

CHAPTER 92

EMPLOYMENT APPEAL BOARD — CONTESTED CASES — LIABILITY FOR UNEMPLOYMENT BENEFITS

H.F. 441

AN ACT concerning the functions of the employment appeal board; the workers' compensation commissioner; and the department of inspections, appeals, and licensing relating to contested cases, judicial review, and liability.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. [Section 10A.601, subsections 1 and 7](#), Code 2025, are amended to read as follows:

1. A full-time employment appeal board is created within the department of inspections, appeals, and licensing to hear and decide contested cases under [section 70A.28, chapter 8A, subchapter IV](#), and chapters [20, 80, 88, 91C, 96](#), and [97B](#). In addition, the employment appeal board has those powers and responsibilities assigned to it by [chapter 20](#).

7. An application for rehearing before the appeal board shall be filed pursuant to [section 17A.16](#), unless otherwise provided in [section 70A.28, chapter 8A, subchapter IV](#), or chapter [20, 80, 88, 91C, 96](#), or [97B](#). A petition for judicial review of a decision of the appeal board shall be filed pursuant to [section 17A.19](#). The appeal board may be represented in any such judicial review by an attorney who is a regular salaried employee of the appeal board or who has been designated by the appeal board for that purpose, or at the appeal board's request, by the attorney general. Notwithstanding the petitioner's residency requirement in [section 17A.19, subsection 2](#), a petition for judicial review may be filed in the district court of the county in which the petitioner was last employed or resides, provided that if the petitioner does not reside in this state, the action shall be brought in the district court of Polk county, Iowa, and any other party to the proceeding before the appeal board shall be named in the petition. Notwithstanding the thirty-day requirement in [section 17A.19, subsection 6](#), the appeal board shall, within sixty days after filing of the petition for judicial review or within a longer period of time allowed by the court, transmit to the reviewing court the original or a certified copy of the entire records of a contested case. The appeal board may also certify to the court, questions of law involved in any decision by the appeal board. Petitions for judicial review and the questions so certified shall be given precedence over all other civil cases except cases arising under the workers' compensation law of this state. No bond shall be required for entering an appeal from any final order, judgment, or decree of the district court to the supreme court.

Sec. 2. [Section 17A.19, subsection 4](#), unnumbered paragraph 1, Code 2025, is amended to read as follows:

The petition for review shall name the agency as respondent ~~and~~, except as provided in sections 10A.324 and 20.34. All petitions for review shall contain a concise statement of:

Sec. 3. [Section 96.18](#), Code 2025, is amended to read as follows:

96.18 Nonliability of state.

Benefits shall be deemed to be due and payable under [this chapter](#) only to the extent provided in [this chapter](#) and to the extent that moneys are available therefor to the credit of the unemployment compensation fund, ~~and neither the~~. The state; nor the department; the department of inspections, appeals, and licensing; and the employment appeal board shall not be liable for any amount in excess of such sums.

Approved May 19, 2025