

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

March 13, 2024

Clip Sheet Summary

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

Bill	Amendment	Action	Sponsor
SF 455	S-5058	Filed	RECEIVED FROM THE HOUSE
SF 2286	S-5059	Filed	JEFF TAYLOR
HF 35	S-5060	Filed	COMMITTEE ON NATURAL RESOURCES AND ENVIRONMENT, et al

Fiscal Notes

[SF 2195](#) — [Reading Instruction, Practitioner Preparation and Elementary Curricula](#) (LSB5449SV)

[SF 2278](#) — [Motor Vehicle Registration by Nonresidents](#) (LSB5821SV)

[HF 2544](#) — [Iowa History Initiative](#) (LSB5263HV)

[HF 2602](#) — [Grooming of Juveniles, Criminal Offense](#) (LSB5895HV.1)

HOUSE AMENDMENT TO
SENATE FILE 455

S-5058

1 Amend Senate File 455, as amended, passed, and reprinted by
2 the Senate, as follows:

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

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

7 NEW SUBSECTION. 23. *a.* For purposes of this subsection:

8 (1) "*Construction site*" means the same as used in a storm
9 water general permit adopted by rule pursuant to section
10 455B.103A.

11 (2) "*Topsoil*" means the same as used in a storm water
12 general permit adopted by rule pursuant to section 455B.103A.

13 *b.* A county shall not adopt or enforce an ordinance,
14 motion, resolution, or amendment relating to the preservation,
15 compaction, placement, or depth of topsoil at a construction
16 site that is more restrictive than those requirements provided
17 in the national pollutant discharge elimination system general
18 permit no. 2 as issued by the department of natural resources.
19 A county may develop standards to evaluate topsoil quantities
20 before and after construction and ensure compliance with
21 general permit no. 2. A county may request that the department
22 of natural resources review the soil of a construction site to
23 verify that the national pollutant discharge elimination system
24 general permit no. 2 as issued by the department of natural
25 resources is proper for the construction site.

26 *c.* (1) A county may adopt or enforce an ordinance, motion,
27 resolution, or amendment that regulates storm water runoff at a
28 construction site only to the extent that such regulation for
29 rainfall events having a return frequency ranging from five
30 through one hundred years does not require a post-construction
31 storm water flow rate that is more restrictive than the
32 existing flow rate of a rainfall event having a return
33 frequency of five years, with all such runoff rates based on
34 the actual existing condition of the site at the time the
35 construction commences.

1 (2) A county may adopt or enforce an ordinance, motion,
2 resolution, or amendment that regulates storm water runoff
3 from upstream properties adjacent to a construction site to
4 the extent that storm water runoff shall be allowed to pass
5 through downstream storm water basins at the same flow rates as
6 off-site storm water runoff entering the construction site.

7 (3) A county may impose a storm water runoff requirement
8 that is more restrictive than what is allowed or required by
9 this paragraph at the construction site if the county meets all
10 of the following conditions:

11 (a) The county pays for all study, design, and engineering
12 costs for implementing the more restrictive storm water
13 runoff requirement that includes an analysis by a licensed
14 professional engineer of the difference in costs between the
15 requirements of this paragraph and the more restrictive county
16 storm water runoff requirement.

17 (b) The county pays for the difference of costs between
18 the requirements of this paragraph and the more restrictive
19 requirement imposed by the county for installation of equipment
20 or practices required for a property owner to comply with the
21 storm water runoff requirement.

22 (c) If the storm water runoff requirement results in the
23 county using a person's private property, whether by easement
24 or otherwise taking an interest in the property, the county
25 pays the property owner the fair market value of the property
26 taken for any additional land required beyond the requirements
27 of this paragraph.

28 (d) A county shall not impose a special assessment or
29 otherwise recover the costs from the property owner for the
30 portion of the costs attributable to the county.

31 (e) The costs attributable to the county shall only apply
32 to the storm water management practices addressed in this
33 paragraph.

34 Sec. 2. Section 364.3, Code 2024, is amended by adding the
35 following new subsection:

1 NEW SUBSECTION. 18. a. For purposes of this subsection:

2 (1) "*Construction site*" means the same as used in a storm
3 water general permit adopted by rule pursuant to section
4 455B.103A.

5 (2) "*Topsoil*" means the same as used in a storm water
6 general permit adopted by rule pursuant to section 455B.103A.

7 b. A city shall not adopt or enforce an ordinance, motion,
8 resolution, or amendment relating to the preservation,
9 compaction, placement, or depth of topsoil at a construction
10 site that is more restrictive than those requirements provided
11 in the national pollutant discharge elimination system general
12 permit no. 2 as issued by the department of natural resources.
13 A city may develop standards to evaluate topsoil quantities
14 before and after construction and ensure compliance with
15 general permit no. 2. A city may request that the department
16 of natural resources review the soil of a construction site to
17 verify that the national pollutant discharge elimination system
18 general permit no. 2 as issued by the department of natural
19 resources is proper for the construction site.

20 c. (1) A city may adopt or enforce an ordinance, motion,
21 resolution, or amendment that regulates storm water runoff at a
22 construction site only to the extent that such regulation for
23 rainfall events having a return frequency ranging from five
24 through one hundred years does not require a post-construction
25 storm water flow rate that is more restrictive than the
26 existing flow rate of a rainfall event having a return
27 frequency of five years, with all such runoff rates based on
28 the actual existing condition of the site at the time the
29 construction commences.

30 (2) A city may adopt or enforce an ordinance, motion,
31 resolution, or amendment that regulates storm water runoff from
32 upstream properties adjacent to a construction site only to the
33 extent that storm water runoff shall be allowed to pass through
34 downstream storm water basins at the same flow rate as off-site
35 storm water runoff entering the construction site.

1 (3) A city may impose a storm water runoff requirement that
2 is more restrictive than what is allowed or required by this
3 paragraph at the construction site if the city meets all of the
4 following conditions:

5 (a) The city pays for all study, design, and engineering
6 costs for implementing the storm water runoff requirement that
7 includes an analysis by a licensed professional engineer of the
8 difference in costs between the requirements of this paragraph
9 and the more restrictive city storm water runoff requirement.

10 (b) The city pays for the difference of costs between
11 the requirements of this paragraph and the more restrictive
12 requirement imposed by the city for installation of equipment
13 or practices required for a property owner to comply with the
14 storm water runoff requirement.

15 (c) If the storm water runoff requirement results in the
16 city using a person's private property, whether by easement or
17 otherwise taking an interest in the property, the city pays the
18 property owner the fair market value of the property taken for
19 any additional land required beyond the requirements of this
20 paragraph.

21 (d) A city shall not impose a special assessment or
22 otherwise recover the costs from the property owner for the
23 portion of the costs attributable to the city.

24 (e) The costs attributable to the city shall only apply
25 to the storm water management practices addressed in this
26 paragraph.>

SENATE FILE 2286

S-5059

1 Amend Senate File 2286 as follows:

2 1. Page 1, by striking lines 15 and 16 and inserting
3 <institution; impediment of the acquisition or merger of a
4 health care institution;>

5 2. Page 1, by striking lines 21 and 22 and inserting
6 <beliefs or principles held by a medical practitioner or health
7 care institution.>

8 3. Page 1, by striking lines 32 through 34 and inserting
9 <practitioner or health care institution as a result of the
10 refusal of the medical practitioner or health care institution
11 to participate in a>

12 4. Page 2, by striking lines 11 through 14.

13 5. Page 2, line 15, by striking <6.> and inserting <5.>

14 6. Page 2, by striking lines 25 through 28.

15 7. Page 2, line 29, by striking <8.> and inserting <6.>

16 8. Page 3, line 4, by striking <9.> and inserting <7.>

17 9. Page 3, by striking lines 9 through 11 and inserting:

18 <Sec. ____ . NEW SECTION. 135S.2 **Exercise of conscience for**
19 **health care institutions and medical practitioners — immunity**
20 **— exception.**>

21 10. Page 3, by striking lines 12 through 28 and inserting:

22 <1. a. A health care institution shall not be required to
23 participate in a health care service that violates the health
24 care institution's conscience, including by permitting the use
25 of the health care institution's facilities.

26 b. Except as provided in subsection 4, a health care
27 institution that refuses to participate in a health care
28 service under this section is immune from liability for damages
29 allegedly arising from the refusal, and such refusal shall not
30 be the basis for any discrimination against the health care
31 institution, or any personnel, agent, or governing board of the
32 health care institution.>

33 11. Page 4, line 17, by striking <or a health care payor>

34 12. Page 4, by striking lines 20 and 21 and inserting <the
35 contrary, a medical practitioner or health care institution

S-5059 (Continued)

1 that holds itself out to the public as>

2 13. Page 4, by striking lines 30 and 31 and inserting:

3 <The exercise of conscience by a health care institution or
4 medical practitioner not to participate>

5 14. Page 6, line 35, by striking <institution, health care
6 payor,> and inserting <institution>

7 15. Page 7, line 11, by striking <or a health care payor>

8 16. Page 7, by striking lines 25 through 28.

9 17. Title page, lines 1 and 2, by striking <institutions,
10 health care payors,> and inserting <institutions>

11 18. By renumbering as necessary.

By JEFF TAYLOR

[S-5059](#) FILED MARCH 12, 2024

HOUSE FILE 35

S-5060

- 1 Amend House File 35, as passed by the House, as follows:
- 2 1. Page 1, line 1, by striking <2023> and inserting <2024>
- 3 2. Page 1, line 5, by striking <2023> and inserting <2024>

By COMMITTEE ON NATURAL RESOURCES AND
ENVIRONMENT

ANNETTE SWEENEY, CHAIRPERSON

S-5060 FILED MARCH 12, 2024



[SF 2195](#) – Reading Instruction, Practitioner Preparation and Elementary Curricula (LSB5449SV)
Staff Contact: Jacob Ludwig (515.725.0155) jacob.ludwig@legis.iowa.gov
Fiscal Note Version – New

Description

[Senate File 2195](#) modifies standards for reading instruction in kindergarten through grade three at school districts, accredited nonpublic schools, and charter schools. These changes include specific instruction requirements and prohibitions which go into effect for the school year beginning July 1, 2026. The Bill also modifies the requirements for practitioner preparation programs related to reading theory, knowledge, strategies, and approaches for students admitted to an approved practitioner preparation program on or after July 1, 2025. These changes include specific instruction requirements and prohibitions.

Background

Iowa Code section [256.11](#) establishes PK-12 educational standards for public and nonpublic schools. The standards related to reading instruction for kindergarten programs require the inclusion of experiences that develop growth in language arts and communication skills. For grades one through six, schools are required to provide instruction in English-language arts.

Assumptions

- There are approximately 142,000 kindergarten through grade three students enrolled in Iowa public schools, according to 2023-2024 enrollment data.
- The number of districts with a reading curriculum for kindergarten through grade three that do not comply with this Bill is unknown.
- For districts requiring curriculum updates, the one-time implementation cost to update the curriculum is between \$20 and \$36 per student.
- School districts that already comply with the new standards will not see any costs associated with this Bill.
- The University of Iowa and the University of Northern Iowa will not need to modify their practitioner preparation programs.
- Iowa State University will be required to redevelop three courses in its practitioner preparation program. The cost of redeveloping a course is approximately \$10,000.
- The Iowa Reading Research Center will need 4.0 additional full-time equivalent (FTE) positions to support districts as they support school districts across the State, costing \$100,000 for each position.

Fiscal Impact

The fiscal impact to the State is estimated to be \$430,000 in FY 2025. This includes a \$400,000 ongoing cost to the Iowa Reading Research Center for 4.0 new FTE positions and a \$30,000 one-time cost to Iowa State University for redeveloping three of its courses.

There may be a one-time fiscal impact to individual school districts. The costs will be paid from the individual school district's general fund; however, the number of school districts that will need to modify their reading curriculum for kindergarten through grade three is unknown.

Figure 1 shows the projected cost range of implementing the new reading curriculum at various levels of need.

Figure 1 — Estimated Implementation Costs by Percentage of Students Statewide

	<u>25.0% of Students</u>	<u>50.0% of Students</u>	<u>75.0% of Students</u>	<u>100.0% of Students</u>
\$20 Per Student	\$ 700,000	\$ 1,400,000	\$ 2,100,000	\$ 2,800,000
\$36 Per Student	1,260,000	2,520,000	3,780,000	5,040,000

Sources

Department of Education
Iowa Association of School Boards
Board of Regents
Legislative Services Agency

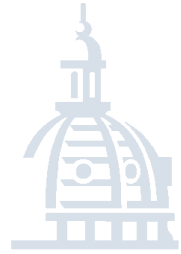
/s/ Jennifer Acton

March 12, 2024

Doc ID 1446246

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



[SF 2278](#) – Motor Vehicle Registration by Nonresidents (LSB5821SV)
Staff Contact: Garry Martin (515.281.4611) garry.martin@legis.iowa.gov
Fiscal Note Version – New

Description

[Senate File 2278](#) allows nonresidents who own residential real property or land suitable for farming in Iowa who are registering a vehicle that is used primarily at that property to apply for registration of the vehicle by using the owner's driver's license number or nonoperator's identification card number issued by another state. A nonresident who applies for registration and issuance of a certificate of title is required to provide reasonable proof that the nonresident owns such property in Iowa.

Background

Under current law, a person registering and titling a vehicle in Iowa must supply the person's Iowa driver's license or nonoperator's identification card number on the application. In the case of a nonresident owner, the nonresident can apply to register a vehicle in Iowa by supplying the personal information of the primary owner of the vehicle, including the primary user's Iowa driver's license number or nonoperator's identification card number.

Assumptions

The Department of Transportation (DOT) will incur a one-time contract cost for information technology (IT) programming to update the DOT's system. System updates are related to document collection and validation and maintaining Department of Public Safety access to vehicle information. The work will be performed by outside contractors.

Fiscal Impact

The estimated total one-time cost to the DOT to update the IT programming and testing is approximately \$216,000 in FY 2025.

Source

Department of Transportation

/s/ Jennifer Acton

March 12, 2024

Doc ID 1446605

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 2544](#) – Iowa History Initiative (LSB5263HV)
Staff Contact: Jacob Ludwig (515.725.0155) jacob.ludwig@legis.iowa.gov
Fiscal Note Version – As amended and passed by the House

Description

[House File 2544](#) relates to the instruction of social studies and civics in school districts, accredited nonpublic schools, charter schools, and innovation zone schools. The Bill creates requirements for social studies curricula at various grades. Students in grades 9 through 12 will be required to take one civics course prior to graduating, for which the Bill provides subjects to be included and requires the students to be examined at the end of the course on certain topics. School districts, accredited nonpublic schools, and the instructor of the course are prohibited from developing the examination. The Bill establishes curriculum and reporting requirements related to education on the Holocaust for middle school and high school students.

The Bill also creates a new examination, course requirements, and prohibitions related to civics education for baccalaureate students at the institutions governed by the Board of Regents (BOR). New baccalaureate students will be required to pass a civics examination prior to graduating or progressing to more advanced civics courses.

Background

Iowa Code section [256.11](#) establishes PK-12 educational standards for public and nonpublic schools. Currently, in grades one through eight, schools are required to provide instruction in social studies. In grades 9 through 12, schools must offer and teach five units of social studies, and courses must include information related to elections, including how to register and vote, the United States government, the U.S. Constitution, and the Bill of Rights. There are no specific curriculum requirements related to the Holocaust.

Regents institutions do not currently have a required civics exam for all students.

Assumptions

- A third party will provide the high school civics exam for school districts to administer, and school districts are prohibited from making substantive edits to the exam.
- It is unknown how school districts will implement the social studies curriculum.
- If school districts choose to use a test from a private testing company, the estimated cost per student would be \$150.
- There are currently 55,172 undergraduate students at Regents institutions.
- Regents institutions will need to purchase civics examinations for undergraduate students, which are estimated to cost \$50,000. It is unclear whether the universities will be able to purchase an exam together.
- The cost of civics examinations for Regents students is estimated to be \$140 per student.
- There are approximately 16,000 new undergraduate students each year at Regents institutions.
- The one-time cost of developing a remedial course is \$10,000.

- Iowa State University will need to redevelop seven courses, and the University of Iowa will need to redevelop two courses at the cost of \$10,000 per course. The University of Northern Iowa will need to make curriculum adjustments to seven courses and hire new full-time equivalent (FTE) positions. The adjustments are estimated to be a one-time cost of \$3,000 per course.
- The University of Northern Iowa will need to hire 2.0 new FTE positions with expertise in U.S. history. The cost of these positions is estimated to be \$152,000.
- The retake rate for examinations is estimated to be 2.0% to 8.0%.

Fiscal Impact

The costs to the BOR will range from \$8.3 million to \$8.8 million in the first year and \$2.4 million to \$2.6 million in subsequent years. **Figure 1** details the cost to the BOR.

There may be a cost to school districts; however, this cost cannot be estimated at this time.

Figure 1 — Total Cost to Board of Regents by Institution

<u>Board of Regents</u>	<u>FY 2025</u>	<u>Subsequent Years</u>
Iowa State University		
Administering the Civics Exam	\$ 3,542,000	\$ 1,004,000
Exam Retakes*	283,000	80,000
Purchasing the Civics Exam*	50,000	0
Redeveloping/Adjusting Courses	70,000	0
Creating Remedial Exams	10,000	0
Total Iowa State University	3,955,000	1,084,000
University of Iowa		
Administering the Civics Exam	\$ 3,098,000	\$ 889,000
Exam Retakes*	248,000	71,000
Purchasing the Civics Exam*	50,000	0
Redeveloping/Adjusting Courses	20,000	0
Creating Remedial Exams	10,000	0
Total University of Iowa	3,426,000	960,000
University of Northern Iowa		
Administering the Civics Exam	\$ 1,083,000	\$ 337,000
Exam Retakes*	87,000	27,000
Staff Requirements	152,000	152,000
Purchasing the Civics Exam*	50,000	0
Redeveloping/Adjusting Courses	21,000	0
Creating Remedial Exams	10,000	0
Total University of Northern Iowa	1,403,000	516,000
Total Board of Regents**	\$ 8,784,000	\$ 2,560,000

*These numbers are based on the maximum of the assumed 2.0% to 8.0% range.
 **These numbers assume no shared purchase between the universities.

Sources

Iowa Association of School Boards
Board of Regents
Department of Education
Legislative Services Agency

/s/ Jennifer Acton

March 12, 2024

Doc ID 1447507

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 2602](#) – Grooming of Juveniles, Criminal Offense (LSB5895HV.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 2602](#) establishes a new criminal offense of grooming and provides penalties. Under the Bill, a person commits an act of grooming when the person knowingly attempts to seduce, solicit, lure, or entice a person under 18 years of age to engage in an unlawful sex act or an act of unlawful sexual conduct with the use of a computer, an Internet service, an electronic storage or transmission device, or written communication. The penalty for an act of grooming is a Class D felony.

Background

A person convicted of a Tier I, II, or III sex offense is required to register as a sex offender for a period of 10 years. A Tier II offender is required to verify the offender's information to the Iowa Sex Offender Registry every six months, and a Tier III offender is required to verify the offender's information every three months.

A person convicted of a Class D felony for an offense under Iowa Code chapter [709](#) (sexual abuse) must also be sentenced to a special sentence committing the person into the custody of the director of the Department of Corrections for a period of 10 years, with eligibility for probation or parole under Iowa Code chapter [906](#).

A Class D felony is punishable by confinement for no more than five years and a fine of at least \$1,025 but no more than \$10,245.

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.
- Each claim for services rendered in the representation of a defendant charged with grooming will result in a claim of \$1,460 or more to the Indigent Defense Fund.

Correctional Impact

House File 2602 creates a new criminal offense, and the correctional impact cannot be estimated 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 (Sex)	91.5%	32.3	\$24.94	45.4%	40.1	\$ 7.67	2.8%	\$ 20.00	39.7%	\$ 50.00	8.7	\$ 7.67

Minority Impact

House File 2602 creates a new criminal offense. As a result, the 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 to the Office of the State Public Defender (SPD) is estimated to be \$306,000 to the Indigent Defense Fund. The fiscal impact to the correctional system cannot be estimated due to a lack of existing conviction data. The average State cost per offense for a Class D felony ranges from \$12,600 to \$18,200. 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

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

 /s/ Jennifer Acton

March 12, 2024

Doc ID 1447975

 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.