

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

**April 3, 2024**

**Clip Sheet Summary**

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

<b>Bill</b>	<b>Amendment</b>	<b>Action</b>	<b>Sponsor</b>
<a href="#">SJR 2004</a> .....	<a href="#">S-5117</a> .....	Lost	TONY BISIGNANO
<a href="#">SF 2335</a> .....	<a href="#">S-5114</a> .....	Adopted	SCOTT WEBSTER
<a href="#">SF 2352</a> .....	<a href="#">S-5116</a> .....	Adopted	DAN DAWSON
<a href="#">SF 2414</a> .....	<a href="#">S-5118</a> .....	Filed	ANNETTE SWEENEY
<a href="#">HF 2487</a> .....	<a href="#">S-5115</a> .....	Adopted	CHRIS COURNOYER

SENATE FILE 2004

S-5117

1 Amend Senate File 2004 as follows:

- 2 1. Page 1, line 7, by striking <Single individual income tax  
3 rate> and inserting <Individual income and sales tax rates>
- 4 2. Page 1, after line 12 by inserting <The sales tax rate in  
5 effect when the people approve and ratify this amendment shall  
6 not be increased.>
- 7 3. Title page, by striking line 2 and inserting <of the  
8 State of Iowa by placing limitations on the individual income  
9 and sales tax rates.>

By TONY BISIGNANO

S-5117 FILED APRIL 2, 2024

LOST

SENATE FILE 2335

S-5114

- 1 Amend Senate File 2335 as follows:
- 2 1. Page 1, line 10, by striking <a maximum of three> and
- 3 inserting <any number of>

By SCOTT WEBSTER

S-5114 FILED APRIL 2, 2024

ADOPTED

SENATE FILE 2352

S-5116

1 Amend Senate File 2352 as follows:

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

4 <DIVISION I  
5 IOWA HEMP ACT

6 Section 1. Section 204.2, Code 2024, is amended by adding  
7 the following new subsections:

8 NEW SUBSECTION. 01. "*Advertise*" means to present a  
9 commercial message in any medium, including but not limited  
10 to print, radio, television, sign, display, label, tag, or  
11 articulation.

12 NEW SUBSECTION. 6A. "*Distribute*" means to transfer  
13 possession.

14 NEW SUBSECTION. 15A. "*Registrant*" means a person who is  
15 registered with the department of health and human services  
16 pursuant to section 204.7.

17 Sec. 2. Section 204.2, subsection 2, paragraph c, Code 2024,  
18 is amended to read as follows:

19 c. A hemp product is deemed to be a consumable hemp product  
20 if ~~it is any of the following~~ all of the following apply:

21 (1) It is any of the following:

22 (a) Designed by the processor, including the manufacturer,  
23 to be introduced into the human body.

24 ~~(2)~~ (b) Advertised as an item to be introduced into the  
25 human body.

26 ~~(3)~~ (c) Distributed, exported, ~~or~~ imported, offered for  
27 sale, or distribution sold to be introduced into the human  
28 body.

29 (2) Its maximum total tetrahydrocannabinol concentration is  
30 less than or equal to the lesser of the following:

31 (a) Three-tenths of one percent on a dry weight basis.

32 (b) Four milligrams per serving and ten milligrams per  
33 container on a dryweight basis.

34 Sec. 3. Section 204.2, subsection 11, paragraph b,  
35 subparagraph (1), Code 2024, is amended to read as follows:

1       (1) (a) An item or part of an item with a maximum  
2 tetrahydrocannabinol concentration that exceeds three-tenths  
3 of one percent on a dry weight basis the maximum total  
4 tetrahydrocannabinol concentration allowed for a hemp product  
5 under section 124.204, subsection 7.

6       (b) An item or part of an item that is metabolized or  
7 is otherwise subject to a biotransformative process when  
8 introduced into the human body and that exceeds the maximum  
9 total tetrahydrocannabinol concentration allowed for a  
10 consumable hemp product.

11       Sec. 4. Section 204.7, subsection 8, paragraph a,  
12 subparagraph (3), Code 2024, is amended to read as follows:

13       (3) The consumable hemp product complies with packaging  
14 and labeling requirements, which shall be established by rules  
15 adopted by the department of health and human services by rule.  
16 Each container storing consumable hemp shall be affixed with  
17 a notice advising consumers regarding the risks associated  
18 with its use. The department of health and human services  
19 shall adopt rules regarding the language of the notice and its  
20 display on the container.

21       Sec. 5. Section 204.7, subsection 8, paragraph a, Code 2024,  
22 is amended by adding the following new subparagraph:

23       NEW SUBPARAGRAPH. (4) The consumable hemp product complies  
24 with restrictions upon the sale or other distribution of a  
25 consumable hemp product established by rules adopted by the  
26 department of health and human services.

27       Sec. 6. Section 204.7, subsection 8, Code 2024, is amended  
28 by adding the following new paragraph:

29       NEW PARAGRAPH. *Ob.* (1) A person is engaged in the retail  
30 sale of a consumable hemp product, if any of the following  
31 apply:

32       (a) The person offers to distribute a consumable hemp  
33 product to a consumer in exchange for consideration.

34       (b) The person is an owner of a business that distributes  
35 consumable hemp products to consumers in exchange for

1 consideration.

2 (c) The person is a business that distributes consumable  
3 hemp products to consumers in exchange for consideration and  
4 presents a consumable hemp product to a consumer in the form  
5 of a gift.

6 (2) A person, including a business, is engaged in the sale  
7 of a consumable hemp product regardless of whether the person  
8 is registered with the department of health and human services  
9 as provided in this section.

10 Sec. 7. Section 204.12, subsection 1, Code 2024, is amended  
11 to read as follows:

12 1. A Unless another civil penalty is otherwise provided in  
13 this chapter, a person who violates a provision of this chapter  
14 is subject to a civil penalty of not less than five hundred  
15 dollars and not more than two thousand five hundred dollars.  
16 The department shall impose, assess, and collect the civil  
17 penalty. Each day that a continuing violation occurs may be  
18 considered a separate offense.

19 Sec. 8. Section 204.14A, Code 2024, is amended by adding the  
20 following new subsections:

21 NEW SUBSECTION. 1A. A person shall not use, market, or  
22 distribute a raw or dried flower form of hemp for the purposes  
23 of inhalation as described in subsection 1, paragraph "b"  
24 or "c". Any raw or dried flower form of hemp marketed or  
25 distributed within this state shall contain the following  
26 notice on the raw or dried product container:

27 This is a raw or dried agricultural commodity not suitable or  
28 intended for human consumption in conjunction with Iowa Code  
29 section 204.14A, subsection 1, paragraph "b" or "c".

30 NEW SUBSECTION. 1B. A person required to be registered  
31 to manufacture or sell consumable hemp under section 204.7  
32 shall not manufacture, produce, distribute, market, or sell a  
33 synthetic consumable hemp product, as defined by rules adopted  
34 by the department of health and human services.

35 Sec. 9. Section 204.14A, subsection 2, Code 2024, is amended

1 to read as follows:

2 2. A person who violates ~~subsection 1~~ this section is guilty  
3 of a serious misdemeanor.

4 Sec. 10. NEW SECTION. **204.14B Sale of consumable hemp**  
5 **product — failure to register — civil penalty.**

6 1. A person engaged in the retail sale of a consumable  
7 hemp product in this state without being registered with the  
8 department of health and human services as required in section  
9 204.7 shall be subject to a civil penalty of not more than ten  
10 thousand dollars. The department of health and human services  
11 shall impose, assess, and collect the civil penalty. Each day  
12 that a continuing violation occurs may be considered a separate  
13 offense.

14 2. All civil penalties collected under this section shall be  
15 deposited into the general fund of the state.

16 3. A person in violation of this section is not also subject  
17 to a civil penalty as provided in section 204.12.

18 Sec. 11. NEW SECTION. **204.14C Sale of consumable hemp**  
19 **product — failure to register — criminal penalty.**

20 1. *a.* A person engaged in the retail sale of a consumable  
21 hemp product who is not registered with the department of  
22 health and human services as required in section 204.7 commits  
23 a serious misdemeanor.

24 *b.* A person engaged in the retail sale of an item advertised  
25 as a consumable hemp product that is not a consumable hemp  
26 product commits a serious misdemeanor.

27 2. This section shall be presumed not to be in conflict with  
28 or limit a prosecution for a violation of any other provision  
29 of law, including but not limited to chapter 124 or 21 U.S.C.  
30 ch. 13.

31 Sec. 12. NEW SECTION. **204.14D Persons under legal age —**  
32 **criminal offense.**

33 1. A person shall not sell, give, or otherwise distribute  
34 a consumable hemp product to a person under twenty-one years  
35 of age.

1       2. A person who violates subsection 1 is guilty of a simple  
2 misdemeanor.

3       Sec. 13. NEW SECTION. **204.14E Persons under legal age —**  
4 **scheduled violation and community service.**

5       1. A person under twenty-one years of age shall not consume,  
6 possess, purchase, or attempt to purchase a consumable hemp  
7 product.

8       2. A person who violates subsection 1 shall be subject to a  
9 scheduled violation in the form of a civil penalty pursuant to  
10 section 805.8C, subsection 3, paragraph "d".

11       3. In addition to the imposition of a civil penalty as  
12 provided in subsection 2, a person who violates subsection 1  
13 shall be subject to a court appearance as provided in section  
14 805.10. The court shall sentence the person to perform a  
15 specified number of hours of unpaid community service as deemed  
16 appropriate by the court subject to the following:

17       *a.* For a first violation, eight hours, unless waived by the  
18 court.

19       *b.* For a second offense, twelve hours.

20       *c.* For a third or subsequent offense, sixteen hours.

21       4. A person who violates this section is not subject to a  
22 civil penalty as provided in section 204.12.

23       5. A person does not violate subsection 1 by possessing  
24 a consumable hemp product if the person is employed by a  
25 registrant and the person is possessing the consumable hemp  
26 product as part of their employment.

27       Sec. 14. NEW SECTION. **204.14F Persons under legal age —**  
28 **exception — cooperation with department of public safety or**  
29 **local law enforcement agency.**

30       1. *a.* A person who would otherwise act to commit an offense  
31 under section 204.14D is not guilty of that offense if the  
32 person acts under the direction or consent of the department  
33 of public safety or a local law enforcement agency as part of  
34 an enforcement investigation.

35       *b.* A person who would otherwise act to commit a violation

1 under section 204.14E is not subject to that offense if the  
2 person acts under the direction or consent of the department  
3 of public safety or a local law enforcement agency as part of  
4 an enforcement investigation.

5 2. In enforcing this section, the department of public  
6 safety or a local law enforcement agency shall take all  
7 measures necessary to ensure that a consumable hemp product  
8 is not introduced into the body of a person under the age of  
9 twenty-one.

10 3. Notwithstanding chapter 22, any personal information  
11 identifying the person committing an offense or violation as  
12 described in this section shall be confidential.

13 Sec. 15. NEW SECTION. 204.15A **Hemp products — order of**  
14 **confiscation and disposal.**

15 1. The department of health and human services may order the  
16 confiscation and disposal of a hemp product based on any of the  
17 following:

18 a. It is falsely advertised, sold, or distributed as a  
19 consumable hemp product.

20 b. It exceeds the maximum tetrahydrocannabinol concentration  
21 allowed under section 124.204, subsection 7, or this chapter.

22 c. It is a consumable hemp product manufactured, sold,  
23 or distributed by a person who is not registered with the  
24 department of health and human services as is required in  
25 section 204.7.

26 2. The department of health and human services shall act  
27 in consultation with the department of public safety. The  
28 department of health and human services may request assistance  
29 from the department of public safety or a local law enforcement  
30 agency as necessary to carry out the provisions of this  
31 section. The department of health and human services, upon  
32 request, shall deliver any sample of the item to the department  
33 of public safety or a local law enforcement agency.

34 3. A person required to be registered with the department of  
35 health and human services as provided in section 204.7 shall

1 pay the department of health and human services all actual  
2 and reasonable costs of the destruction of the item. If that  
3 department assumes any amount of the costs, it may charge that  
4 amount to the person.

5 Sec. 16. Section 805.8C, subsection 3, Code 2024, is amended  
6 by adding the following new paragraph:

7 NEW PARAGRAPH. *d.* (1) For violations of section 204.14E,  
8 the scheduled fine is as follows:

9 (a) If the violation is a first offense, the scheduled fine  
10 is seventy dollars.

11 (b) If the violation is a second offense, the scheduled fine  
12 is one hundred thirty-five dollars.

13 (c) If the violation is a third or subsequent offense, the  
14 scheduled fine is three hundred twenty-five dollars.

15 (2) The fine shall be imposed as a civil penalty.

16 (3) The crime services surcharge under section 911.1 shall  
17 not be added to the penalty, and the court costs pursuant to  
18 section 805.9, subsection 6, shall not be imposed.

19 (4) Notwithstanding section 805.12, any civil penalty paid  
20 under this subsection shall be retained by the city or county  
21 enforcing the violation.

22 Sec. 17. Section 805.10, subsection 1, Code 2024, is amended  
23 by adding the following new paragraph:

24 NEW PARAGRAPH. *e.* When a violation charged involves the  
25 consumption, possession, purchase, or attempt to purchase of  
26 a consumable hemp product as provided in section 204.14E, for  
27 which there is a community service sentence.

28 DIVISION II

29 REGULATION OF ALCOHOLIC BEVERAGES

30 Sec. 18. Section 123.49, subsection 2, Code 2024, is amended  
31 by adding the following new paragraph:

32 NEW PARAGRAPH. *1.* Sell, give, or otherwise supply any  
33 alcoholic beverage containing tetrahydrocannabinol, including  
34 any isomers, derivatives, or analogs of tetrahydrocannabinol,  
35 whether naturally occurring or synthesized, to any person on

S-5116 (Continued)

1 the licensed premises.

2 Sec. 19. NEW SECTION. 123.49A Restriction on alcoholic  
3 beverages containing tetrahydrocannabinol.

4 A holder of a license, permit, or certificate of compliance  
5 issued by the department under this chapter shall not  
6 manufacture, import, or sell at wholesale in this state an  
7 alcoholic beverage containing tetrahydrocannabinol, including  
8 any isomers, derivatives, or analogs of tetrahydrocannabinol,  
9 whether naturally occurring or synthesized.>

By DAN DAWSON

S-5116 FILED APRIL 2, 2024

ADOPTED

SENATE FILE 2414

S-5118

- 1 Amend Senate File 2414 as follows:
- 2 1. Page 1, line 11, by striking <received> and inserting  
3 <filed a claim for>
- 4 2. Page 1, line 11, after <account> by inserting <, and that  
5 claim has been approved by the department,>
- 6 3. Page 2, by striking lines 20 through 24.
- 7 4. Page 2, line 25, by striking <3.> and inserting <2.>
- 8 5. Page 2, line 32, by striking <4.> and inserting <3.>
- 9 6. Page 2, line 35, by striking <5.> and inserting <4.>
- 10 7. Page 3, line 5, by striking <6.> and inserting <5.>
- 11 8. Page 3, line 9, by striking <7.> and inserting <6.>
- 12 9. Page 3, line 12, by striking <account> and inserting  
13 <moneys in the account transferred pursuant to this Act>
- 14 10. Page 3, line 21, by striking <sites.> and inserting  
15 <purposes described in section 455E.11, subsection 2, paragraph  
16 "d", subparagraph (1A), subparagraph division (c).>
- 17 11. Page 7, by striking lines 29 through 35.
- 18 12. Page 10, line 3, by striking <this purpose,> and  
19 inserting <the purposes described in this subparagraph  
20 division,>
- 21 13. Page 12, line 34, after <date of> by inserting  
22 <divisions I and II of>
- 23 14. Page 13, by striking lines 11 through 17 and inserting:  
24 <3. Any remaining liabilities, contracts, outstanding  
25 claims, payments, or other obligations for open claims from  
26 the comprehensive petroleum underground storage tank fund  
27 existing on or before the effective date of divisions I and II  
28 of this Act shall continue in full force and effect under the  
29 jurisdiction of the department of natural resources. A claim  
30 for a release filed on or after the effective date of divisions  
31 I and II of this Act shall not be eligible>
- 32 15. Page 13, line 21, by striking <this Act prior to July  
33 1, 2024,> and inserting <subsections 2 and 3 prior to the  
34 effective date of divisions I and II of this Act,>

S-5118 (Continued)

By ANNETTE SWEENEY

S-5118 FILED APRIL 2, 2024

HOUSE FILE 2487

S-5115

1 Amend House File 2487, as amended, passed, and reprinted by  
2 the House, as follows:

3 1. Page 1, line 9, by striking <romantic> and inserting  
4 <sexual>

5 2. Page 1, line 32, by striking <romantic> and inserting  
6 <~~romantic~~ sexual>

7 3. Page 2, line 2, after <employee;> by inserting <being  
8 on school premises or at a school-sponsored activity involving  
9 students while under the influence of, possessing, using, or  
10 consuming illegal drugs, unauthorized drugs, or alcohol;>

11 4. Page 2, by striking lines 17 through 23 and inserting:  
12 <a. *"Grooming behavior"* means any behavior, which in light  
13 of all relevant circumstances, constitutes actions to entice  
14 or entrap a student or students with the intent to make such  
15 student or students engage in a sex act.

16 b. *"Inappropriate relationship"* means any of the following:

17 (1) An unprofessional relationship for an educator to have  
18 with a student.

19 (2) A sexual relationship.

20 (3) A relationship in which sexual harassment or any form of  
21 physical or sexual abuse occurs.

22 (4) A relationship that is not in compliance with generally  
23 accepted educational practices.>

By CHRIS COURNOYER

S-5115 FILED APRIL 2, 2024

ADOPTED