

**NINETYETH GENERAL ASSEMBLY
2024 REGULAR SESSION
DAILY
SENATE CLIP SHEET**

March 7, 2024

Clip Sheet Summary

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

Bill	Amendment	Action	Sponsor
SF 2231	S-5052	Filed	SCOTT WEBSTER
SF 2278	S-5054	Filed	MIKE BOUSSELOT
SF 2314	S-5051	Filed	MIKE BOUSSELOT
SF 2333	S-5053	Filed	JESSE GREEN
HF 131	S-5055	Filed	COMMITTEE ON COMMERCE, et al
HF 2554	S-5056	Filed	COMMITTEE ON COMMERCE, et al

Fiscal Notes

[SF 2284](#) — [Foster Care Services](#) (LSB5954XS)

[SF 2342](#) — [Probation and Parole Conditions, Child Endangerment](#)
(LSB6294SV)

[HF 2250](#) — [Witness and Juror Tampering](#) (LSB5493HV.1)

[HF 2569](#) — [Highway 30](#) (LSB1865HZ.2)

SENATE FILE 2231

S-5052

1 Amend Senate File 2231 as follows:

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

4 <Section 1. Section 331.301, Code 2024, is amended by adding
5 the following new subsection:

6 NEW SUBSECTION. 23. *a.* A county shall not adopt, enforce,
7 or otherwise administer an ordinance, motion, resolution, or
8 building code that prohibits or limits, either directly or
9 indirectly, the use of a specific style of exterior cladding
10 or finish materials for residential buildings in a manner that
11 is more restrictive than the state building code as adopted
12 pursuant to section 103A.7. This section does not prohibit a
13 county from regulating the use of a specific style of exterior
14 cladding or finish materials for a residential building that
15 meets any of the following conditions:

16 (1) The building is located in an area designated and
17 declared as a state or local historic district under applicable
18 law.

19 (2) The building is designated as a local, state, or
20 national historic landmark.

21 (3) The building is in a common interest community as
22 defined in chapter 499C.

23 (4) The building is located on a property that is governed
24 by a policy of regulation of an overlay or special purpose
25 zoning district that is adopted pursuant to applicable law.

26 *b.* For purposes of this subsection, "*residential building*"
27 means any single or multifamily residential dwelling and
28 includes single-family and two-family dwellings and townhouses,
29 condominiums and apartments with a maximum of twelve units per
30 building, and all secondary structures to such a single or
31 multifamily residential dwelling.

32 Sec. 2. Section 414.1, subsection 1, Code 2024, is amended
33 by adding the following new paragraph:

34 NEW PARAGRAPH. *h.* (1) A city shall not adopt, enforce,
35 or otherwise administer an ordinance, motion, resolution, or

S-5052 (Continued)

1 building code that prohibits or limits, either directly or
2 indirectly, the use of a specific style of exterior cladding
3 or finish materials for residential buildings in a manner that
4 is more restrictive than the state building code as adopted
5 pursuant to section 103A.7. This subsection does not prohibit
6 a city from regulating the use of a specific style of exterior
7 cladding or finish materials for a residential building that
8 meets any of the following conditions:

9 (a) The building is located in an area designated and
10 declared as a state or local historic district under applicable
11 law.

12 (b) The building is designated as a local, state, or
13 national historic landmark.

14 (c) The building is in a common interest community as
15 defined in chapter 499C.

16 (d) The building is located on a property that is governed
17 by a policy of regulation of an overlay or special purpose
18 zoning district that is adopted pursuant to applicable law.

19 (2) For purposes of this paragraph, "*residential building*"
20 means any single or multifamily residential dwelling and
21 includes single-family and two-family dwellings and townhouses,
22 condominiums and apartments with a maximum of twelve units per
23 building, and all secondary structures to such a single or
24 multifamily residential dwelling.>

By SCOTT WEBSTER

S-5052 FILED MARCH 6, 2024

SENATE FILE 2278

S-5054

- 1 Amend Senate File 2278 as follows:
- 2 1. Page 1, lines 21 and 22, by striking <residential real>
3 and inserting <the>
- 4 2. Page 1, line 28, by striking <residential real> and
5 inserting <the>
- 6 3. Page 1, lines 29 and 30, by striking <subparagraph,
7 including but not limited to a copy of the deed or utility
8 payment receipts> and inserting <subparagraph>

By MIKE BOUSSELOT

S-5054 FILED MARCH 6, 2024

SENATE FILE 2314

S-5051

1 Amend Senate File 2314 as follows:

2 1. By striking page 2, line 35, through page 3, line 6, and
3 inserting:

4 <NEW SUBSECTION. 2B. A third-party tester or third-party
5 test examiner designated or qualified under subsection 2 is
6 not designated or qualified under subsection 2A, and vice
7 versa, unless specifically designated or qualified under each
8 respective subsection.>

9 2. Page 3, line 7, by striking <2B.> and inserting <2C.>

By MIKE BOUSSELOT

S-5051 FILED MARCH 6, 2024

SENATE FILE 2333

S-5053

- 1 Amend Senate File 2333 as follows:
- 2 1. Page 1, line 21, after <4.> by inserting <a.>
- 3 2. Page 1, after line 24 by inserting:
- 4 <b. If the nonpublic school is not the highest bidder, the
- 5 nonpublic school shall receive an opportunity to exceed the
- 6 highest bid placed. If the nonpublic school's offer exceeds
- 7 the highest bid placed for the property, the public school
- 8 shall sell the property to the nonpublic school.>

By JESSE GREEN

S-5053 FILED MARCH 6, 2024

HOUSE FILE 131

S-5055

- 1 Amend House File 131, as amended, passed, and reprinted by
2 the House, as follows:
- 3 1. Page 1, line 2, by striking <2023> and inserting <2024>
 - 4 2. By striking page 1, line 12, through page 2, line 25.
 - 5 3. Page 2, line 26, by striking <2023> and inserting <2024>
 - 6 4. Page 2, by striking lines 28 through 33 and inserting:
7 <8. ~~A credit union director shall not receive compensation~~
8 ~~for service as a director. However, a director may be~~
9 ~~reimbursed for reasonable expenses directly related to such~~
10 ~~service. Subject to its bylaws, a credit union may provide~~
11 ~~compensation to members of the credit union's board in an~~
12 ~~amount not to exceed sixteen thousand dollars per year per~~
13 ~~board member for a credit union with one billion dollars or~~
14 ~~greater in assets, or not to exceed eight thousand dollars per~~
15 ~~year per board member for a credit union with less than one~~
16 ~~billion dollars in assets.>~~
 - 17 5. Page 2, line 34, by striking <2023> and inserting <2024>
 - 18 6. Page 3, line 23, by striking <2023> and inserting <2024>
 - 19 7. Page 4, line 10, by striking <2023> and inserting <2024>
 - 20 8. Page 5, by striking lines 1 through 24.
 - 21 9. By renumbering as necessary.

By COMMITTEE ON COMMERCE
WAYLON BROWN, CHAIRPERSON

S-5055 FILED MARCH 6, 2024

HOUSE FILE 2554

S-5056

1 Amend House File 2554, as passed by the House, as follows:

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

4 <Section 1. Section 476.33, subsection 4, Code 2024, is
5 amended to read as follows:

6 4. The board shall adopt rules that require the board, in
7 rate regulatory proceedings under sections 476.3 and 476.6, to
8 utilize either a historic test year, ~~or~~ a future test year, or
9 a multiyear rate plan at the rate-regulated public utility's
10 discretion, subject to the requirements of this section.

11 a. For a rate regulatory proceeding utilizing a historic
12 test year, the rules shall require the board to consider the
13 use of the most current test period possible in determining
14 reasonable and just rates, subject only to the availability of
15 existing and verifiable data respecting costs and revenues, and
16 in addition, to consider verifiable data that exists within
17 nine months after the conclusion of the test year, respecting
18 known and measurable changes in costs not associated with a
19 different level of revenue, and known and measurable revenues
20 not associated with a different level of costs, that are to
21 occur at any time within twelve months after the date of
22 commencement of the proceedings. Parties proposing adjustments
23 that are not verifiable at the commencement of the proceedings
24 shall include projected data related to the adjustments in
25 their initial substantive filing with the board. For purposes
26 of this paragraph, a proceeding commences under section
27 476.6 upon the filing date of new or changed rates, charges,
28 schedules, or regulations.

29 b. For a rate regulatory proceeding utilizing a future test
30 year, the rules shall require the board to consider the use
31 of any twelve-month period beginning no later than the date
32 on which a proposed rate change is expected to take effect
33 in determining just and reasonable rates. The rules shall
34 also require the board to conduct a proceeding subsequent to
35 the effective date of a rate resulting from a rate regulatory

1 proceeding utilizing a future test year to determine whether
2 the actual costs and revenues are reasonably consistent with
3 those approved by the board. If the actual costs and revenues
4 are not reasonably consistent with those approved by the
5 board, the board shall adjust the rates accordingly. For a
6 rate regulatory proceeding utilizing a future test year, the
7 board may adopt rules regarding evidence required, information
8 to support forecasts, and any reporting obligations. The
9 board may also adopt rules regarding the conditions under
10 which a public utility that utilizes a future test year may
11 subsequently utilize a historic test year. A public utility
12 shall not be precluded from filing a rate regulatory proceeding
13 utilizing a future test year prior to the adoption of any rules
14 pursuant to this subsection.

15 c. Commencing January 1, 2026, a public utility shall
16 have the option of filing with the board an application to
17 approve a utility tariff and a rate plan to remain in effect
18 for a multiyear period specified in the application, provided
19 that the public utility shall have filed with the board an
20 integrated resource plan, approved by the board, pursuant
21 to section 476.53C. The multiyear rate plan shall establish
22 the rates the public utility may charge for each year of the
23 specified period of years identified in the plan. A rate may
24 change during the course of the multiyear period in the manner
25 set forth in the plan. The board shall either approve the
26 public utility's application without modification or reject the
27 application upon a finding by the board that the application is
28 not consistent with public interest. If the board rejects an
29 application, the board shall identify in the rejection order
30 the modifications that the board would require as a condition
31 of approval. The utility shall have the option to accept the
32 conditions identified by the board in the order, upon which the
33 board shall approve the amended application, or to withdraw the
34 application. During the term of a multiyear rate plan approved
35 by the board, the rates for the utility's service shall change

1 only as expressly provided in the multiyear plan, except that
2 board-approved riders and adjustment mechanisms expressly
3 excluded from the plan shall operate for those applicable
4 portions of the utility's rates. The board may at any time,
5 upon the board's motion, inquire into the reasonableness of
6 rates charged by a public utility pursuant to a multiyear rate
7 plan, and may proceed under section 476.3 as on a complaint.

8 ~~e.~~ d. This subsection does not limit the authority of the
9 board to consider other evidence in proceedings under sections
10 476.3 and 476.6.

11 Sec. 2. NEW SECTION. 476.52A Definitions.

12 As used in this subchapter unless the context otherwise
13 requires:

14 1. "*Alternate energy production facility*" means the same as
15 defined in section 476.42.

16 2. "*Energy storage*" means any system, equipment, facility,
17 or technology that is capable of absorbing energy, storing the
18 energy for a period of time, and dispatching the energy through
19 one of the following manners:

20 a. Using mechanical, electrochemical, thermal,
21 electrolysis, or other processes to convert and store electric
22 energy that was generated at an earlier time for use at a later
23 time.

24 b. Using mechanical, electrochemical, biochemical, or
25 thermal processes to convert and store energy generated
26 from mechanical processes that would otherwise be wasted for
27 delivery at a later time.

28 c. Storing energy in an electric, thermal, or gaseous
29 state for direct use for heating or cooling at a later time
30 in a manner that avoids the need to use electricity or other
31 fuel sources at that later time, such as a grid-enabled water
32 heater.

33 3. "*Nuclear reactor*" means an apparatus designed to produce
34 electrical or heat energy through sustained nuclear fission in
35 a self-supporting chain reaction.

1 4. "Repowering" means either the complete dismantling and
2 replacement of generation equipment at an existing project
3 site, or the installation of new parts and equipment to an
4 existing alternate energy production facility in order to
5 increase energy production, reduce load, increase service
6 capacity, improve project reliability, or extend the useful
7 life of the facility.

8 Sec. 3. Section 476.53, Code 2024, is amended to read as
9 follows:

10 **476.53 Electric generating, energy storage, and transmission**
11 **facilities.**

12 1. It is the intent of the general assembly to attract
13 the development of electric power generating, energy storage,
14 and transmission facilities within the state in sufficient
15 quantity to ensure reliable electric service to Iowa consumers,
16 ensure an adequate base load, and provide economic benefits to
17 the state. Ensuring reliable electric service and providing
18 economic benefits may require public utilities to consider
19 diverse electric power generating technologies and energy
20 storage technologies, including alternate energy production
21 facilities, nuclear reactors, and energy storage facilities.
22 It is also the intent of the general assembly to encourage
23 rate-regulated public utilities to consider altering existing
24 electric power generating facilities, ~~where~~ when reasonable,
25 to manage carbon emission intensity in order to facilitate the
26 transition to a carbon-constrained environment. It is also the
27 intent of the general assembly to encourage the development
28 of nuclear electric power generation within the state using
29 nuclear reactors and to use nuclear power to meet local and
30 regional electric needs.

31 2. a. The general assembly's intent with regard to the
32 development of electric power generating and transmission
33 facilities, or the significant alteration of an existing
34 generating facility, as provided in subsection 1, shall be
35 implemented in a manner that is cost-effective and compatible

1 with the environmental policies of the state, as expressed in
2 this Title XI.

3 *b.* The general assembly's intent with regard to the
4 reliability of electric service to Iowa consumers, as provided
5 in subsection 1, shall be implemented by considering the
6 diversity of the types of fuel used to generate electricity,
7 the availability and reliability of fuel supplies, and the
8 impact of the volatility of fuel costs.

9 3. *a.* The board shall ~~specify in advance, by order issued~~
10 ~~after~~ conduct a contested case proceeding, ~~the ratemaking~~
11 ~~principles that will apply when the costs of the electric power~~
12 ~~generating facility or alternate energy production facility are~~
13 ~~included in regulated electric rates~~ whenever a rate-regulated
14 public utility ~~does~~ seeks ratemaking principles for any of the
15 following:

16 (1) (a) ~~Files an application pursuant to section 476A.3~~
17 ~~to construct~~ The costs of constructing in Iowa a baseload an
18 electric power generating facility with a nameplate generating
19 capacity equal to or greater than ~~three hundred~~ forty megawatts
20 ~~or a combined-cycle electric power generating facility, or an~~
21 alternate energy production facility as defined in section
22 476.42, or an energy storage facility, or the construction
23 costs to significantly alter an existing electric power
24 generating facility, alternate energy production facility, or
25 energy storage facility. For purposes of this subparagraph,
26 a significant alteration of an existing generating facility,
27 alternate energy production facility, or energy storage
28 facility must, in order to qualify for establishment of
29 ratemaking principles, fall into one of the following
30 categories:

31 (i) ~~Conversion of a coal-fueled~~ an electric power generating
32 ~~facility into a gas-fueled~~ to an alternate fuel type for the
33 electric power generating facility.

34 (ii) Addition of carbon capture and storage facilities ~~at a~~
35 ~~coal-fueled~~ to an existing electric power generating facility.

1 (iii) Addition of ~~gas fueled capability to a coal fueled~~
2 ~~facility, in order to convert the facility to one that will~~
3 ~~rely primarily on gas for future generation facilities to~~
4 capture exhaust heat and thereby generate additional electric
5 power at an existing electric power generating facility.

6 ~~(iv) Addition of a biomass fueled capability to a coal~~
7 ~~fueled facility.~~

8 ~~(v)~~ (iv) Repowering of an alternate energy production
9 facility. ~~For purposes of this subparagraph subdivision,~~
10 ~~"repowering" shall mean either the complete dismantling and~~
11 ~~replacement of generation equipment at an existing project~~
12 ~~site, or the installation of new parts and equipment to an~~
13 ~~existing alternate energy production facility in order to~~
14 ~~increase energy production, reduce load, increase service~~
15 ~~capacity, improve project reliability, or extend the useful~~
16 ~~life of the facility.~~

17 (v) Addition of energy storage at an existing electric power
18 generating facility, alternate energy production facility, or
19 energy storage facility.

20 (b) With respect to a significant alteration of an existing
21 generating facility, ~~an original facility shall not be required~~
22 ~~to be either a baseload or a combined-cycle facility. Only~~
23 only the incremental investment undertaken by a utility
24 under subparagraph division (a), subparagraph subdivision
25 (i), (ii), or (iii), ~~or (iv)~~ shall be eligible to apply the
26 ratemaking principles established by the order issued pursuant
27 to paragraph "e". Facilities for which ~~advanced~~ advance
28 ratemaking principles are obtained pursuant to this section
29 shall not be subject to a subsequent board review pursuant to
30 section 476.6, subsection 19, to the extent that the investment
31 has been considered by the board under this section. To the
32 extent an eligible utility has been authorized to make capital
33 investments subject to section 476.6, subsection 19, such
34 investments shall not be eligible for ratemaking principles
35 pursuant to this section.

1 (2) ~~Leases or owns~~ When leased or owned in Iowa, in whole or
2 in part, a new ~~baseload~~ electric power generating facility with
3 a nameplate generating capacity equal to or greater than ~~three~~
4 ~~hundred forty~~ megawatts ~~or a combined-cycle electric power~~
5 ~~generating~~, a new energy storage facility, or a new alternate
6 energy production facility as defined in section 476.42.

7 **b.** If the board finds that the utility's application meets
8 the requirements of paragraph "c", the board shall specify by
9 order issued after the contested case proceeding the ratemaking
10 principles that will apply when the costs of the electric power
11 generating facility or alternate energy production facility
12 are included in regulated electric rates. In determining
13 the applicable ratemaking principles, the board shall not be
14 limited to traditional ratemaking principles or traditional
15 cost recovery mechanisms. Among the principles and mechanisms
16 the board may consider, the board has the authority to approve
17 ratemaking principles proposed by a rate-regulated public
18 utility that provide for reasonable restrictions upon the
19 ability of the public utility to seek a general increase in
20 electric rates under section 476.6 for at least three years
21 after the generating facility begins providing service to Iowa
22 customers.

23 **c.** In determining the applicable ratemaking principles, the
24 board shall make the following findings:

25 (1) The rate-regulated public utility has in effect a
26 board-approved energy efficiency plan as required under section
27 476.6, subsection 15.

28 (2) The rate-regulated public utility has demonstrated to
29 the board that the public utility has considered other sources
30 for long-term electric supply and that the facility or lease is
31 reasonable when compared to other feasible alternative sources
32 of supply. The rate-regulated public utility shall provide
33 support of reasonability with an electric utility resource
34 plan pursuant to section 476.53C, that has been completed no
35 more than twenty-four months prior to the filing of the public

1 utility's application.

2 ~~d. The applicable ratemaking principles shall be determined~~
3 ~~in a contested case proceeding, which proceeding required by~~
4 paragraph "a" may be combined with the proceeding for issuance
5 of a certificate conducted pursuant to chapter 476A.

6 e. The order setting forth the applicable ratemaking
7 principles shall be issued prior to the commencement of
8 construction or lease of the facility.

9 f. Following issuance of the order, the rate-regulated
10 public utility shall have the option of proceeding according to
11 either of the following:

12 (1) Withdrawing its application for a certificate pursuant
13 to chapter 476A.

14 (2) Proceeding with the construction or lease of the
15 facility.

16 g. Notwithstanding any provision of this chapter to the
17 contrary, the ratemaking principles established by the order
18 issued pursuant to paragraph "e" shall be binding with regard
19 to the specific electric power generating facility in any
20 subsequent rate proceeding.

21 4. The utilities board and the consumer advocate may employ
22 additional temporary staff, or may contract for professional
23 services with persons who are not state employees, as the
24 board and the consumer advocate deem necessary to perform
25 required functions as provided in this section, including but
26 not limited to review of power purchase contracts, review of
27 emission plans and budgets, and review of ratemaking principles
28 proposed for construction or lease of a new generating
29 facility. Beginning July 1, 2002, there is appropriated out
30 of any funds in the state treasury not otherwise appropriated,
31 such sums as may be necessary to enable the board and the
32 consumer advocate to hire additional staff and contract for
33 services under this section. The costs of the additional staff
34 and services shall be assessed to the utilities pursuant to the
35 procedure in section 476.10 and section 475A.6.

1 Sec. 5. NEW SECTION. **476.53B Department authority and**
2 **proceedings.**

3 The board shall adopt rules pursuant to chapter 17A to
4 provide for the completion of proceedings under section 476.53
5 within ten months after the date of the filing of a petition
6 under section 476.53, subsection 3. The rules shall include
7 reasonable time limitations for the submission or completion
8 of comments and testimony, and exhibits, briefs, and hearings,
9 and may provide for the granting of additional time upon the
10 request of a party to the proceeding for good cause shown.

11 Sec. 6. NEW SECTION. **476.53C Electric utility resources**
12 **planning.**

13 An electric utility regulated by the board shall file a
14 resource plan at least once every five years. The board
15 shall review a resource plan for completeness. A resource
16 plan shall consider all reasonable resources for meeting the
17 probable future demand for energy, including supply resources
18 and conservation and management of demand. The objectives
19 of a resource plan include but are not limited to adequate,
20 cost-effective, and reliable energy service considering costs,
21 fuel diversity, and probable future demand for energy. A
22 resource plan shall not require a specific outcome or specific
23 investment decisions. A resource plan shall reflect the
24 circumstances and management judgment of an electric utility.
25 This section does not restrict an electric utility from making
26 planning decisions based on future resource needs subject to
27 the ratemaking oversight of the board.>

28 2. Title page, by striking lines 2 and 3 and inserting <and
29 transmission facility ratemaking principles.>

By COMMITTEE ON COMMERCE
 WAYLON BROWN, CHAIRPERSON



[SF 2284](#) – Foster Care Services (LSB5954XS)
Staff Contact: Louie Hoehle (515.281.6561) louie.hoehle@legis.iowa.gov
Fiscal Note Version – New

Description

[Senate File 2284](#) makes the following changes to the Aftercare Service Program:

- Allows a person to qualify for the Program if the person exited foster care services paid by the State when the person was 16 years of age or older.
- Requires the Department of Health and Human Services (HHS) to amend its administrative rules in the following ways:
 - Set the start-up allowance offered through the Program at a one-time payment of \$900.
 - Set the vendor payments offered through the Program at \$2,000 per year.
 - Set the extended services allowance offered through the Program at \$2,000 for a one-year period calculated from the date of initiation of extended services.
 - Allow each person who is participating in the Program to receive the Preparation for Adult Living (PAL) stipend regardless of the person's age, provided that the person meets all other requirements for the PAL stipend.

Background

The Program was established to assist persons leaving foster care and other court-ordered services in making the transition to self-sufficiency. Participants are provided with support and guidance through regular, individual meetings with a self-sufficiency advocate. Advocates assess the participant for life skills and help the participant develop a self-sufficiency plan, complete with developmentally appropriate goals and objectives. Financial assistance is available to support individuals in achieving their self-sufficiency goals. Core aftercare services are provided to individuals between the ages of 18 and 21. Extended aftercare services are provided to individuals ages 21 and 22 who want additional support. Pre-aftercare services are offered to youth aged 17 to help transition them into aftercare.

Currently, a person is eligible for the Program if the person is 22 years of age or younger and exited foster care after the person attained 18 years of age.

Currently, the maximum start-up allowance offered through the Program is a one-time payment of \$600, the maximum annual vendor payments allowance is set at \$1,200, and the maximum annual extended services allowance is set at \$1,200.

During FY 2023, a total of 535 persons ages 18, 19, and 20 received core aftercare services and support, a total of 201 persons received extended services and support, and there were 190 referrals for pre-aftercare services.

Assumptions

- Under Senate File 2284, there may be approximately 100 persons who will be newly eligible to receive core services and support each year. The HHS estimates that approximately 60.0% of eligible persons will participate in the Program.

- There may be approximately 50 new extended services participants each year and approximately 25 new pre-aftercare participants each year.
- Senate File 2284 will not apply retroactively, as the HHS intends to adopt administrative rules so that the Bill only applies to individuals who become eligible for participation in the Program on or after July 1, 2024. As a result, total core aftercare costs will be realized in FY 2026 and total extended aftercare costs will be realized in FY 2028.
- Individuals may or may not participate in the Program every month or year that they are eligible.
- The HHS estimates annual costs per new individual participating in the Program as follows:
 - Approximately \$1,000 for individuals first entering the Program.
 - Approximately \$7,800 for individuals receiving core services and support.
 - Approximately \$3,600 for individuals receiving extended services and support.
- Senate File 2284 may increase costs to the HHS by \$135,000 for increased startup payments, vendor payments, and extended payments to participants.
- Total costs to implement the Program are realized in FY 2028.

Fiscal Impact

Senate File 2284 is estimated to increase costs to the HHS for the Aftercare Service Program as shown in **Figure 1**.

Figure 1 — Aftercare Service Program Costs Under SF 2284

	<u>FY 2025</u>	<u>FY 2026</u>	<u>FY 2027</u>	<u>FY 2028</u>	<u>FY 2029</u>
New Pre-Aftercare Participants	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000
New Core Aftercare Participants	468,000	936,000	936,000	936,000	936,000
New Extended Aftercare Participants	0	0	0	180,000	180,000
Increased Payments to Participants	135,000	135,000	135,000	135,000	135,000
Total	\$ 628,000	\$ 1,096,000	\$ 1,096,000	\$ 1,276,000	\$ 1,276,000

Source

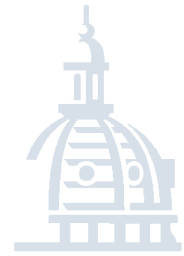
Department of Health and Human Services

/s/ Jennifer Acton

March 6, 2024

Doc ID 1447505

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.



Fiscal Note

Fiscal Services Division

[SF 2342](#) – Probation and Parole Conditions, Child Endangerment (LSB6294SV)
Staff Contact: Molly Kilker (515.725.1286) molly.kilker@legis.iowa.gov
Fiscal Note Version – New

Description

[Senate File 2342](#) provides that a person on parole or work release who is serving a sentence under Iowa Code section [726.6\(5\)](#), [726.6\(6\)](#), or [726.6\(7\)](#) (child endangerment) is not permitted to have unsupervised access to or provide supervision for a child or minor, even in a circumstance where the parent or guardian of the minor has provided consent. The Bill also provides the same regulations for a person on probation convicted of child endangerment under Iowa Code section 726.6.

Background

Iowa Code sections 726.6(5) through 726.6(8) provide crimes and penalties for child endangerment as follows:

- Iowa Code section 726.6(5): A person who commits child endangerment resulting in the death of a child or minor commits a Class B felony. Notwithstanding Iowa Code section [902.9\(1\)\(b\)](#), a person convicted of a violation of this section may not be confined for more than 50 years.
- Iowa Code section 726.6(6): A person who commits child endangerment resulting in serious injury to a child or a minor commits a Class C felony.
- Iowa Code section 726.6(7): A person who commits child endangerment resulting in bodily injury to a child or minor, or child endangerment in violation of Iowa Code section 726.6(1)(g) that does not result in serious injury, or a person who commits child endangerment in violation of Iowa Code section 726.6(2) commits a Class D felony.
- Iowa Code section 726.6(8): A person who commits child endangerment that is not subject to penalty under Iowa Code sections 726.6(5) through 726.6(7) commits an aggravated misdemeanor.

A Class B felony is punishable by confinement for up to 25 years. A Class C felony is punishable by confinement for up to 10 years and a fine of at least \$1,270, but no more than \$13,660. A Class D felony is punishable by confinement for up to five years and a fine of at least \$1,025 but no more than \$10,245. An aggravated misdemeanor is punishable by confinement for up to two years and a fine of at least \$855, but no more than \$8,540.

In FY 2023, there were 221 total convictions for child endangerment under Iowa Code sections 726.6(5) through 726.6(7) and 765 total convictions for child endangerment under Iowa Code section 726.6(8).

Under current law, the standard terms of parole state that the parolee may not have any contact with a victim or the family of a victim unless approved by the Board of Parole (BOP). The BOP requires a recommendation from the parolee's supervising officer that contact should be approved, in addition to a notarized letter from the victim, or parent or guardian if the victim is a minor, stating that the victim wants contact with the parolee. Additionally, a parolee convicted of any form of child endangerment under Iowa Code section 726.6 may not have direct or indirect contact with a minor until approved by the Judicial District Director or the Director's designee.

The parolee also may not work, reside, or establish contact with or join any group or organization that deals with minors until approved by the Judicial District Director or the Director’s designee.

Assumptions

- In calendar year (CY) 2022 the Department of Health and Human Services (HHS) received 28,210 child abuse assessments, 25.0% of which were founded. The HHS assumes that 10.0% of these cases had a parent, guardian, or custodian on probation, parole, or work release for a sentence of child endangerment. This equals a total of 701 cases.
- Of the 701 cases, 50.0% have another parent, guardian, or custodian to care for or supervise access to the child. This equals a total of 351 cases that will require the child to be placed in foster care annually.
- If there are two children involved in the case, there will be a total of 701 children who require foster care annually.
- If there are three children involved in the case, there will be a total of 1,053 children who require foster care annually.
- Costs per case are applied 62.0% State and 38.0% federal.
- The average State cost for a child in foster care is \$5,400.
- The HHS receives federal dollars through Title IV-E to assist with foster care costs.

Fiscal Impact

The annual fiscal impact of SF 2342 to the HHS is estimated to range from \$1.9 million (351 children) to \$5.7 million (1,053 children) annually depending on the number of children entering foster care.

Figure 1 — Annual Fiscal Impact Summary of SF 2342

Foster Care Cases	FY 2025	
	Total	State
Foster Care Cost Per Case	\$ 8,700	\$ 5,400
351 Cases	\$3,053,700	\$1,895,400
701 Cases	\$6,098,700	\$3,785,400
1,053 Cases	\$9,161,100	\$5,686,200

Sources

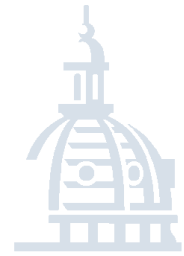
Department of Health and Human Services
 Board of Parole
 Legislative Services Agency

/s/ Jennifer Acton

March 5, 2024

Doc ID 1447353

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 2250](#) – Witness and Juror Tampering (LSB5493HV.1)
Staff Contact: Molly Kilker (515.725.1286) molly.kilker@legis.iowa.gov
Fiscal Note Version – As amended and passed by the House

Description

[House File 2250](#) establishes definitions and increases penalties for witness and juror tampering.

The Bill establishes the following definitions:

- “Tampering” is defined as acts of bribery, threats, forcible or fraudulent detaining or restraining, harassment as described in Iowa Code section [708.7](#)(1), assault as described in Iowa Code section [708.1](#)(2), or any public offense.
- “Witness” is defined as a person who has been summoned to testify in any judicial proceeding, arbitration, or legislative hearing, or who is listed in the minutes of evidence.
- “Reporting party” is defined as a person who reports or attempts to report a public offense to any fire department, law enforcement agency, emergency communications center, or other public safety entity or a person who assists or attempts to assist a law enforcement agency or prosecuting agency in any criminal investigation or judicial proceeding.

The Bill establishes that a person has committed a public offense that must be classified and punished as an offense one degree higher than the underlying offense, not to exceed a Class C felony, but not lower than an aggravated misdemeanor when they have done any of the following:

- Tampers with a witness with the intent to prevent an individual from testifying; encourages an individual to disobey or avoid a subpoena or other legal process; or encourages an individual to withhold evidence, information, or documents.
- Prevents an individual from serving in a judicial proceeding with the intent to improperly influence the individual, or tampers with a juror in retaliation for lawful action taken by the individual.
- Prevents an individual from becoming a reporting party with the intent to improperly influence the statements of an individual; encourages an individual to disobey or avoid a subpoena or other legal process; encourages the individual to withhold evidence, information, or documents; or tampers with a reporting party.

Background

Under Iowa Code section [720.4](#), a person who offers a bribe, makes a threat, or forcibly detains or restrains a person who the aggressor believes has been or may have been summoned as a witness or juror commits an aggravated misdemeanor.

In FY 2023, 18 individuals were convicted of witness and jury tampering under Iowa Code section 720.4. In the same fiscal year, there were no prison admissions, and three individuals were admitted to Community-Based Corrections (CBC) supervision for probation or parole. Of the three individuals, one offense would move from an aggravated misdemeanor to a Class D felony under the Bill.

A Class C felony is punishable by confinement for up to 10 years and a fine of at least \$1,370 but not more than \$13,660. A Class D felony is punishable by confinement for up to five years

and a fine of at least \$1,025 but not more than \$10,245. An aggravated misdemeanor is punishable by confinement for up to two years and a fine of at least \$855 but not more than \$8,540.

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.

Correctional Impact

The correctional impact of HF 2250 cannot be determined due to the low number of convictions and admissions to Department of Corrections (DOC) supervision for witness and jury tampering. **Figure 1** shows estimates for sentencing to State prison, parole, probation, or CBC residential facilities; LOS in months under those supervisions; and supervision marginal costs per day for Class C felonies, Class D felonies, and aggravated misdemeanors. 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
C Felony (Persons)	89.9%	50.3	\$24.94	27.2%	41.3	\$ 7.67	4.3%	\$ 20.00	52.0%	\$ 50.00	22.3	\$ 7.67
C Felony (Non-Persons)	86.0%	19.4	\$24.94	64.2%	42.2	\$ 7.67	13.0%	\$ 20.00	34.0%	\$ 50.00	21.3	\$ 7.67
D Felony (Persons)	82.6%	20.5	\$24.94	53.9%	35.3	\$ 7.67	9.8%	\$ 20.00	36.9%	\$ 50.00	15.6	\$ 7.67
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
Aggravated Misdemeanor (Persons)	47.6%	10.6	\$24.94	67.6%	25.1	\$ 7.67	5.2%	\$ 20.00	55.9%	\$ 50.00	6.7	\$ 7.67
Aggravated Misdemeanor (Non-Persons)	30.4%	7.5	\$24.94	45.0%	25.1	\$ 7.67	3.6%	\$ 20.00	71.7%	\$ 50.00	11.9	\$ 7.67

Minority Impact

Due to the low number of convictions for this crime in FY 2023, Criminal Juvenile Justice Planning (CJJP) of the Department of Management (DOM) cannot use existing conviction data to determine a minority impact. Refer to the LSA memo addressed to the General Assembly, [Minority Impact Statement](#), dated January 16, 2024, for more information related to minorities in the criminal justice system.

Fiscal Impact

The fiscal impact cannot be determined but is anticipated to be minimal. **Figure 2** shows the average State cost per offense for a Class C felony, a Class D felony, and an aggravated misdemeanor. Potential impacts to the State General Fund include operating costs incurred by the Judicial Branch, the Indigent Defense Fund, and the DOC. Any costs would be incurred across multiple fiscal years for prison and parole supervision.

Figure 2 — Average State Cost Per Offense

Offense Class	Average Cost
Class C Felony	\$14,300 to \$27,500
Class D Felony	\$12,600 to \$18,200
Aggravated Misdemeanor	\$7,500 to \$10,800

Sources

Department of Corrections
Legislative Services Agency

/s/ Jennifer Acton

March 6, 2024

Doc ID 1447565

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 2569](#) – Highway 30 (LSB1865HZ.2)
Staff Contact: Garry Martin (515.281.4611) garry.martin@legis.iowa.gov
Fiscal Note Version – As amended and passed by the House

Description

[House File 2569](#) requires the State Transportation Commission to prioritize the improvement of United States Highway 30. The Commission is required to include in its long-range program plans to expand all roadways to four-lane divided roadways until the entire highway is comprised of four-lane divided roadways. For the expansion of Highway 30, the Department of Transportation (DOT) is required to expend all reasonable alternatives before exercising eminent domain to acquire land that is a part of a century farm or residential real property.

Background

United States Highway 30 is a roadway that goes east to west across the continental United States, with approximately 331 miles running through Iowa.

The State Transportation Commission consists of seven members appointed by the Governor and confirmed by the Senate. The State Transportation Commission is responsible for developing, coordinating, and annually updating a comprehensive transportation policy and plan for the State, including preparing, adopting, and publishing a long-range program for the primary road system. The program is required to be prepared for a period of at least five years and is required to be revised, updated, and republished at least once every year to maintain a continuing five-year program. Currently, the State Transportation Commission's long-range plan does not include plans for Highway 30. The 2022 State Transportation Plan can be found [here](#).

In most cases, the DOT allocates approximately 80.0% of federal highway funding to larger projects. However, federal funding is between 50.0% and 60.0% of annual funding available for construction projects. Iowa is allocated a fixed amount of federal highway formula funding each year, and funding for Highway 30 expansion will use the same resources.

Assumptions

- Two lanes will need to be added to approximately 120 miles, costing an estimated \$6.7 million per mile.
- Four-lane bypasses will need to be constructed for approximately 39.5 miles, costing an estimated \$10.0 million per mile.
- An estimated 16 interchanges will be needed, costing approximately \$16.1 million each.
- Construction costs are based on the current bid prices for the types of improvements listed above.
- Construction costs will be funded by a combination of federal funds and the Primary Road Fund (PRF). Federal funding for Highway 30 expansion may pay for up to 80.0% of the construction costs. However, this will depend on the timing of the project.
- Operations and maintenance will be funded primarily by the PRF and will cost approximately \$1.7 million annually.

Fiscal Impact

The expansion of Highway 30 is estimated to cost \$1.500 billion throughout the course of construction. Federal funding could cover up to 80.0% of the total cost, but this will depend on future budgeting decisions made by the State Transportation Commission. All State funding for construction will be provided by the PRF. Annual maintenance costs for the full 120 miles will be funded by the PRF and are estimated to be approximately \$1.7 million per year.

Source

Department of Transportation

/s/ Jennifer Acton

March 5, 2024

Doc ID 1447588

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