible for supplementary weighting being made available
21 to a school district pursuant to section 257.11, subsection 5.
22 The salary for an area education agency administrator shall not
23 be reduced during the initial term of the employment agreement
24 between the area education agency and the area education agency
25 administrator. Section 279.13 applies to the area education
26 agency board and to all teachers employed by the area education
27 agency. Sections 279.23, 279.24, and 279.25 apply to the area
28 education board and to all administrators employed by the area
29 education agency. Section 279.69 applies to the area education
30 agency board and employees of the board, including part-time,
31 substitute, or contract employees, who provide services to a
32 school or school district.

33 12. Prepare an annual budget estimating income and
34 expenditures for programs and services as provided in sections
35 273.1, 273.2, this section, sections 273.4 through 273.8,

1 and chapter 256B within the limits of funds provided under
2 section 256B.9 and chapter 257. The board shall ~~post notice~~
3 ~~of a public hearing on~~ submit the proposed budget ~~on the area~~
4 ~~education agency's internet site and by publication in the~~
5 ~~newspaper of general circulation in the territory of the area~~
6 ~~education agency in which the principal place of business of~~
7 ~~a school district that is a part of the area education agency~~
8 ~~is located~~ to the director of the department of education
9 for approval not later than March 1 of each year, and the
10 director shall either approve or reject the proposed budget for
11 changes within ten days after submission. The notice shall
12 ~~specify the date, which shall be not later than March 1 of~~
13 ~~each year, the time, and the location of the public hearing.~~
14 The proposed budget as approved by the ~~board~~ director of the
15 department of education shall then be submitted to the state
16 board of education, on forms provided by the department,
17 no later than March 15 preceding the next fiscal year for
18 approval. The state board shall review the proposed budget of
19 each area education agency and shall before May 1, either grant
20 approval or return the budget without approval with comments
21 of the state board included. An unapproved budget shall be
22 resubmitted to the state board for final approval not later
23 than May 15. The state board shall give final approval only to
24 budgets submitted by area education agencies accredited by the
25 state board or that have been given conditional accreditation
26 by the state board.>

27 8. Page 4, before line 23 by inserting:

28 <Sec. ____ . Section 273.3, Code 2024, is amended by adding
29 the following new subsection:

30 NEW SUBSECTION. 26. On a quarterly basis, prepare and
31 submit to each school district that receives services from
32 the area education agency a report that includes all of the
33 following:

34 a. A monetary accounting of payments the area education
35 agency received from the school district, including payments

1 under section 257.35.

2 *b.* A description of all of the following:

3 (1) The special education services provided by the area
4 education agency to the school district.

5 (2) The services provided by the area education agency under
6 part C of the federal Individuals with Disabilities Education
7 Act.

8 (3) The services provided by the area education agency that
9 are related to the child find process for special education.

10 (4) The general supervision services provided by the area
11 education agency.

12 (5) The services provided by the area education agency to
13 accredited nonpublic schools and charter schools.

14 Sec. _____. Section 273.8, subsection 1, Code 2024, is amended
15 to read as follows:

16 1. *Board of directors.* The board of directors of an area
17 education agency shall consist of not less than five nor more
18 than nine members, ~~each a resident of and elected in the~~
19 ~~manner provided in this section from a director district that~~
20 ~~is approximately equal in population to the other director~~
21 ~~districts in the area education agency.~~ Each director shall
22 serve a four-year term which commences at the organization
23 meeting.

24 *a.* A majority of the members of the board of directors of
25 an area education agency must be superintendents of school
26 districts located within the boundaries of the area education
27 agency who are elected in the manner provided in this section.

28 *b.* The remainder of the members of the board of directors of
29 an area education agency must be residents of and elected in
30 the manner provided in this section from a director district
31 that is approximately equal in population to the other director
32 districts in the area education agency.

33 Sec. _____. Section 273.8, subsection 2, paragraphs c and d,
34 Code 2024, are amended to read as follows:

35 *c.* The board of each separate school district that is

1 located entirely or partially inside an area education agency
2 director district shall cast a vote for director of the area
3 education agency board based upon the ratio that the population
4 of the school district, or portion of the school district, in
5 the director district bears to the total population in the
6 director district. The population of each school district or
7 portion shall be determined by the department of education.
8 The member of the area education agency board to be elected
9 may be a superintendent of a local school district or a member
10 of a local school district board of directors and shall be an
11 elector and a resident of the director district, ~~but shall not~~
12 ~~be a school district employee.~~

13 *d.* Vacancies, as defined in section 277.29, in the
14 membership of the area education agency board shall be filled
15 for the unexpired portion of the term at a director district
16 convention called and conducted in the manner provided in
17 subsection 3. A vacancy created in a membership position
18 described in section 273.8, subsection 1, paragraph "a",
19 shall be filled for the unexpired portion of the term by
20 a superintendent of a school district located within the
21 boundaries of the area education agency at a director district
22 convention called and conducted in the manner provided in
23 subsection 3.

24 Sec. _____. Section 273.8, subsection 3, Code 2024, is amended
25 to read as follows:

26 3. *Director district convention.* If no candidate files
27 with the area education agency secretary by the deadline
28 specified in subsection 2, or a vacancy occurs, or if otherwise
29 required as provided in section 273.23, subsection 3, a
30 director district convention, attended by members of the
31 boards of directors of the local school districts located
32 within the director district, shall be called to elect a
33 board member for that director district, consistent with
34 the membership requirements described in subsection 1. The
35 convention location shall be determined by the area education

1 agency administrator. Notice of the time, date, and place
2 of a director district convention shall be published by the
3 area education agency administrator in at least one newspaper
4 of general circulation in the director district at least
5 thirty days prior to the day of the convention. The cost of
6 publication shall be paid by the area education agency. A
7 candidate for election to the area education agency board shall
8 file a statement of candidacy with the area education agency
9 secretary at least ten days prior to the date of the director
10 district convention on forms prescribed by the department of
11 education, or nominations may be made at the convention by a
12 delegate from a board of directors of a school district located
13 within the director district. A statement of candidacy shall
14 include the candidate's name, address, and school district.
15 Delegates to director district conventions shall not be bound
16 by a school board or any school board member to pledge their
17 votes to any candidate prior to the date of the convention.>

18 9. Page 5, line 25, after <for> by inserting <all students,
19 including>

20 10. Page 5, line 31, after <for> by inserting <all students,
21 including>

22 11. Page 6, line 16, after <for> by inserting <all students,
23 including>

24 12. Page 6, line 26, by striking <students with
25 disabilities> and inserting <students, including students with
26 disabilities,>

27 13. Page 7, lines 2 and 3, by striking <students with
28 disabilities> and inserting <students, including students with
29 disabilities>

30 14. By striking page 7, line 5, through page 8, line 12, and
31 inserting:

32 <1. The legislative council shall convene an area education
33 agency task force that shall do all of the following:

34 a. Study and make recommendations related to how to improve
35 the outcomes of students who utilize services provided by area

1 education agencies.

2 b. Study and make recommendations related to the amount of
3 compensation paid to administrators employed by area education
4 agencies, core services provided by area education agencies,
5 and how to best fund the following services provided by area
6 education agencies:

- 7 (1) Crisis response services.
 - 8 (2) Media services for nonpublic schools.
 - 9 (3) Professional development services.
 - 10 (4) Cooperative purchasing.
 - 11 (5) Services associated with regional planning
12 partnerships.
 - 13 (6) Services associated with the federal Carl D. Perkins
14 Career and Technical Education Improvement Act of 2006,
15 codified at 20 U.S.C. §2301 et seq., as amended.
 - 16 (7) Services associated with the federal Every Student
17 Succeeds Act, Pub. L. No. 114-95.
 - 18 (8) Services provided in conjunction with special education
19 equipment.
- 20 c. Study and make recommendations related to all of the
21 following:
- 22 (1) The real property and facilities utilized by each area
23 education agency.
 - 24 (2) The media services, educational services, and special
25 education services provided by each area education agency.
 - 26 (3) What services area education agencies should provide.
 - 27 (4) Current accountability measures applicable to area
28 education agencies.
 - 29 (5) The special education services provided by the division
30 of special education of the department of education, area
31 education agencies, and school districts.
 - 32 (6) The overall organizational structure that determines
33 how special education services are provided to students in this
34 state.
 - 35 (7) How the operation of area education agencies is

1 overseen.

2 (8) The accreditation standards related to area education
3 agencies.

4 (9) A timeline for modifications to the staffing numbers of
5 area education agencies and the transition of responsibilities
6 related to the oversight of area education agencies.

7 2. a. The task force shall consist of the following
8 voting members who are appointed by the legislative council to
9 represent different geographical regions of this state:

10 (1) One special education teacher who is employed by a
11 school district with a total enrollment of greater than or
12 equal to one thousand students.

13 (2) One special education teacher who is employed by a
14 school district with a total enrollment of less than one
15 thousand students.

16 (3) One superintendent who is employed by a school district
17 with a total enrollment of greater than or equal to one
18 thousand students.

19 (4) One superintendent who is employed by a school district
20 with a total enrollment of less than one thousand students.

21 (5) One teacher who is employed by a school district and who
22 does not provide special education programs or services.

23 (6) One parent or guardian of a student who has an
24 individualized education program.

25 (7) One parent or guardian of a student who has a plan under
26 section 504 of the Rehabilitation Act, 29 U.S.C. §794.

27 (8) One president or chief executive officer of an
28 accredited nonpublic school.

29 b. The task force shall also consist of the following voting
30 members:

31 (1) One member to be appointed by the governor.

32 (2) One member to be appointed by the director of the
33 department of education.

34 (3) One member who is the chief administrator of the
35 heartland area education agency.

1 c. The task force shall also consist of the following ex
2 officio, nonvoting members of the general assembly:

3 (1) Two state senators appointed by the majority leader of
4 the senate.

5 (2) One state senator appointed by the minority leader of
6 the senate.

7 (3) Two state representatives appointed by the speaker of
8 the house of representatives.

9 (4) One state representative appointed by the minority
10 leader of the house of representatives.

11 3. Any expenses incurred by a member of the task force
12 shall be the responsibility of the individual member or the
13 respective entity represented by the member.

14 4. The task force shall submit its findings and
15 recommendations in a report to the general assembly on
16 or before December 31, 2024. The report shall include an
17 examination and evaluation of the impact to area education
18 agencies and their operations and services made by this Act.>

19 15. Page 8, before line 13 by inserting:

20 <Sec. _____. AREA EDUCATION AGENCY BOARDS OF DIRECTORS —
21 TRANSITION.

22 1. a. If, as of July 1, 2024, the membership of an area
23 education agency board of directors does not comply with the
24 provisions of section 273.8, subsection 1, as amended in this
25 division of this Act, the members of the boards of directors of
26 the local school districts located within the area education
27 agency director districts shall select the applicable number
28 of the members of the area education agency board of directors
29 whose terms shall, as of July 1, 2024, be deemed to have
30 expired, notwithstanding the terms of office associated with
31 the members under section 273.8, subsection 1, as amended in
32 this division of this Act.

33 b. If the members of the boards of directors of the local
34 school districts located within the area education agency
35 director districts are unable to select the applicable number

1 of the members of the area education agency board of directors
2 whose terms shall be deemed to have expired, as required in
3 paragraph "a", the director of the department of education
4 shall select the applicable number of such members.

5 2. The membership of the board members that were selected
6 under subsection 1 shall be deemed vacant when such selection
7 is made. A director district convention shall be called under
8 section 273.8, subsection 3, to fill such vacancies.

9 3. From the time the membership of the board members is
10 deemed vacant pursuant to subsection 2 until the time the
11 vacancies are filled through the director district convention,
12 the area education agency board shall be authorized to exercise
13 all power granted to it under chapter 273, notwithstanding the
14 lack of a quorum under section 273.8, subsection 5.>

15 16. Page 8, after line 24 by inserting:

16 <Sec. ____ . APPLICABILITY. The following apply to members of
17 the boards of directors of area education agencies elected on
18 or after July 1, 2024:

19 1. The section of this division of this Act amending section
20 273.8, subsection 1.

21 2. The section of this division of this Act amending section
22 273.8, subsection 2, paragraph "c".>

23 17. Page 9, line 20, after <agency.> by inserting <The
24 contract between the school district and the area education
25 agency shall not require the school district to describe the
26 specific special education services the school district will
27 receive from the area education agency. The special education
28 services provided by the area education agency to the school
29 district pursuant to the contract shall not be limited by the
30 amount of funding the school district provided to the area
31 education agency.>

32 18. By striking page 17, line 20, through page 18, line 15.

33 19. Title page, by striking lines 1 through 7 and inserting
34 <An Act relating to area education agencies, including by
35 modifying provisions related to the duties and powers of

H-8107 (Continued)

1 area education agencies, the membership of area education
2 agency boards of directors, oversight by the department of
3 education, funding, and establishing a task force related to
4 area education agency operations, and including effective date
5 and applicability provisions.>
6 20. By renumbering as necessary.

By WHEELER of Sioux

[H-8107](#) FILED FEBRUARY 28, 2024

HOUSE FILE 2618

H-8096

1 Amend the amendment, H-8031, to House File 2618, as follows:

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

3 <___. Page 1, after line 26 by inserting:

4 <Sec. ___. Section 256.146, subsection 21, Code 2024, is
5 amended to read as follows:

6 21. a. By July 1, 2021, adopt rules pursuant to
7 chapter 17A, developed in collaboration with the Iowa
8 reading research center, establishing an advanced dyslexia
9 specialist endorsement. The endorsement shall require a
10 strong understanding of structured literacy instruction; the
11 neurobiological nature, cognitive-linguistic correlates,
12 developmental indicators, compensatory behaviors, potential
13 psychological factors, and co-occurring disorders of dyslexia;
14 demonstrated skill in administering informal and formal
15 assessments related to dyslexia; demonstrated skill in delivery
16 of explicit, systematic literacy intervention; demonstrated
17 skill in developing and supporting services for students
18 with characteristics of dyslexia including those who are
19 eligible for services under chapter 256B or section 504 of
20 the federal Rehabilitation Act of 1973, 29 U.S.C. §794, as
21 amended; demonstrated skill in the design and implementation
22 of accommodations and modifications; demonstrated competence
23 in creating a dyslexia-friendly learning environment; and
24 demonstrated skill in the use and integration of assistive
25 technology. ~~This endorsement shall, at a minimum, require~~
26 ~~three years of prior teaching experience and completion of a~~
27 ~~supervised practical experience.~~

28 b. The rules shall allow students participating in approved
29 practitioner preparation programs to apply for and, if
30 deemed qualified by the board, receive the advanced dyslexia
31 specialist endorsement.

32 c. The rules shall require the board to grant a reading
33 specialist endorsement to any individual who receives
34 an advanced dyslexia specialist endorsement under this
35 subsection.>

H-8096 (Continued)

1 ___. Page 2, after line 26 by inserting:
2 <Sec. ___. APPLICABILITY. The following applies to
3 individuals admitted to an approved practitioner preparation
4 program on or after the effective date of this Act:
5 The portion of the section of this Act enacting section
6 256.146, subsection 21, paragraph "b".
7 Sec. ___. APPLICABILITY. The following applies to
8 individuals who apply to the board of educational examiners for
9 an advanced dyslexia specialist endorsement on or after the
10 effective date of this Act:
11 The portion of the section of this Act enacting section
12 256.146, subsection 21, paragraph "c".>
13 ___. Title page, line 2, after <requirements> by inserting
14 <and provisions related to endorsements issued by the board of
15 educational examiners>
16 ___. Title page, line 5, after <level> by inserting <, and
17 including applicability provisions>>
18 2. By renumbering as necessary.

By STECKMAN of Cerro Gordo

[H-8096](#) FILED FEBRUARY 28, 2024

SENATE FILE 345

H-8087

1 Amend Senate File 345, as amended, passed, and reprinted by
2 the Senate, as follows:

3 1. By striking page 4, line 32, through page 5, line 9, and
4 inserting:

5 <4. *Issuance.*

6 a. Cities may approve device retailer permit applications
7 for applicants located within their respective limits. County
8 boards of supervisors may approve device retailer permit
9 applications for applicants located in their respective
10 counties, outside of the corporate limits of cities.

11 b. Upon approval of a device retailer permit application
12 by a city or county, the department shall issue the permit to
13 the applicant on behalf of the city or county, as applicable,
14 in a manner determined by the department. A city or county
15 shall use the department's electronic portal to process
16 device retailer permit applications. A city or county that is
17 unable to use the department's electronic portal may request
18 permission from the director to process device retailer permit
19 applications by another method.

20 c. The department shall submit the current list of all
21 device retailer permits issued to the department of health
22 and human services by the last day of each quarter of a state
23 fiscal year.>

24 2. Page 5, by striking lines 14 and 15 and inserting <the
25 period ending June 30 next, to the department. The fee for a
26 device retailer>

27 3. Page 5, by striking lines 17 through 23 and inserting:

28 <6. *Application.* Device retailer permits shall be issued
29 only upon application, accompanied by the one thousand
30 five hundred dollar fee, made upon forms furnished by the
31 department. The application, any supporting documentation, and
32 the associated fees required by this section shall be submitted
33 to the department electronically. The forms shall specify all
34 of the following:>

35 4. By striking page 6, line 27, through page 7, line 10, and

1 inserting:

2 <1. A person shall not mail, ship, or otherwise cause to be
3 delivered any device in connection with a delivery sale to any
4 other person within this state unless the person has applied
5 for and holds a device delivery sale permit as provided in this
6 section.

7 2. All device delivery sale permits provided for in
8 this section shall expire on June 30 of each year. A device
9 delivery sale permit shall not be granted or issued until the
10 applicant has paid the fees provided for in this section for
11 the period ending June 30 next, to the department. The fee
12 for a device delivery sale permit is one thousand five hundred
13 dollars.

14 3. Device delivery sale permits shall be issued only upon
15 application, accompanied by the one thousand five hundred
16 dollar fee, made upon forms furnished by the department. The
17 application, any supporting documentation, and the associated
18 fees required by this section shall be submitted to the
19 department electronically. The forms shall specify all of the
20 following:

21 a. The manner under which the device delivery sale permit
22 holder transacts or intends to transact business as a device
23 delivery sale permit holder.

24 b. The principal office, residence, and place of business,
25 to which the device delivery sale permit is to apply.

26 c. If the applicant is not an individual, the names of the
27 partners if the applicant is a partnership or the names of
28 the principal officers or members if the applicant is a legal
29 entity, and their addresses.

30 d. Such other information as the director shall by rule
31 prescribe.>

32 5. Page 7, line 11, by striking <2.> and inserting <4.>

33 6. Page 7, line 35, after <submitted> by inserting
34 <electronically>

35 7. Page 8, line 4, by striking <3.> and inserting <5.>

1 8. Page 8, line 5, after <director> by inserting
2 <electronically>

3 9. Page 8, line 10, by striking <4.> and inserting <6.>

4 10. Page 8, by striking lines 25 through 28 and inserting:

5 <2. a. There is levied and imposed an excise tax on a
6 device purchased in this state through a sale by a device
7 retailer or purchased for use in this state through a delivery
8 sale of forty percent of the retail sales price of the device.

9 b. For the purposes of this section, "*retail sales price*"
10 means the total amount of consideration, including cash,
11 credit, property, and services, for which personal property or
12 services are sold, leased, or rented, valued in money, whether
13 received in money or otherwise, without any deduction for any
14 of the following:

15 (1) The device retailer's or device delivery sale permit
16 holder's cost of the device sold.

17 (2) The cost of materials used, labor or service cost,
18 interest, losses, all costs of transportation to the device
19 retailer or to the device delivery sale permit holder, as
20 applicable, all taxes imposed on the device retailer or the
21 device delivery sale permit holder except as provided in
22 paragraph "c", subparagraphs (5) and (6), and any other expenses
23 of the device retailer or device delivery sale permit holder.

24 (3) Charges by the device retailer or device delivery sale
25 permit holder for any services necessary to complete the sale,
26 other than delivery and installation charges.

27 (4) Delivery charges.

28 c. "*Retail sales price*" does not include any of the
29 following:

30 (1) Discounts, including cash, term, or coupons that are
31 not reimbursed by a third party that are allowed by a device
32 retailer or a device delivery sale permit holder and taken by a
33 consumer on sale.

34 (2) Interest, financing, carrying charges from credit
35 extended on the sale of a device, if the amount is separately

1 stated on the invoice, bill of sale, or similar document given
2 to the consumer.

3 (3) Any taxes legally imposed directly on the consumer that
4 are separately stated on the invoice, bill of sale, or similar
5 document given to the consumer.

6 (4) Trade discounts given or allowed by manufacturers,
7 distributors, or wholesalers to device retailers or
8 device delivery sale permit holders or by manufacturers or
9 distributors to wholesalers and payments made by manufacturers,
10 distributors, or wholesalers directly to device retailers
11 or device delivery sale permit holders or by manufacturers
12 or distributors to wholesalers to reduce the sales price of
13 the manufacturer's, distributor's, or wholesaler's product
14 or to promote the sale or recognition of the manufacturer's,
15 distributor's, or wholesaler's product. This subparagraph does
16 not apply to coupons issued by manufacturers, distributors, or
17 wholesalers to consumers.

18 (5) Any state or local tax on a sale that is imposed on the
19 device retailer or device delivery sale permit holder if the
20 statute, rule, or local ordinance imposing the tax provides
21 that the device retailer or device delivery sale permit holder
22 may but is not required to collect such tax from the consumer,
23 and if the tax is separately stated on the invoice, bill of
24 sale, or similar document given to the consumer.

25 (6) Any tribal tax on a sale that is imposed on the device
26 retailer or device delivery sale permit holder if the tribal
27 law imposing the tax provides that the device retailer or
28 device delivery sale permit holder may but is not required
29 to collect such tax from the consumer, and if the tax is
30 separately stated on the invoice, bill of sale, or similar
31 document given to the consumer.

32 *d.* The retail sales price does not include, and the device
33 excise tax shall not apply to, amounts received for charges
34 included in paragraph "b", subparagraphs (3) and (4), if the
35 charges are separately contracted for, separately stated on

1 the invoice, bill of sale, or similar document given to the
2 consumer, and the amounts represent charges which are not the
3 retail sales price of a taxable sale of a device under this
4 chapter.>

5 11. Page 8, line 35, after <department> by inserting
6 <electronically>

7 12. Page 10, by striking lines 14 through 26 and inserting:
8 <1. A specialty courts program fund is created in the
9 state treasury under the control of the office of drug control
10 policy. Moneys from permit fees, with the exception of
11 permit fees collected by the department on behalf of cities or
12 counties in the issuance of permits, and excise taxes imposed
13 and collected pursuant to section 453E.5, shall be deposited in
14 the fund. Permit fees collected by the department on behalf of
15 cities under this chapter shall be remitted by the department
16 to the treasurer of the city where the permit is effective
17 and credited to the general fund of the city. Permit fees
18 collected by the department on behalf of counties under this
19 chapter shall be remitted by the department to the treasurer of
20 the county where the permit is effective and credited to the
21 general fund of the county.>

22 13. Page 10, line 27, by striking <governor's>

23 14. Page 10, line 33, by striking <governor's>

24 15. Page 11, line 3, by striking <governor's>

25 16. Page 11, line 25, by striking <governor's>

26 17. Page 12, by striking lines 24 through 28 and inserting:

27 <c. A local authority shall report the suspension or
28 revocation of a device retailer permit or a device delivery
29 sale permit under this section to the department within thirty
30 days of the suspension or revocation of the permit.>

31 18. Page 13, line 17, by striking <2024> and inserting
32 <2025>

33 19. By renumbering, redesignating, and correcting internal
34 references as necessary.

H-8087 (Continued)

By KAUFMANN of Cedar

H-8087 FILED FEBRUARY 28, 2024

SENATE FILE 345

H-8102

- 1 Amend the amendment, H-8087, to Senate File 345, as amended,
2 passed, and reprinted by the Senate, as follows:
- 3 1. Page 5, after line 6 by inserting:
4 <___. Page 9, line 6, by striking <program> and inserting
5 <and diversion programs>
6 ___. Page 10, by striking line 13 and inserting:
7 <Sec. ___. NEW SECTION. 453E.6 Specialty courts and
8 diversion programs fund.>>
- 9 2. Page 5, line 8, by striking <program> and inserting <and
10 diversion programs>
- 11 3. Page 5, after line 22 by inserting:
12 <___. Page 10, line 29, after <courts> by inserting <and
13 diversion programs>>
- 14 4. Page 5, after line 23 by inserting:
15 <___. Page 10, line 35, by striking <program> and inserting
16 <and diversion programs>
- 17 ___. Page 11, line 2, after <courts> by inserting <and
18 diversion programs>>
- 19 5. By renumbering as necessary.

By KAUFMANN of Cedar

H-8102 FILED FEBRUARY 28, 2024

SENATE FILE 574

H-8097

1 Amend the amendment, H-8047, to Senate File 574, as passed by
2 the Senate, as follows:

3 1. Page 3, by striking lines 26 through 29 and inserting:
4 <___. Page 15, by striking lines 29 and 30 and inserting
5 <land holdings pursuant to this part on or after>

6 ___. Page 15, line 31, by striking <2026, whichever occurs
7 first> and inserting <2027>>

8 2. By renumbering as necessary.

By DETERMANN of Clinton

H-8097 FILED FEBRUARY 28, 2024

SENATE FILE 574

H-8098

- 1 Amend Senate File 574, as passed by the Senate, as follows:
- 2 1. Page 6, line 12, after <trade,> by inserting <labor,
- 3 employment,>
- 4 2. Page 6, line 17, by striking <subparagraph (1),> and
- 5 inserting <subparagraph (1) that do not show a consistent
- 6 pattern or establish intentional, criminal, or reckless conduct
- 7 by the business in violation of such laws or regulations,>
- 8 3. Page 6, line 18, after <affect> by inserting <worker
- 9 rights,>

By ISENHART of Dubuque

H-8098 FILED FEBRUARY 28, 2024

SENATE FILE 574

H-8104

- 1 Amend Senate File 574, as passed by the Senate, as follows:
- 2 1. Page 6, line 12, after <trade,> by inserting <child labor
- 3 within the previous five years,>
- 4 2. Page 6, line 18, after <violations> by inserting <
- 5 except child labor violations,>
- 6 3. Page 15, after line 25 by inserting:
- 7 <Sec. ____ . NEW SECTION. 15.289A Child labor violations.
- 8 If the authority finds the business, or a contractor or
- 9 subcontractor of the business, has a child labor violation
- 10 during the construction of the project or within five years of
- 11 the project completion date, the authority shall terminate any
- 12 agreement entered into with the eligible business under section
- 13 15.285, and the eligible business shall repay the authority any
- 14 tax incentives issued to the eligible business.>
- 15 4. By renumbering as necessary.

By SCHEETZ of Linn

H-8104 FILED FEBRUARY 28, 2024

SENATE FILE 574

H-8109

1 Amend Senate File 574, as passed by the Senate, as follows:
2 1. Page 3, line 6, after <project.> by inserting
3 <Additionally, if construction services are provided for in the
4 contract, "*contractor*" means a person who utilizes employees
5 that participate in or have completed an apprenticeship program
6 registered and certified with the United States department
7 of labor, pays the employees of the contractor at least
8 one hundred forty percent of the qualifying wage threshold,
9 provides comprehensive benefits to each employee working on the
10 project, demonstrates a safety record that minimizes employee
11 exposure to occupation hazards, and utilizes a high proportion
12 of materials from suppliers in this state.>
13 2. Page 4, line 27, after <project.> by inserting
14 <Additionally, if construction services are provided for in the
15 contract with the contractor, "*subcontractor*" means a person
16 who utilizes employees that participate in or have completed
17 an apprenticeship program registered and certified with the
18 United States department of labor, pays the employees of
19 the subcontractor at least one hundred forty percent of the
20 qualifying wage threshold, provides comprehensive benefits to
21 each employee working on the project, demonstrates a safety
22 record that minimizes employee exposure to occupation hazards,
23 and utilizes a high proportion of materials from suppliers in
24 this state.>

By COOLING of Linn

H-8109 FILED FEBRUARY 28, 2024

SENATE FILE 2095

H-8106

1 Amend Senate File 2095, as passed by the Senate, as follows:

2 1. Page 3, by striking lines 10 and 11 and inserting
3 <proceeding to which a government is a party and obtain
4 appropriate relief against that government>

5 2. Page 3, line 12, by striking <redress>

6 3. Page 3, after line 15 by inserting:

7 <3. This chapter shall not apply to any of the following:

8 a. Any provision of law or its implementation that provides
9 for or requires:

10 (1) A protection against discrimination or the promotion of
11 equal opportunity, including the Iowa civil rights Act of 1965,
12 chapter 216; the Civil Rights Act of 1964, 42 U.S.C. §2000a et
13 seq.; the Americans with Disabilities Act of 1990, 42 U.S.C.
14 §12101 et seq.; the Family and Medical Leave Act of 1993, 29
15 U.S.C. §2601 et seq.; Executive Order 11246, 42 U.S.C. §2000e
16 note; and the Violence Against Women Act of 1994, 42 U.S.C.
17 §13925 et seq.

18 (2) An employer to provide a wage, other compensation, or a
19 benefit, including leave, or a standard protecting collective
20 activity in the workplace.

21 (3) A protection against child labor, child abuse, or child
22 exploitation.

23 (4) Access to, information about, a referral for, provision
24 of, or coverage for any health care item or service.

25 b. Any term of a government contract, grant, cooperative
26 agreement, or other award that provides funds directly or
27 indirectly, and that requires a good, service, function, or
28 activity to be performed for or provided to a beneficiary of
29 or a participant in a program or activity funded, directly
30 or indirectly, by a government contract, grant, cooperative
31 agreement, or other award.

32 c. The extent that application would result in denying
33 a person the full and equal enjoyment of a good, service,
34 benefit, facility, privilege, advantage, or accommodation
35 provided by the government.>

H-8106 (Continued)

By JAMES of Dubuque

H-8106 FILED FEBRUARY 28, 2024

SENATE FILE 2106

H-8108

1 Amend Senate File 2106, as amended, passed, and reprinted by
2 the Senate, as follows:

3 1. Page 1, after line 18 by inserting:

4 <(3) Performing work on a part-time basis. Each day during
5 a week in which an individual performs work on a part-time
6 basis shall be counted as a work search activity for purposes
7 of this paragraph.>

By COOLING of Linn

H-8108 FILED FEBRUARY 28, 2024



[SF 2349](#) – Criminal Procedure, Defense Subpoenas (LSB5336SV)
Staff Contact: Molly Kilker (515.725.1286) molly.kilker@legis.iowa.gov
Fiscal Note Version – New

Description

[Senate File 2349](#) relates to defense subpoenas in criminal actions and provides the following:

- A criminal defendant or counsel acting on the defendant’s behalf may not issue any subpoena for documents or evidence except upon application to the court. The defendant must prove by a preponderance of the evidence all of the following:
 - There is a compelling need for the evidence sought, and the evidence is material, necessary, exculpatory, and admissible at trial.
 - The evidence sought does not include the private information of a crime victim or any other person except for the defendant’s private information.
- Notwithstanding any rule of criminal procedure concerning the issuance of a subpoena, the Bill serves as the exclusive mechanism for a criminal defendant or counsel acting on the defendant’s behalf to issue a subpoena for documents or other evidence.
- An application for a defense subpoena must not be filed or reviewed ex parte.
- The prosecuting attorney is not required to execute or effectuate any order or subpoena issued pursuant to the Bill.
- A crime victim or other party who is the subject of a subpoena must not be required by the court to execute a waiver.
- Upon application by a crime victim or the prosecuting attorney, the court must appoint an attorney to represent the person or entity served with a defense subpoena if the person or entity is determined to be indigent. Counsel appointed for this purpose pursuant to the Bill must be paid from the Indigent Defense Fund.
- Documents or other evidence obtained through a defense subpoena must be provided to the prosecuting attorney within five business days after the receipt of the documents or other evidence.
- Documents or other evidence obtained through a defense subpoena that does not comply with the requirements in the Bill are not admissible in any criminal action if offered by the defendant.
- The court may sanction an attorney for knowingly issuing a defense subpoena in violation of the Bill.
- An applicant for postconviction relief is not entitled to relief on a claim of ineffective assistance of counsel as a result of evidence obtained through a defense subpoena.

Background

Iowa Code section [815.9\(1\)](#) provides the qualifications for indigency. Iowa Code section [815.11](#) establishes the Indigent Defense Fund. The Indigent Defense Fund consists of funds appropriated by the General Assembly from the General Fund to the Office of the State Public Defender (SPD) for indigent legal defense by a court-appointed attorney. Approximately \$22.7 million was expended from the Indigent Defense Fund in FY 2023 for processing criminal claims. The average cost per criminal case in FY 2023 was \$524 per case.

Assumptions

- Expanding representation by the SPD to indigent individuals who receive a defense subpoena may significantly increase costs to the Indigent Defense Fund due to an increase in attorney time spent on criminal cases; the time needed for investigation; the number of motions, hearings, trials, and appeals; and the use of expert witnesses. The number of individuals to which this will apply cannot be estimated.
- The requirement to provide information obtained through a subpoena to the prosecutor within five days may also increase costs to the Indigent Defense Fund due to additional staff needed to comply.
- The SPD will require 15.0 Investigator 2 full-time equivalent (FTE) positions at a cost of \$67,000 each to meet the increased investigatory needs of public defender employees and contract attorneys.
- The number of applications to the court for defense subpoenas is unknown.
- The average cost per criminal case is estimated to double from \$524 to \$1,048 per case.

Fiscal Impact

The total fiscal impact of Senate File 2349 cannot be estimated, but the costs to the SPD are anticipated to be significant. Under the Bill, the amount of attorney time spent on a case is estimated to increase due to the increased numbers of motions, hearings, and investigations, and fewer resolutions before trials which may increase the average cost per criminal case handled by court-appointed attorneys. The costs will be incurred by the Indigent Defense Fund.

Additionally, the SPD estimates the need to hire 15.0 Investigator 2 FTE positions, for a total cost of \$1.0 million to the SPD operating budget.

Sources

Office of the State Public Defender
Legislative Services Agency

/s/ Jennifer Acton

February 27, 2024

Doc ID 1447313

The fiscal note for this Bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

www.legis.iowa.gov



[HF 2121](#) – Captive Insurance Companies, Reinsurance Tax (LSB5285HV)
 Staff Contact: Xavier Leonard (515.725.0509) xavier.leonard@legis.iowa.gov
 Fiscal Note Version – New

Description

[House File 2121](#) relates to the taxation of captive companies. The Bill amends the amount of reinsurance tax due from a captive company on assumed reinsurance premiums written.

The Bill takes effect upon enactment.

Background

2023 Iowa Acts, [Senate File 549](#) (Captive Insurance Act), allowed for the formation of captive insurance companies and protected cell captive companies, established tax rates for captive insurance premiums, established requirements for the operation of captive insurance companies and protected cell captive companies, and created the Captive Insurance Regulatory and Supervision Fund.

Captive insurance companies are a form of self-insurance in which the insurance provider is owned entirely by the insurance holder. Captive insurance companies often work with traditional companies and may be an option for businesses to manage risks by underwriting their own insurance rather than paying premiums to a third-party insurer.

Current and proposed reinsurance tax rates due from captive companies on assumed reinsurance premiums are shown in **Figure 1** below.

Figure 1 — Reinsurance Premium Tax Rate Changes in HF 2121

	Amount of Assumed Reinsurance Premiums Written			
	(Dollars in Millions)			
	<u>\$0.0 to \$20.0</u>	<u>\$20.0 to \$40.0</u>	<u>\$40.0 to \$60.0</u>	<u>\$60.0 and Above</u>
Current Law	0.200%	0.125%	5.000%	5.000%
Proposed Law	0.200%	0.125%	0.045%	0.020%

Assumption

Changes in reinsurance tax rates for captive insurance premiums may have an impact on revenue collected in the Captive Insurance Regulatory and Supervision Fund, but the amount cannot be estimated, as there is not currently a market for captive insurance in the State.

Fiscal Impact

House File 2121 may decrease tax revenue to the Captive Insurance Regulatory and Supervision Fund in future years, as the Bill reduces the tax collected on each captive insurance company’s reinsurance premiums that are in excess of \$40.0 million annually.

Reinsurance premium taxes collected on a captive insurance company’s reinsurance premiums written between \$40.0 million and \$60.0 million will reduce from 5.000% to 0.045%, a 99.1%

reduction. Reinsurance premium taxes collected on a captive insurance company's reinsurance premiums written in excess of \$60.0 million will reduce from 5.000% to 0.020%, a 99.6% reduction.

There are not currently any reinsurance premium taxes collected on captive insurance companies; therefore, the fiscal impact to the State cannot be determined.

Sources

Iowa Insurance Division, Department of Insurance and Financial Services
Legislative Services Agency analysis

/s/ Jennifer Acton

February 28, 2024

Doc ID 1447236

The fiscal note for this Bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

www.legis.iowa.gov



[HF 2453](#) – Theft, Enhanced Penalties (LSB6269HV)
Staff Contact: Evan Johnson (515.281.6301) evan.johnson@legis.iowa.gov
Fiscal Note Version – New

Description

[House File 2453](#) prohibits a sentencing court from deferring the judgment or sentence of a defendant if the defendant was a public employee or public official who unlawfully took more than \$7,500 from a public employer. The Bill also prohibits a sentencing court from suspending the sentence of a defendant if the defendant was a public employee or public official who unlawfully took more than \$7,500 from a public employer unless mitigating circumstances exist.

Background

Iowa Code chapter [907](#) defines the following terms:

- “Deferred judgment” means a sentencing option whereby both the adjudication of guilt and the imposition of a sentence are deferred by the court and whereby the court assesses a civil penalty as provided in Iowa Code section [907.14](#) upon the entry of the deferred judgment. The court retains the power to pronounce judgment and impose sentence subject to the defendant’s compliance with conditions set by the court as a requirement of the deferred judgment.
- “Deferred sentence” means a sentencing option whereby the court enters an adjudication of guilt but does not impose a sentence. The court retains the power to sentence the defendant to any sentence it originally could have imposed subject to the defendant’s compliance with conditions set by the court as a requirement of the deferred sentence.
- “Suspended sentence” means a sentencing option whereby the court pronounces judgment and imposes a sentence and then suspends execution of the sentence subject to the defendant’s compliance with conditions set by the court as a requirement of the suspended sentence. Revocation of the suspended sentence results in the execution of sentence already pronounced.

Assumptions

- The following will not change over the projection period: charge, conviction, and sentencing patterns and trends; prisoner length of stay (LOS); revocation rates; plea bargaining; and other criminal justice system policies and practices.
- A delay of six months is assumed from the effective date of this Bill to the date of first entry of affected offenders into the correctional system.
- Marginal costs for county jails cannot be estimated due to a lack of data. For purposes of this analysis, the marginal cost for county jails is assumed to be \$50 per day.
- The marginal cost per day in prison is \$24.94.

Correctional Impact

House File 2453 modifies sentencing guidelines related to the theft of public funds, and the correctional impact cannot be estimated due to a lack of data. Refer to the Legislative Services Agency (LSA) memo addressed to the General Assembly, [Cost Estimates Used for Correctional Impact Statements](#), dated January 16, 2024, for information related to the correctional system.

Minority Impact

House File 2453 modifies sentencing guidelines related to the theft of public funds, and the minority impact cannot be estimated due to a lack of data. Refer to the LSA memo addressed to the General Assembly, [Minority Impact Statement](#), dated January 16, 2024, for information related to minorities in the criminal justice system.

Fiscal Impact

House File 2453 is estimated to have a minimal fiscal impact to the State.

Sources

Criminal and Juvenile Justice Planning, Department of Management
Department of Corrections
Judicial Branch

/s/ Jennifer Acton

February 28, 2024

Doc ID 1447414

The fiscal note for this Bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

www.legis.iowa.gov



[HF 2459](#) – Adoption, State Public Defender Representation (LSB5549HV)
Staff Contact: Molly Kilker (515.725.1286) molly.kilker@legis.iowa.gov
Fiscal Note Version – New

Description

[House File 2459](#) provides that a local public defender office or designee must represent a party in an adoption proceeding, whether the local public defender office was involved in the termination of the parental rights proceeding, if all the following circumstances apply:

- An adoption proceeding was requested by the party.
- The family income of the party does not exceed 300.0% of the [federal poverty level](#).
- An adoption petition was filed to adopt a child who was the subject of a termination of parental rights proceeding pursuant to Iowa Code chapter [600A](#).

The Bill also provides that a local public defender office or designee must serve as guardian ad litem for a child who was the subject of a termination of parental rights proceeding pursuant to Iowa Code chapter 600A.

Background

Under Iowa Code section [13B.9](#), a local public defender or designee must represent a party who files an adoption petition to adopt a child who was the subject of a termination of parental rights proceeding pursuant to Iowa Code chapter [232](#) in which the local public defender's office was involved. The local public defender's office or designee must also serve as guardian ad litem for each child who was the subject of a termination of parental rights proceeding under the same Iowa Code chapter.

In FY 2023, there were 435 termination filings pursuant to Iowa Code chapter 600A.

Assumptions

- The Office of the State Public Defender estimates that the costs of implementation based on 70.0% (305) of termination of parental rights proceedings under Iowa Code chapter 600A will result in adoption cases requiring a State-funded attorney and guardian ad litem. The expected annual costs to the Indigent Defense Fund would be \$223,000.
- An adoption following a termination of parental rights proceeding requires an estimated 5 hours of attorney time and an estimated 5 hours of guardian ad litem time for a total of 10 billable hours at \$73 per hour.
- There are approximately \$2,000 in additional fees and costs in adoption cases. These fees include home studies, postplacement reports, training, federal and State criminal background checks, and sex offender and abuse registry searches. These fees are paid by the Office of the State Public Defender.

Fiscal Impact

House File 2459 is estimated to increase costs to the Office of the State Public Defender (SPD) by \$833,000 per year. **Figure 1** includes the breakdown of these expenses.

Figure 1 — Estimated Fiscal Impact of HF 2459

Expense	Estimated Number of Cases	Cost Per Case	Total Estimated Expenditure Cost
Attorney Costs for Adoption	305	\$ 365	\$ 111,325
Guardian Ad Litem Costs for Adoption	305	365	111,325
Adoption Fees Paid by SPD	305	2,000	610,000
Total			\$ 832,650

Sources

Office of the State Public Defender
 Iowa Judicial Branch
 Children and Families of Iowa
 Legislative Services Agency

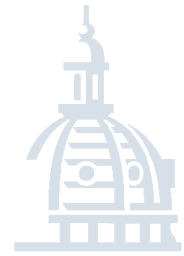
 /s/ Jennifer Acton

February 28, 2024

Doc ID 1446337

The fiscal note for this Bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

www.legis.iowa.gov



[HF 2460](#) – Criminal Procedure, Human Trafficking and Guardians Ad Litem (LSB5337HV)
Staff Contact: Molly Kilker (515.725.1286) molly.kilker@legis.iowa.gov
Fiscal Note Version – New

Description

[House File 2460](#) relates to human trafficking including parole and work release and expands guardian ad litem appointments for prosecuting witnesses with mental disabilities.

The Bill makes the following changes to parole and work release processes:

- Requires courts considering parole or work release cases for a person convicted of human trafficking to consider the defendant’s criminal record, consider the impact of the crime on others, and complete a validated risk assessment.
- Requires individuals convicted of a Class B felony for human trafficking to serve between 50.0% and 70.0% of the maximum sentence prior to eligibility for parole or work release.

Background

Under Iowa Code section [710A.2](#), a person who knowingly engages in human trafficking is guilty of a Class B felony. If the victim is under the age of 18, the person is guilty of a Class A felony, which is punishable by confinement for life without the possibility of probation or parole. A Class B felony is punishable by confinement for up to 25 years.

Under Iowa Code section [232.141](#), Iowa counties are responsible for paying a portion of the juvenile court expenses incurred by an attorney appointed to serve as counsel to any party or to serve as a guardian ad litem for any child. These costs may include reasonable compensation for the attorney or guardian ad litem, expenses for foreign language interpreters, costs of depositions and transcripts, fees and mileage of witnesses, and the expenses of officers serving notices and subpoenas incurred by the court-appointed attorney. The pay rate of a guardian ad litem is equal to that of a contract attorney. Claims for these expenses are then submitted to the Office of the State Public Defender, which initially pays the juvenile court expenses from the Indigent Defense Fund. The county is then required to reimburse the Indigent Defense Fund for the costs incurred up to the county’s base amount each fiscal year. The county base formula is established in Iowa Code section 232.141(3)(a). In FY 2022, the county base amount owed to the Indigent Defense Fund varied from \$300 (Adair County) to \$294,000 (Polk County).

In FY 2023, there were no Class B admissions to prison, probation, or parole under Iowa Code section 710A.2.

Assumptions

- The following will not change over the projection period: charge, conviction, and sentencing patterns and trends; prisoner length of stay (LOS); revocation rates; plea bargaining; and other criminal justice system policies and practices.
- A delay of six months is assumed from the effective date of this Bill to the date of first entry of affected offenders into the correctional system.
- Marginal costs for county jails cannot be estimated due to a lack of data. For purposes of this analysis, the marginal cost for county jails is assumed to be \$50 per day.

- Iowa counties will pay the costs of guardians ad litem for a prosecuting witness who has a mental disability.

Correctional Impact

House File 2460 provides that a person convicted of a Class B felony under Iowa Code section 710A.2 must serve between 50.0% and 70.0% of the maximum term of the prison sentence. In FY 2023, there were no Class B admissions to the Department of Corrections supervision under Iowa Code section 710A.2. The correctional impact of HF 2460 cannot be determined due to a lack of conviction data but is anticipated to be minimal. Refer to the Legislative Services Agency (LSA) memo addressed to the General Assembly, [Cost Estimates Used for Correctional Impact Statements](#), dated January 16, 2024, for information related to the correctional system.

Minority Impact

The minority impact of HF 2460 cannot be determined due to a lack of data. Refer to the LSA memo addressed to the General Assembly, [Minority Impact Statement](#), dated January 16, 2024, for information related to minorities in the criminal justice system.

Fiscal Impact

House File 2460 may increase the LOS in prison by requiring a person convicted of a Class B felony under Iowa Code section 710A.2 to serve between 50.0% and 70.0% of the maximum term of the prison sentence. However, the fiscal impact cannot be estimated due to a lack of conviction data but is anticipated to be minimal.

Expanding eligibility for guardians ad litem may increase appointments by an unknown amount. Therefore, the fiscal impact cannot be estimated.

Sources

Department of Corrections
Criminal and Juvenile Justice Planning, Department of Management
Office of the State Public Defender
Legislative Services Agency

/s/ Jennifer Acton

February 28, 2024

Doc ID 1447389

The fiscal note for this Bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

www.legis.iowa.gov



[HF 2488](#) – Insurance, Prior Authorizations (LSB5718HV)
Staff Contact: Xavier Leonard (515.725.0509) xavier.leonard@legis.iowa.gov
Fiscal Note Version – New

Description

[House File 2488](#) relates to prior authorizations and exemptions by health benefit plans and utilization review organizations. The Bill does the following:

- Provides requirements for utilization review organizations in responding to requests for prior authorization from health care providers, in reviewing health care services, and in eliminating prior authorization requirements for health care services that meet conditions described in the Bill.
- Requires all health carriers that deliver, issue for delivery, continue, or renew a health benefit plan on or after January 1, 2025, to implement a pilot program prior to January 16, 2025, that exempts a subset of participating health care providers from certain prior authorization requirements. Includes requirements for health carriers administering the pilot program.
- Requires each health carrier that implements the pilot program described in the Bill to submit a report to the Commissioner of Insurance on or before January 15, 2026, containing the results of the exemption program, including an analysis of the costs and savings, the health benefit plan’s recommendations regarding the program, feedback received regarding the program, and an assessment of the administrative costs incurred by the program.

Background

“Prior authorization” is defined in Iowa Code section [514F.8](#) as a determination by a utilization review organization that a specific health care service proposed by a health care provider for a covered person is medically necessary or medically appropriate, which determination is made prior to the provision of the health care service to the covered person, and, if applicable, includes a utilization review organization’s requirement that a covered person or a health care provider notify the utilization review organization prior to receiving or providing a specific health care service.

Utilization review is defined in Iowa Code section [514F.4](#) as a program or process by which an evaluation is made of the necessity, appropriateness, and efficiency of the use of health care services, procedures, or facilities given or proposed to be given to an individual.

According to the Board of Regents (BOR), the turnaround time for prior authorization decisions required by the Bill aligns with current practices. Administrative expenses make up a small portion of the State Insurance Plan and BOR Insurance Plans. **Figure 1** shows the estimated total costs by the State of Iowa Insurance Plan and each BOR Insurance Plan.

Figure 1 — Estimated Total Insurance Plan Costs

Insurance Plan	Annual Spend
State University of Iowa	\$ 330,000,000
Iowa State University	102,200,000
University of Northern Iowa	25,900,000
University Total	\$ 458,100,000
State of Iowa	340,000,000
Total	\$ 798,100,000

Assumptions

- Administrative costs to the State of Iowa Insurance Plan and the BOR Insurance Plans may increase as a result of the Bill, but the amount of the increase cannot be determined.
- Claims costs to the State of Iowa Insurance Plan may increase minimally.

Fiscal Impact

House File 2488 may increase costs to the State of Iowa Insurance Plan and the BOR Insurance Plans beginning in CY 2025. Increased costs to the BOR Insurance Plans are estimated to be minimal. The increase in State of Iowa Insurance Plan costs is estimated to be minimal, but has the potential to reach 0.1%, which would reflect a \$340,000 increase. The duration of the pilot programs required by the Bill is not known; therefore, the duration of potential costs cannot be determined at this time.

Sources

Iowa Insurance Division, Department of Insurance and Financial Services
Board of Regents
Wellmark
Legislative Services Agency analysis

/s/ Jennifer Acton

February 28, 2024

Doc ID 1447270

The fiscal note for this Bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.



[HF 2549](#) – False Election Materials, Prohibition (LSB5506HV)
Staff Contact: Joey Lovan (515.242.5925) joey.lovan@legis.iowa.gov
Fiscal Note Version – New

Description

[House File 2549](#) relates to the use of artificial intelligence in technologies used in elections and the publication of certain materials related to elections. The Bill prohibits the use of artificial intelligence in automatic tabulating equipment, ballot marking devices, and optical scan voting systems approved for use in the State.

The Bill requires published material generated through the use of artificial intelligence that is designed to expressly advocate for the nomination, election, or defeat of a ballot issue to include a disclosure that the published material was generated using artificial intelligence. A person who fails to include this disclosure may be guilty of a Class D felony.

The Bill requires that published material designed to expressly advocate the nomination, election, or defeat of a candidate that includes a materially deceptive depiction of a candidate to include a disclosure that the published material has been manipulated. A person who fails to include this disclosure may be guilty of a Class D felony.

The Bill prohibits a person from making or publishing, or causing to be made or published, a false representation about a candidate or ballot issue that is intended to affect or affects voting at an election.

Background

Currently, the provisions regarding attribution statements on published materials are established in Iowa Code section 68A.405.

A Class D felony is punishable by confinement for no more than five years and a fine of at least \$1,025 but not more than \$10,245.

Assumptions

- Due to the requirements of House File 2549, the Iowa Ethics and Campaign Disclosure Board (IECDB) would need to hire 2.0 full-time equivalent (FTE) Attorney 1 positions due to increasing complaints, necessary investigations, and enforcement actions.
- Annual salary and benefits for an Attorney 1 FTE position is \$77,000.
- The following will not change over the projection period: charge, conviction, and sentencing patterns and trends; prisoner length of stay (LOS); revocation rates; plea bargaining; and other criminal justice system policies and practices.
- A lag effect of six months is assumed from the effective date of this Bill to the date of first entry of affected offenders into the correctional system.
- Marginal costs for county jails cannot be estimated due to a lack of data. For purposes of this analysis, the marginal cost for county jails is assumed to be \$50 per day.

Correctional Impact

House File 2549 creates new criminal offenses, and the correctional impact cannot be estimated for the Bill due to a lack of existing conviction data. **Figure 1** shows estimates for sentencing to State prison, parole, probation, or Community-Based Corrections (CBC) residential facilities; LOS in months under those supervisions; and supervision marginal costs per day for Class D felonies. Refer to the Legislative Services Agency (LSA) memo addressed to the General Assembly, [Cost Estimates Used for Correctional Impact Statements](#), dated January 16, 2024, for information related to the correctional system.

Figure 1 — Sentencing Estimate and Length of Stay (LOS)

Conviction Offense Class	Percent Ordered to State Prison	FY 2023 Avg LOS in Prison (All Releases)	Marginal Cost Per Day Prison	Percent Ordered to Probation	FY23 Field Avg LOS on Probation	Avg Cost Per Day on Probation	Percent Sentenced to CBC Residential Facility	Marginal Cost Per Day CBC	Percent Ordered to County Jail	Marginal Cost Per Day Jail	FY23 Field Avg LOS on Parole	Marginal Cost Per Day Parole
D Felony Non-Persons	84.4%	13.0	\$24.94	69.8%	39.5	\$ 7.67	14.5%	\$ 20.00	32.2%	\$ 50.00	15.7	\$ 7.67

Minority Impact

House File 2549 establishes new criminal offenses. As a result, Criminal and Juvenile Justice Planning (CJJP) of the Department of Management (DOM) cannot use existing data to estimate the minority impact of the Bill. Refer to the LSA memo addressed to the General Assembly, [Minority Impact Statement](#), dated January 16, 2024, for information related to minorities in the criminal justice system.

Fiscal Impact

The fiscal impact of House File 2549 for the IECDB is an increase in annual costs of \$154,000 for 2.0 additional Attorney 1 FTE positions.

House File 2549 establishes new criminal offenses, and the fiscal impact cannot be estimated due to a lack of existing conviction data. The average State cost for a Class D felony is between \$12,600 and \$18,200 per offense. The estimated impact to the State General Fund includes operating costs incurred by the Judicial Branch, the Indigent Defense Fund, and the Department of Corrections (DOC). The cost would be incurred across multiple fiscal years for prison and parole supervision.

Sources

Iowa Ethics and Campaign Disclosure Board
Criminal and Juvenile Justice Planning, Department of Management
Department of Corrections
Legislative Services Agency

/s/ Jennifer Acton

February 28, 2024

Doc ID 1446653

The fiscal note for this Bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.



HF 2550 – State Government Reorganization, Code Changes (LSB5333HV)
Staff Contacts: Austin Brinks (515.725.2200) austin.brinks@legis.iowa.gov
Maria Wagenhofer (515.281.5270) maria.wagenhofer@legis.iowa.gov
Xavier Leonard (515.725.0509) xavier.leonard@legis.iowa.gov
Fiscal Note Version – New

[House File 2550](#) is composed of 15 divisions. The Bill relates to the organization, structure, and functions of State and local government.

Divisions with No Fiscal Impact

- Division I** — Removes the requirement for the Department of Natural Resources (DNR) to provide permanent housing for certain children from the State Training School.
- Division III** — Provides for changes to the Iowa Code for various functions of the Department of Transportation (DOT).
- Division IV** — Provides for changes to the Iowa Code for various functions of the Department of Education (DE).
- Division V** — Amends, repeals, and transfers various provisions relating to the Department of Corrections (DOC) and Judicial District Departments of Correctional Services.
- Division VI** — Provides for changes to the Iowa Code for various references and functions of the Iowa Department of Revenue (IDR) and Iowa Lottery Division of the IDR.
- Division VII** — Adds the Supplemental Nutrition Assistance Program (SNAP) to the list of programs administered by the Iowa Department of Workforce Development (IWD) and requires the IWD to jointly implement adult education and literacy programs with community colleges.
- Division VIII** — Removes the requirement that the Director of the Office of Drug Control Policy submit an annual report to the Governor and General Assembly, and updates various references in the Iowa Code.
- Division IX** — Allows the Iowa Economic Development Authority (IEDA) and the Iowa Finance Authority (IFA) to include any other report that they are required to submit in the reports they are required to submit in Iowa Code section [15.107B](#) and [16.7](#), respectively.
- Division X** — Removes the requirement of IEDA to establish and administer certain internship programs for Iowa students but requires IWD to establish and administer a similar program.
- Division XI** — Amends various provisions relating to the duties and authority of the Department of Health and Human Services (HHS) and the Council on Health and Human Services.
- Division XIII** — Removes language requiring the Office for State-Federal Relations to be located in Washington, D.C., and instead provides that the office be attached to the Office of the Governor.
- Division XIV** — Provides changes for various duties and functions of the Department of Administrative Services (DAS) in regard to State historical sites.

Division II — Department of Inspections, Appeals, and Licensing

Description and Background

Division II provides for changes to the Iowa Code for various functions of the Department of Inspections, Appeals, and Licensing (DIAL). Division II repeals the Contractor Registration Revolving Fund (CRRF), redirects fees that were paid into the CRRF into the Licensing and Regulation Fund (LRF), and transfers funds that remain in the CRRF to the LRF at the end of FY 2024.

Assumptions and Fiscal Impact

As of February 28, 2024, the balance of the CRRF is approximately \$4.4 million. Any funds that remain in the CRRF will be transferred to the LRF at the end of FY 2024.

Division XII — State Salaries, Appointed State Officers

Description and Background

Division XII relates to the salaries of appointed State officials. 2023 Iowa Acts, [chapter 19](#) (State Government Reorganization Act), established salary ranges four through seven for various State officials. **Figure 1** includes the salary ranges and minimum and maximum salary amounts for each salary range, as set in 2023.

Figure 1 — Salary Ranges Set in 2023

<u>Salary Range</u>	<u>Minimum</u>	<u>Maximum</u>
4	\$ 63,690	\$ 97,460
5	73,250	112,070
6	84,240	128,890
7	100,840	154,300

Division XII instead provides for three salary ranges that are to be paid in a range set in accordance with the specified pay grade of the pay plans published by the Department of Administrative Services. **Figure 2** includes the salary ranges established under Division XII and the current minimum and maximum salary amounts for those pay grades.

Figure 2 — New Salary Ranges under Division XII

<u>Salary Range</u>	<u>Pay Grade</u>	<u>Minimum</u>	<u>Maximum</u>
1	32	\$ 65,395	\$ 101,150
2	38	93,288	132,829
3	43	118,082	167,898

Figure 3 includes the changes to the salary range for current positions established under 2023 Iowa Acts, chapter 19, compared to the salary ranges established in Division XII.

Figure 3 — Changes to Salary Ranges Under Division XII

Position Title	Salary Range Under Current Law	Salary Range Under HF 2550
Chairperson and members of the Employment Appeal Board of the DIAL	4	1
Director of the Iowa Civil Rights Commission	4	2
Director of the Department for the Blind	4	1
Executive Director of the Ethics and Campaign Disclosure Board	4	1
Board of Parole Chairperson, Vice Chairperson, and members	4	1
Executive Director of the Iowa Public Information Board	4	1
State Public Defender	5	3
Labor Commissioner (Workforce Development)	5	3
Workers' Compensation Commissioner (Workforce Development)	5	2
Director of the Iowa Law Enforcement Academy	5	2
Executive Director of the Public Employment Relations Board	5	*
Superintendent of Banking of the Department of Insurance and Financial Services	6	2
Superintendent of Credit Unions of the Department of Insurance and Financial Services	6	2
Consumer Advocate	6	2
Chairperson and members of the Utilities Board	6	3
Administrator of the Public Broadcasting Division of the Department of Education	7	2
Executive Director of the Iowa Telecommunications and Technology Commission (ICN)	7	3
Executive Director of the State Board of Regents	7	3
State Court Administrator	7	3
Lottery Administrator of the Department of Revenue	7	3

*The salary of the Executive Director of the Public Employment Relations Board is not set within a salary range under HF 2550. Instead, under the Bill, the Governor sets the salary of the Executive Director.

Unless the Bill specifies otherwise, Division XII allows the Governor to establish the salary for the various appointed State officials within their specified salary range.

Division XII takes effect June 21, 2024 (first pay period of FY 2025).

Assumptions and Fiscal Impact

There may be a fiscal impact for the agency if the salary of the Director is set above the current salary range maximum or below the current salary range minimum. However, any potential fiscal impact as a result of these changes cannot be determined at this time.

Division XV — Department of Management, Justice Information

Description and Background

Division XV relates to the transfer of the Criminal and Juvenile Justice Planning (CJJP) research staff from the HHS to the Department of Management (DOM). The Bill requires the DOM to maintain a Statewide Integrated Justice Information System. The Bill also transfers the responsibility of maintaining the Iowa Statistical Analysis Center, the Iowa Correctional Policy Project, and the Multiagency Information System for Juveniles from the HHS to the DOM. The Bill requires the Multiagency Information System for Juveniles to also include adults who have been charged with a criminal offense in the court system.

The DOM and the HHS entered into a Memorandum of Understanding (MOU) on January 5, 2024, to coordinate the transition of CJJP staff from the HHS to the DOM. The MOU states that the DOM will charge the HHS monthly in arrears for the cost of all funded positions and filled contractor roles, including training, travel, office space, equipment, and other related expenses.

In FY 2024, the HHS was appropriated \$1.2 million and 10.7 full-time equivalent (FTE) positions from the General Fund for CJJP research staff.

Assumptions and Fiscal Impact

Based on FY 2024 funding for CJJP, it is assumed the fiscal impact of Division XV is approximately \$1.2 million and 10.7 FTE positions for CJJP research staff which will be appropriated in FY 2025 to the DOM Department Operations instead of the HHS.

Sources

Department of Management
Legislative Services Agency

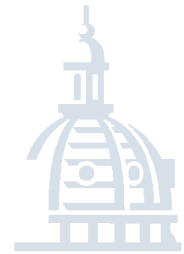
/s/ Jennifer Acton

February 28, 2024

Doc ID 1447404

The fiscal note for this Bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

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[HF 2557](#) – State Employee Paid Parental Leave (LSB5029HV)
Staff Contact: Evan Johnson (515.281.6301) evan.johnson@legis.iowa.gov
Fiscal Note Version – New

Description

[House File 2557](#) provides four weeks of paid leave to a State employee parent who gives birth or adopts a child. A State employee parent of a nonadopted child who did not give birth will be entitled to one week of paid leave. The Department of Administrative Services (DAS) is required to adopt administrative rules to implement the paid parental leave benefits.

Background

To qualify for the benefits established by the Bill, employees must meet the eligibility requirements established by the federal [Family and Medical Leave Act of 1993 \(FMLA\)](#). These requirements include working for a covered employer for at least 12 months, having at least 1,250 hours of service with the employer during the 12 months before FMLA leave starts, and working at a location where the employer has at least 50 employees within 75 miles. FMLA leave is job-protected, unpaid leave. Employees may use accrued paid leave at the same time that they take FMLA leave. FMLA leave covers both the birth of a child and the placement of a child with a State employee for adoption.

Leave can be taken any time in the 12 months following the birth or adoption of a child. The State of Iowa allows up to 12 weeks of leave (paid or unpaid) for the birth or adoption of a child.

Assumptions

- State employee counts, age stratification, and salary costs are based on State of Iowa Central Payroll data.
- Birth rates are based on the [Centers for Disease Control and Prevention \(CDC\) National Vital Statistics Reports](#) for 2021.
- Birth rates for men and women of the same age are assumed to be the same.
- The number of employees and salary costs are based on July 1, 2022, data.
- Leave value is based on biweekly salaries for each individual, conglomerated by branch and age. Leave value is estimated to increase by 2.0% each year.
- Adoptions are not included for the purposes of this estimate.
- The data excludes the following employee groups: temporary, seasonal, interns, Senators, Representatives, magistrates, board members, and clients/patients.
- The data excludes the State Fair Authority.
- It is not possible to know how the proposed new leave will change leave use.
- It is unknown how agencies will cover for the person taking the new leave. An agency could cover for the employee on leave by using overtime work, using part-time workers, or having no coverage.

Fiscal Impact

The fiscal impact for HF 2557 cannot be determined, as increased use of employee leave may not result in increased expenditures for State agencies. The estimated value of the new leave potentially used by State employees is approximately \$4.8 million per year from all funding sources.

Sources

Board of Regents
Department of Administrative Services
Department of Corrections
Department of Transportation
Legislative Services Agency calculations

/s/ Jennifer Acton

February 28, 2024

Doc ID 1446716

The fiscal note for this Bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

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[HF 2558](#) – Higher Education Omnibus (LSB5335HV)
Staff Contact: Michael Peters (515.281.6934) michael.peters@legis.iowa.gov
Fiscal Note Version – New

Description

[House File 2558](#) makes changes to the diversity, equity, and inclusion (DEI) policies, tuition, and administrator hiring at State universities; makes changes to the membership of the State Board of Regents; and instructs the State universities and community colleges to establish student-employer work and tuition programs. **Figure 3**, at the end of this **Fiscal Note**, summarizes the fiscal impacts of the Bill.

Division I — Short Title

Description

Division I establishes the title of this Bill as the “Higher Education Reform Act of 2024.”

Fiscal Impact

Division I is not estimated to have a fiscal impact.

Division II — Community Colleges

Description

Division II requires that the community colleges establish a program that would allow a student to work part-time for a registered employer while pursuing an associate’s degree and establishes program requirements. This program is to be established on or before December 31, 2024.

In addition, the Bill requires that all community colleges accept the [Classic Learning Test](#), developed by Classic Learning Initiatives, for purposes of admission. The community colleges are also to adopt policies and procedures that require the community college to follow State law regardless of rules or directives of any accrediting agency and that grant the president of a college the ability to initiate tenure review.

Fiscal Impact

The fiscal impact of Division II cannot be determined. According to the community colleges, the process, involvement, and scope of creating a work-study program is unknown.

Division III — State Board of Regents

Description

Division III makes changes to the members of the Board. The Bill adds two ex officio, nonvoting members of the General Assembly to the current Board, expanding the Board to 11 total members. The Bill makes conforming changes.

Fiscal Impact

Division III is not estimated to have a fiscal impact.

Division IV — Institutions of Higher Education Governed by the State Board of Regents

Description

Division IV makes changes to the process for the election of a president at an institution of higher learning under the Board requiring the use of a presidential selection committee to provide candidate recommendations and select a new president. The identities of candidates for president considered by the presidential selection committee are to be confidential and not subject to public disclosure.

The Bill adopts the following provisions related to tuition:

- Requires an institution of higher education under the Board to adopt rules providing that the institution may not increase the total amount of resident tuition and mandatory fees associated with a baccalaureate program by more than 3.0% over the proceeding academic year without approval by the Legislative Council.
- Prohibits an increase in the amount of tuition and mandatory fees charged by an institution of higher education under the Board's control during the first four full academic years of participation in the undergraduate program by a student who began the program during the 2024-2025 academic year. The Bill prorates the tuition freeze length if the student had attained undergraduate credits prior to admission.

The Bill adopts the following new program requirements:

- Requires that each institution under the control of the Board establish a program that would allow a student to work part-time for a registered employer while pursuing a baccalaureate degree. This program would require the employer to pay for all of the student's tuition and mandatory fees for the semesters the student is enrolled in the program, in addition to an hourly wage not less than the federal or State minimum wage, in exchange for the student working at least one calendar year for an employer. This program is to be established on or before December 31, 2024.
- Requires the Regents to accept the Classic Learning Test, developed by Classic Learning Initiatives, when considering admissions.
- Directs the institutions of higher education to develop a curriculum and materials related to an American history and civics course and to adopt policies requiring all undergraduate students admitted on or after the 2024-2025 academic year to complete a three-credit-hour course developed to this subject.
- The institutions of higher education are also required to adopt policies and procedures that would grant the president of a college the ability to initiate tenure review, as well as policies that focus the college's strategic plan on degree programs that lead to employment in high-demand fields.
- The Bill requires the Board to prohibit any institution of higher education under its control from allowing any Confucius Institute or any other education institute funded by the People's Republic of China from operating on any property owned by the institution.
- The Bill also requires institutions to adopt policies and procedures prohibiting any faculty senate committee from having governance authority over the institution.
- Requires that each institution governed by the Board, prior to the November 2024 Board meeting, develop a proposed baccalaureate degree program that requires no more than 90 semester hours of classroom work.
- Requires each institution of higher education under the Board, prior to the November 2024 Board meeting, to develop a proposal related to the establishment of a center, institute, or

initiative that is dedicated to expanding opportunities for education and research concerning freedom of speech and civic education.

The Bill adopts the following requirements related to Diversity, Equity, and Inclusion (DEI):

- Requires the elimination of any DEI function that is not necessary for compliance with federal or State laws or accreditation. The institutions of higher education are to make the support services that were provided by such offices broadly available to all students and faculty.
- Requires that institutions of higher education review the services provided by offices that support diversity or multicultural affairs to ensure that services are available to all students and that conforming updates are made to promotional and informational materials. The Bill prohibits an employee, student, applicant, or campus visitor from being required to submit a DEI statement or be evaluated based on participation in a DEI initiative. The Bill also requires each institution to adopt a policy that prohibits the consideration of race and other protected class characteristics during the admissions process and to provide guidance for employees on the separation of personal political advocacy from the employee’s regular duties and the business of the institution.

The Bill adopts the following reporting requirements:

- Each institution is required to submit a report on or before December 31, 2024, that includes a review of all DEI-related positions and job responsibilities.
- Prior to the November 2024 Board meeting, each institution is required to conduct a comprehensive study related to reducing institutional costs, maintaining close to current levels of tuition and mandatory fees, and maintaining noninstructional costs below 10.0% of the institution’s annual budget.
- Prior to the November 2024 Board meeting, each institution is required to develop a proposal related to the establishment of a center, institute, or initiative that is dedicated to expanding opportunities for education and research concerning freedom of speech and civic education.

Background

The Board reviews proposed tuition rate increases each June for the upcoming fall semester. The 2019-2020 and 2020-2021 academic years (AY) did not include any tuition or mandatory fee increases due to the ongoing COVID-19 pandemic. **Figure 1** shows the combined tuition and mandatory fees charged from AY 2020-2021 to AY 2023-2024.

Figure 1 — Undergraduate Tuition and Mandatory Fee Rates AY 2020-2024

	2020-2021	2021-2022	2022-2023	2023-2024
University of Iowa	\$ 9,605.5	\$ 9,942.0	\$ 10,353.0	\$ 10,964.0
Iowa State University	9,315.9	9,633.9	10,132.9	10,496.9
University of Northern Iowa	8,938.0	9,053.0	9,411.0	9,728.0
Average Tuition & Fees Cost	\$ 9,286.5	\$ 9,543.0	\$ 9,965.6	\$ 10,396.3
Average % Change	-	2.76%	4.43%	4.32%

[Senate File 560](#) (2023 Education Appropriations Act), Division V, required the Board to conduct a study of the DEI efforts at each university and implemented a hiring freeze until June 30, 2024. The report was reviewed by the full Board during the November 15-16, 2023, meeting. The full report and recommendations can be found [here](#), and a **Fiscal Update Article** completed by the Legislative Services Agency can be found [here](#). The Board voted to adopt all 10 recommendations provided in the report and is in the process of implementing those

recommendations through task forces created at each university. The report outlined all positions currently engaged in DEI-related activities along with their salary, benefits, and percent effort in DEI activities.

Assumptions

- Tuition revenue and State appropriations support the operating costs for the Regents institutions of higher education.
- The following assumptions were made in the calculation of the impact of the undergraduate tuition freeze as seen in **Figure 2**:
 - The calculations show the estimated revenue generated from a single freshman class in fall 2020 and add a new freshman class each year until fall 2023, when there would be four years of progressing students.
 - The calculations assume all students pay the full tuition rate which does not account for any tuition or other price discounts that may be available to students.
 - The calculations are unable to factor in transfer students or high school students who may be admitted with earned college credit hours.
 - Dropout numbers and four-year degree completion numbers are not included in this calculation. Students who continue into a fifth year of an undergraduate program would have their tuition rates reset to the current year.
 - Future tuition increases are assumed to match the average rate increase of 3.6% per year in **Figure 1**.
 - Based on **Figure 2**, the average tuition and mandatory fees across all three universities could increase from \$9,000 to \$11,000.
- The Board estimates that each university would need to establish at least 75 company agreements required for the work-study program.
- Iowa State University estimates that organizing the work-study agreements would require 1.0 full-time equivalent (FTE) coordinator position estimated at \$100,000 per year, and an additional \$100,000 in legal support communications and miscellaneous expenses per year. This \$200,000 estimate will be applied to all three Regents universities.
- Creating new courses requires research and development. Faculty creating new courses are generally compensated for one month (one ninth) of their annual salary. The average salary for a tenure track faculty member is estimated to be \$90,000, the cost to create a new course would be \$10,000.
- There are no known Confucius Institutes or educational institutes funded by the People's Republic of China currently located on any property owned by an institution of higher education under the control of the Board.

Fiscal Impacts Related to Tuition

The fiscal impact of limiting tuition and mandatory fee increases to 3.0% cannot be determined.

Division IV also requires a new four-year tuition freeze for all new undergraduate resident students. Due to many variables, a fiscal impact going forward cannot be estimated. The Board's Fall 2022 Graduation and Retention Report shows a second-year student retention rate of 86.0%, a four-year graduation rate of 56.0%, and a six-year graduation rate of 71.0%. This report can be found [here](#).

Figure 2 provides an example showing total revenues received by the three Regents universities compared to the impact of this provision during the same time period.

Figure 2 — Impact of Undergraduate Tuition Freeze on Revenue AY 2020-2023

Current Tuition and Fee Collection AY 2020-2023 (in Millions)					
	Fall 2020	Fall 2021	Fall 2022	Fall 2023	Total
University of Iowa	\$ 25.0	\$ 52.7	\$ 83.7	\$ 117.8	\$ 279.2
Iowa State University	28.4	58.2	91.5	127.5	305.7
University of Northern Iowa	12.0	24.8	38.2	53.0	128.0
Total Revenue Collected	\$ 65.4	\$ 135.8	\$ 213.4	\$ 298.3	\$ 712.8

Tuition and Fee Collection Under HF 2558 AY 2020-2023 (in Millions)					
	Fall 2020	Fall 2021	Fall 2022	Fall 2023	Total
University of Iowa	\$ 25.0	\$ 51.9	\$ 80.6	\$ 109.8	\$ 267.3
Iowa State University	28.4	57.2	87.6	120.2	293.4
University of Northern Iowa	12.0	24.7	37.0	50.6	124.3
Total Revenue Collected	\$ 65.4	\$ 133.8	\$ 205.2	\$ 280.6	\$ 685.0

Fiscal Impacts Related to New Program Requirements

- The creation and implementation of a work-study program as directed by the Bill would require 3.0 new FTE positions and a total estimated cost of \$600,000 per year across all three universities.
- The creation of an American history or civics curriculum and materials is estimated to be \$10,000 per university, or \$30,000 total.
- The cost to create a 90-credit-hour baccalaureate program is unknown but significant. Additionally, the new program would be required to receive accreditation prior to being implemented.

Fiscal Impacts Related to DEI

The following fiscal impacts are related to DEI:

- The fiscal impact of the elimination of DEI positions is unknown. The Bill also expands the services provided by these DEI departments to all students, which may require additional FTE positions or resources.
- The cost of the requirement of a new annual DEI positions and job responsibilities report is assumed to be absorbed by current staff and funding.

Fiscal Impacts Related to Reporting Requirements

The comprehensive study on the reduction of costs may require the Board to work with an external company to conduct the study due to time constraints to complete prior to November 2024. Based on similar studies, the Board estimates this study would require two or more years to complete. The Board estimates a cost of between \$250,000 and \$500,000 across all three universities. If the report is completed by an outside consultant, the cost could be as high as \$3.0 million due to the report’s November 2024 deadline.

Division IV Total Fiscal Impact

- The total fiscal impact of implementing Division IV is 3.0 new FTE positions and a cost to the Board estimated between \$850,000 and \$3.6 million depending on how the comprehensive study on the reduction of costs is implemented.
- The impact of the elimination of DEI-related positions and the expansion of serviced students and faculty is unknown.

- The impact of the four-year tuition freeze for all new resident undergraduate students is unknown, but the freeze is expected to have a negative fiscal impact on the universities' revenues.
- The creation of an American history or civics curriculum and materials is estimated to be \$10,000 per university, or \$30,000 total.

Division V — Closure of Private Institutions of Higher Education

Description

Division V requires that accredited private institutions of higher education provide notice to the Department of Education immediately after the governing board of the institution votes to close the institution. The governing board is also required to provide a report within three days to the Department of Education with additional information on the closure.

Fiscal Impact

Division V is not estimated to have a fiscal impact.

Division VI — Institutions of Higher Education Governed by the State Board of Regents and Community Colleges — Coordination of Academic Programs

Description

Division VI requires that the members of the Board; the presidents, provosts, and chancellors of each institution governed by the Board and each community college; and the president of the board of directors of each community college meet annually to discuss the coordination of academic programs to increase student outcomes and efficiencies.

Fiscal Impact

Division VI is not estimated to have a fiscal impact.

Summary of HF 2558 Fiscal Impact

Figure 3 includes a summary of the fiscal impacts for each division of the Bill:

Figure 3 — Estimated Summary of Fiscal Impacts for HF 2558

Division	Fiscal Impact
I	No fiscal impact.
II	The fiscal impact cannot be determined.
III	No fiscal impact.
IV	<ul style="list-style-type: none"> • The total fiscal impact is 3.0 new FTE positions and a cost to the Board estimated between \$850,000 and \$3.6 million depending on how the comprehensive study on the reduction of costs is implemented. • The cost of creating a new American History and Civics course is estimated to be \$30,000. • The impact of the elimination of DEI-related positions and the expansion of serviced students and faculty is unknown. • The impact of the four-year tuition freeze for all new resident undergraduate students is unknown, but the freeze is expected to have a negative fiscal impact on the universities' revenues.
V	No fiscal impact.
VI	No fiscal impact.

Sources

State Board of Regents
Association of Community College Trustees
Legislative Services Agency calculations

/s/ Jennifer Acton

February 28, 2024

Doc ID 1447044

The fiscal note for this Bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

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[HF 2586](#) – School Safety and Security (LSB6276HV)
Staff Contact: Jacob Ludwig (515.725.0155) jacob.ludwig@legis.iowa.gov
Fiscal Note Version – New

Description

[House File 2586](#) creates new provisions related to school security. The Bill establishes the School Security Grant Program, to be administered by the Department of Education (DE). The Bill requires school districts with 8,000 or more students to employ a private security officer or school resource officer at each attendance center where students in grades 9 through 12 regularly attend classes. The Bill also authorizes school employees to be issued professional permits to carry firearms on school property. The Bill further requires school security officers to participate in live scenario training and live firearms training provided by the Department of Public Safety (DPS).

Background

Currently, school districts are not required to employ a private security officer or school resource officer. School districts that employ a school resource officer typically have agreements to split costs with local cities and/or counties. The details of these agreements vary, but on average, districts pay 58.8% of the cost. Total costs, prior to being split with local authorities, for a school resource officer generally range from \$95,000 to \$115,000, including salary, benefits, and equipment.

Iowa Code section [724.4B](#) allows school districts to authorize individuals to carry weapons on school district grounds. However, no school currently authorizes employees to carry firearms on campus. Current law does not require specific permits or training for a district to authorize an individual to carry weapons.

Assumptions

- School districts will not receive more than one School Security Personnel Grant regardless of the number of qualifying attendance centers but may divide the funds across multiple centers.
- Attendance centers that do not serve all grades 9 through 12 (e.g., a center with only grades 10 through 12) will not qualify for the School Security Personnel Grant Program.
- Attendance centers that do not serve all grades 9 through 12 will not be required to employ private school security officers or school resource officers.
- There are 301 school districts with at least one attendance center containing grades 9 through 12.
- Each school district that applies to the program will spend \$50,000 or more in matching funds on the employment of private school security officers or school resource officers at attendance centers containing grades 9 through 12 and will apply for the grant.
- There are 11 school districts with 8,000 or more students that would be required to employ private school security officers or school resource officers at qualified attendance centers.
- The average cost to school districts for employing a school resource officer, after sharing costs with local cities or counties, is estimated at \$63,000.
- The number of school districts currently employing school resource officers is unknown, and the number of districts that may apply under the grant program is unknown.

Fiscal Impact

The fiscal impact to the State to fully fund the School Security Personnel Grant Program is estimated to be \$15.1 million. However, the number of school districts that will employ a school resource officer at qualifying attendance centers and apply for the grant is unknown. There will be minimal administrative costs to the DE. The fiscal impact to the DPS cannot be estimated at this time.

The fiscal impact to school districts with 8,000 or more students and qualified attendance centers is unknown due to a lack of information on which school districts currently employ school resource officers. There are 11 school districts with 8,000 or more students, nine of which have qualified attendance centers where they will be required to employ private school security officers or school resource officers. The maximum estimated cost to comply with this requirement is approximately \$2.0 million across all nine eligible districts. Districts in full compliance will not see any additional costs under the Bill and may see savings if that district receives grants from the DE.

Figure 1 — Maximum School Security Compliance Cost for Districts with 8,000+ Students

Districts With 8,000+ Students	Qualifying Attendance Centers	Cost
Ankeny Comm School District*	N/A	\$ 0
Cedar Rapids Comm School District	5	315,000
Council Bluffs Comm School District	2	126,000
Davenport Comm School District	4	252,000
Des Moines Independent Comm School District	6	378,000
Dubuque Comm School District	3	189,000
Iowa City Comm School District	4	252,000
Sioux City Comm School District	3	189,000
Waterloo Comm School District	3	189,000
Waukee Comm School District*	N/A	0
West Des Moines Comm School District**	1	63,000
Maximum Compliance Cost to School Districts		\$ 1,953,000

*The district does not have any attendance centers with grades 9 through 12 that will be required to employ private school security officers or school resource officers.

**The district has one or more attendance centers that contain some but not all of grades 9 through 12. Those centers will not be required to employ private school security officers or school resource officers.

Sources

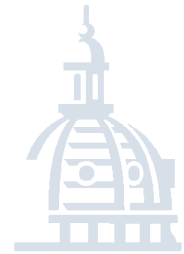
Iowa Association of School Boards
Legislative Services Agency

/s/ Jennifer Acton

February 27, 2024

Doc ID 1447271

The fiscal note for this Bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.



[HF 2605](#) – Consumable Hemp, Penalties and Licensing (LSB5341HV)
Staff Contact: Austin Brinks (515.725.2200) austin.brinks@legis.iowa.gov
Fiscal Note Version – New

Description

[House File 2605](#) makes various changes to the Iowa Hemp Act.

Division I of the Bill does the following:

- Updates the definition of a consumable hemp product to require that the product's maximum tetrahydrocannabinol (THC) concentration be less than or equal to the maximum THC concentration allowed in Iowa Code section [124.204\(7\)](#).
- Updates the requirements for manufacturing, selling, or consuming a consumable hemp product to require that the product complies with restrictions set forth in rules adopted by the Department of Health and Human Services (HHS).
- Prohibits a person from possessing, using, manufacturing, marketing, transporting, delivering, or distributing a consumable hemp product if the product is capable of inhalation by using a method outlined in Iowa Code section [204.14A](#). A person who violates this provision is guilty of a serious misdemeanor.
- Creates a civil penalty not to exceed \$10,000 per day for a person who is engaged in the retail sale of a consumable hemp product and has failed to register with the HHS.
- Creates a serious misdemeanor for a person who is engaged in the retail sale of consumable hemp products but has not registered with the HHS and for selling a consumable hemp product that is advertised as a consumable hemp product but is not a consumable hemp product.
- Creates a simple misdemeanor for a person who sells, gives, or distributes a consumable hemp product to a person under the age of 21.
- Specifies that a person under the age of 21 who consumes, possesses, purchases, or attempts to purchase a consumable hemp product is subject to a scheduled violation. In addition, the person is subject to a court appearance where the court shall sentence the person to a number of hours of community service depending on the number of violations. A person under the age of 21 does not violate the Bill if the person is possessing a consumable hemp product as part of the person's employment or if the person is working under the direction or consent of the Department of Public Safety (DPS) or local law enforcement.
- Provides scheduled violations for a person under the age of 21 who violates the Bill. For a first violation, there is a scheduled fine of \$70; for a second violation, a scheduled fine of \$135; and for a third or subsequent violation, a scheduled fine of \$325. These scheduled violations are not subject to the Crime Services Surcharge or court costs otherwise added to scheduled violations. Any fines paid for these violations are retained by the city or county that enforced the violation.
- Allows the HHS to order the confiscation and disposal of a hemp product if the product is in violation of this Bill, requires the HHS to deliver any sample of the product to the DPS or local law enforcement, and requires a person who is registered with the HHS to pay for the cost incurred by the HHS for the destruction of the product.

Division II of the Bill does the following:

- Adds the prohibition of a person holding a retail alcohol license and the person's agents or employees from selling, giving, or otherwise supplying any alcoholic beverage containing THC, as described in Iowa Code chapter [124](#) and Iowa Code section [123.49](#).
- Prohibits a person holding a license, permit, or certificate of compliance from manufacturing, importing, or selling at wholesale an alcoholic beverage containing THC as described in Iowa Code chapter 124.

Background

Iowa Code chapter [204](#), known as the Iowa Hemp Act, was created in 2019 and governs the production and sale of products derived from hemp. Hemp is defined as a species of cannabis that has a maximum concentration of delta-9 THC that does not exceed 0.3% on a dry weight basis. The current definition does not include hemp products that are intended to be inhaled and does not specify an age limit on the use of consumable hemp products.

The Iowa Hemp Act prohibits a person from possessing, using, manufacturing, marketing, transporting, delivering, or distributing harvested hemp or a hemp product if the intended use is introduction into the body through an electronic, chemical, or mechanical process, or a device such as a cigarette, cigar, cigarillo, or pipe. Any person who manufactures or sells a consumable hemp product must register with the HHS.

Iowa Code chapter [123](#) provides regulation on alcoholic beverages in the State. A violation of Iowa Code section 123.49 is a simple misdemeanor, while a general violation of Iowa Code chapter 123 is a serious misdemeanor for a first and second offense and an aggravated misdemeanor for a third and subsequent offense.

A simple misdemeanor is punishable by confinement for up to 30 days in jail and a fine of at least \$105 but no more than \$855. A serious misdemeanor is punishable by confinement for up to one year and a fine of at least \$430 but no more than \$2,560. An aggravated misdemeanor is punishable by confinement for up to two years and a fine of at least \$865 but no more than \$8,540.

Assumptions

- There may be an increase in simple, serious, and aggravated misdemeanors as a result of this Bill, but the number is unknown.
- There may be an increase in the number of scheduled violations as a result of this Bill, but the number is unknown.
- Registration revenue collected by the HHS may decrease, but the amount of this decrease is unknown.
- Marginal costs for county jails cannot be estimated due to a lack of data. For purposes of this analysis, the marginal cost for county jails is assumed to be \$50 per day.
- The marginal cost per day in prison is \$24.94.

Correctional Impact

House File 2605 creates and expands criminal offenses. As a result, the correctional impact cannot be estimated due to a lack of existing data. **Figure 1** shows estimates for sentencing to State prison, parole, probation, or Community-Based Corrections (CBC) residential facilities; length of stay (LOS) in months under those supervisions; and supervision marginal costs per day for serious and aggravated misdemeanors. A conviction for a simple misdemeanor does not result in a prison sentence but does carry the possibility of confinement in jail for up to 30 days. Refer to the Legislative Services Agency (LSA) memo addressed to the General Assembly, [Cost Estimates Used for Correctional Impact Statements](#), dated January 16, 2024, for information related to the correctional system.

Figure 1 — Sentencing Estimate and Length of Stay (LOS)

Conviction Offense Class	Percent Ordered to State Prison	FY 2023 Avg LOS in Prison (All Releases)	Marginal Cost per Day Prison	Percent Ordered to Probation	FY23 Field Avg LOS on Probation	Avg Cost per Day on Probation	Percent sentenced to CBC Residential Facility	Marginal Cost CBC per Day	Percent Ordered to County Jail	Marginal Cost per Day Jail	FY23 Field Avg LOS on Parole	Marginal Cost per Day Parole
Aggravated Misdemeanor	47.6%	10.6	\$24.94	67.6%	25.1	\$ 7.67	5.2%	\$ 20.00	55.9%	\$ 50.00	6.7	\$ 7.67
Serious Misdemeanor	1.7%	6.6	\$24.94	53.0%	19.2	\$ 7.67	1.2%	\$ 20.00	74.2%	\$ 50.00	N/A	\$ 7.67

Minority Impact

House File 2605 creates and expands criminal offenses, and the minority impact cannot be determined due to lack of conviction data. Refer to the LSA memo addressed to the General Assembly, [Minority Impact Statement](#), dated January 16, 2024, for information related to minorities in the criminal justice system.

Fiscal Impact

The fiscal impact cannot be estimated due to a lack of existing data. **Figure 2** shows the average State cost per offense for an aggravated misdemeanor, serious misdemeanor, and simple misdemeanor.

Figure 2 — Average State Cost Per Offense

Offense Class	Average Cost
Aggravated Misdemeanor	\$7,500 to \$10,800
Serious Misdemeanor	\$400 to \$6,900
Simple Misdemeanor	\$40 to \$400

Revenue from scheduled violations paid to cities and counties for violations under the Bill cannot be estimated.

There may be a loss of revenue from registration fees associated with consumable hemp products, but the impact is unknown.

Sources

Criminal and Juvenile Justice Planning, Department of Management
 Department of Health and Human Services
 Legislative Services Agency

/s/ Jennifer Acton

February 28, 2024

Doc ID 1447083

The fiscal note for this Bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.



[HF 2610](#) – Elections, Voting, Ballots, and Candidates (LSB6288HV)
Staff Contact: Joey Lovan (515.242.5925) joey.lovan@legis.iowa.gov
Fiscal Note Version – New

Description

[House File 2610](#) relates to duties of the office of the Secretary of State (SOS). The Bill is organized in seven divisions. As only Division IV and Division VI have estimated fiscal impacts, this **Fiscal Note** will focus only on those divisions.

Division IV — Absent Voters

Description and Background

This Division eliminates the use of drop boxes for returning an absentee ballot and defines terms. This Division changes the timeline for a county commissioner of elections to mail an absentee ballot to no more than 22 days before an election and requires ballots to be received by 5:00 p.m. and be recorded as received by 11:59 p.m. on the day before an election. This Division requires a registered voter to subscribe to an affidavit on an affidavit envelope by signing the envelope and marking the registered voter's voter verification number. This Division also updates the contents of an absentee ballot.

Currently, Iowa Code section [53.8](#) allows county commissioners to mail absentee ballots no more than 20 days before an election. Iowa Code section [53.17](#) requires that ballots be counted if the return envelope is received in the commissioner's office before polls close on election day.

Assumptions

- All counties will need to purchase new envelopes as a result of new printing requirements.
- The estimated cost for newly printed envelopes is \$0.75 per ballot.
- According to the SOS, approximately 1.1 million absentee ballots were requested for the 2020 general election and approximately 382,000 absentee ballots were requested for the 2022 general election.
- Adding Intelligent Mail barcodes to the new envelopes is estimated to cost \$500 per 5,000 envelopes.
- The cost of replacement envelopes and ballots for voters who do not complete the voter verification field correctly cannot be calculated since the number that will be needed cannot be estimated.
- Return postage to be paid by the counties as a result of the elimination of drop boxes is expected to be minimal.

Fiscal Impact

The fiscal impact of the new envelope requirements is dependent on the number of absentee ballots requested. Assuming the same or similar voter turnout to recent presidential and midterm elections, the cost increase for new envelope printing is estimated to be approximately \$800,000 for presidential election years and \$286,000 for midterm election years.

The fiscal impact of removing ballot drop boxes cannot be estimated.

Division VI — Voter Registration Database Pilot Program

Description and Background

This Division creates a voter registration database verification pilot program. This Division requires the State registrar of voters to contract with a third-party vendor to develop or provide a program to verify ineligible voters on an ongoing basis. This Division requires the SOS, during the first quarter of 2025, to use the developed or acquired program to forward the results of the analysis of the voter registration file to each county commissioner of registration prior to the date reports are required to be submitted pursuant to Iowa Code section [48A.40](#). This Division also requires the State registrar of voters to evaluate the efficacy and costs of the pilot program as compared to the current method of maintaining the statewide voter registration database. The newly created Iowa Code section, Iowa Code section 47.7A, is repealed December 31, 2027.

Currently, Iowa Code section [47.7](#) allows the State registrar to contract with a third-party vendor to develop or provide a program to verify the status of records in the statewide voter registration file.

As of February 2024, there are approximately 2.2 million registered voters in the State of Iowa.

Assumptions

- The SOS estimates vendor costs to develop a voter registration database that will be compared against the current method to be between \$0.05 and \$0.15 per voter. This may create a cost between approximately \$110,000 and \$331,000.
- Additional vendor and staff time to develop and make the comparison file is estimated to be approximately \$25,000.

Fiscal Impact

The fiscal impact of Division VI is estimated to increase expenditures for the SOS by approximately \$135,000 and \$356,000 for each year of the two-year pilot program.

Sources

Secretary of State
Iowa State Association of Counties
Legislative Services Agency

/s/ Jennifer Acton

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The fiscal note for this Bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.



[HF 2612](#) – Area Education Agencies (LSB6302HV)
Staff Contact: Ron Robinson (515.281.6256) ron.robinson@legis.iowa.gov
Fiscal Note Version – New

Description

[House File 2612](#) relates to Area Education Agencies (AEAs), including modifying provisions related to the duties and powers of AEAs, oversight by the Department of Education (DE), funding, shared operational functions, and establishing a task force related to property and operations of AEAs.

Division I — Division of Special Education of the Department of Education

The Bill requires the Division of Special Education (DSE) of the DE, beginning July 1, 2025 (FY 2026), to oversee the operation of each AEA to ensure the AEA complies with all applicable federal and State laws related to special education.

The Bill provides that in FY 2025, the DSE is required to assign 13.0 full-time equivalent (FTE) positions to oversight of the AEAs and is required to assign 5.0 FTE positions within the main office of each AEA (a total of 45.0 FTE positions) to ensure the AEA complies with all applicable federal and State laws related to special education and to review the services provided by the AEA.

Division II — Area Education Agencies — General Provisions

The Bill provides that beginning in FY 2026, the AEAs will be under the general supervision of the Director of the DE and the boards of directors of the AEAs will serve in an advisory capacity.

Current law requires the AEA boards of directors to determine the policies of the AEA for providing programs and services. The Bill provides that beginning in FY 2026, the AEA boards of directors are required to advise and consult with the AEA on policies and procedures for providing programs and services.

Current law requires AEAs to furnish educational services and programs, including special education services and programs, to the pupils enrolled in public or nonpublic schools located within the AEA's boundaries. The Bill modifies this provision to provide that AEAs are required to furnish educational services and programs to pupils enrolled in public or nonpublic schools, regardless of location within the State, that request to receive such services.

The Bill authorizes AEAs to furnish evidence-based professional development services to public or nonpublic schools located within their boundaries.

The Bill requires an administrator employed by an AEA to possess either a teaching license with a special education endorsement or a special education support personnel authorization

beginning in FY 2026. Current law requires the board of directors of an AEA to establish the AEA's administrator's salary based upon the previous experience and education of the administrator. The Bill limits the salary for an AEA administrator to the average salary of all superintendents of the school districts that are located within the boundaries of the AEA. The Bill provides that this provision applies to employment agreements entered into or renewed between an AEA and an AEA administrator beginning in FY 2025.

Current law requires the board of directors of an AEA to conduct a public hearing related to the AEA's proposed annual budget. The Bill removes this provision and, instead, requires the AEA to submit the proposed annual budget to the Director of the DE for approval no later than March 1 of each year.

Current law provides that, if during the accreditation process deficiencies in an AEA program have not been corrected, the board of directors of the AEA is required to either merge the deficient program with a program from another accredited AEA or contract with another AEA or other public educational institution for purposes of program delivery. The Bill modifies this provision to, instead, require the Director of the DE to take one of these actions. The Bill requires the DE to be notified if the accreditation of an AEA is removed.

The Bill modifies the standards that are used for the accreditation of AEAs to include several new standards, including but not limited to support for schools and school districts to ensure compliance with rules adopted by the State Board of Education related to special education, support necessary to implement effective instruction for all students with disabilities through school technology services, support for students using educational programs and services in a manner that is consistent with the educational standards, and support for staff development and adult learners utilizing professional development in a manner that meets the professional needs of staff and adult learners consistent with standards adopted by the State Board of Education.

The Bill requires the Majority Leader of the Senate, the Minority Leader of the Senate, the Speaker of the House of Representatives, and the Minority Leader of the House of Representatives to convene an AEA Task Force. The Bill establishes the Task Force's required areas of study and recommendations. The Bill requires the Task Force to submit its findings and recommendations to the General Assembly on or before December 31, 2024. Any expenses incurred by a member of the AEA Task Force are the responsibility of the member or the respective entity represented by the member.

Division III — Area Education Agencies — Funding

The Bill modifies funding methodologies for AEAs and certain educational services provided by AEAs under current law.

Iowa Code section [257.35](#) generally requires the Department of Management (DOM) to deduct the amounts calculated for special education support services, media services, AEA teacher salary supplement district cost, AEA professional development supplement district cost, and educational services for each school district from the State aid due to the district pursuant to Iowa Code chapter [257](#) and, instead, pay the amounts to the respective AEA monthly. Beginning with FY 2026, the Bill eliminates the required payment transfer to the AEAs, except for the amount of the AEA teacher salary supplement and directs the DOM to pay the amount of the AEA professional development supplement to the DE to be used for professional

development opportunities as required by the Bill. Consequently, the amounts that were formerly paid to the AEA will remain part of the State aid paid to school districts. The Bill allows districts to use unreserved fund balances for media services or educational services for special education support services.

Division III of the Bill takes effect January 1, 2025, and applies July 1, 2025 (FY 2026), for school budget years beginning on or after that date.

Division IV — Shared Operational Functions

Current law allows school districts to share operational functions with several types of political subdivisions, including AEAs, to provide additional funding to increase student opportunities and redirect more resources to student programming for such school districts. The Bill provides that AEAs are no longer considered political subdivisions for purposes of shared operational functions.

Current law provides that supplementary weighting under Iowa Code section [257.11\(5\)](#) (Shared Operational Functions) must be available to an AEA through the budget year beginning July 1, 2034 (FY 2035). The minimum amount of additional funding for which an AEA must be eligible in a budget year pursuant to this provision is \$30,000, and the maximum amount is \$200,000. The Bill eliminates AEA eligibility for this supplementary weighting after FY 2024.

The Bill provides that Division IV applies July 1, 2024, for school budget years beginning with FY 2025.

Division V — Department of Education Requirements

The Bill requires the Director of the DE to develop and distribute to school districts and accredited nonpublic schools a process to facilitate the development of individualized education programs, certain professional learning materials, and an implementation plan related to identifying, evaluating, and promoting strategies and models for providing special education and related services with accredited nonpublic schools. The Bill also requires the Director of the DE to provide professional learning and other support materials and tools for individualized education program teams, and establish sustainable accountability and data collection systems related to special education.

Division VI — State Mandate

The Bill may include a State mandate as defined in Iowa Code section [25B.3](#). The Bill makes inapplicable Iowa Code section [25B.2\(3\)](#), which would relieve a political subdivision from complying with a State mandate if funding for the cost of the State mandate is not provided or specified. Therefore, political subdivisions are required to comply with any State mandate included in the Bill.

Assumptions

- The DSE's required FTE positions will be funded with current AEA staffing funding.
- The pupil count and attached funding will follow the pupil to the AEA that provides the services even if that pupil is not located within the current geographic boundaries of the AEA.

- Any expenses incurred by a member of the AEA Task Force are the responsibility of the member or the respective entity represented by the member and will be minimal.
- All AEA shared operational functions are with school districts.
- The State percent of growth will be 0.00% each year.

Fiscal Impact

The estimated fiscal impact of HF 2612, by division, is as follows:

Division I relates to DSE FTE position staffing requirements and will not have a fiscal impact since the FTE positions will be funded with current AEA staffing funding.

Division II relates to general AEA provisions. The provision that specifies that AEAs must furnish educational services and programs to pupils enrolled in public or nonpublic schools, regardless of location within the State, that request to receive such services will not have an overall fiscal impact since the assumption is that the funding will follow the pupil. The provision relating to AEA administrator salaries will reduce overall AEA expenditures from all sources by an estimated \$634,000. The provision related to the AEA Task Force would have a minimal cost to the member or the respective entity represented by the member.

Division III relates to AEA funding and will reallocate current AEA funding between AEAs, school districts, and the DE. The AEA funding allocation is displayed below.

Figure 1					
AEA Funding Allocation					
(in Millions)					
	FY 2024	FY 2026 Allocation			
		AEA	School		
	Funding	AEA	Districts	DE	Total
AEA Special Ed Support District Cost	\$ 185.3	\$ 0.0	\$ 185.3	\$ 0.0	\$185.3
AEA Special Ed Support Adjustment	0.6	0.0	0.6	0.0	0.6
AEA Media Services	32.3	0.0	32.3	0.0	32.3
AEA Ed Services	35.7	0.0	35.7	0.0	35.7
AEA Sharing	0.2	0.0	-0.2	0.0	-0.2
AEA Teacher Salary Supplement	18.2	18.2	0.0	0.0	18.2
AEA Professional Development Supplemer	2.1	0.0	0.0	2.1	2.1
AEA Statewide State Aid Reduction	-29.6	-7.5	0.0	0.0	-7.5
Total	\$ 244.9	\$ 10.7	\$ 253.8	\$ 2.1	\$266.6

Division IV relates to shared operational functions and will reduce AEA funding beginning in FY 2025 by \$180,000 annually and annual funding to school districts by \$180,000. Approximately 91.0% of the funding will be from the General Fund and 9.0% from property tax.

Division V relating to the DE requirements will not have a significant fiscal impact and can be implemented with available resources.

Division VI relates to the inapplicability of a possible State mandate and will not have a significant fiscal impact.

Sources

Department of Education, Certified Enrollment and Enrollment Projections File
Department of Management, School Aid File
LSA analysis and calculations

/s/ Jennifer Acton

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The fiscal note for this Bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

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