

House File 2589

H-8399

1 Amend the amendment, H-8386, to House File 2589, as follows:

2 1. By striking page 1, line 1, through page 6, line 27, and
3 inserting:

4 <Amend House File 2589 as follows:

5 1. By striking everything after the enacting clause and
6 inserting:

7 <DIVISION I

8 STANDING APPROPRIATIONS AND RELATED MATTERS

9 Section 1. LIMITATIONS OF STANDING APPROPRIATIONS — FY
10 2022-2023. Notwithstanding the standing appropriation in the
11 following designated section for the fiscal year beginning July
12 1, 2022, and ending June 30, 2023, the amount appropriated from
13 the general fund of the state pursuant to that section for the
14 following designated purpose shall not exceed the following
15 amount:

16 For payment of claims for nonpublic school pupil
17 transportation under [section 285.2](#):

18 \$ 8,997,091

19 If total approved claims for reimbursement for nonpublic
20 school pupil transportation exceed the amount appropriated in
21 accordance with this section, the department of education shall
22 prorate the amount of each approved claim.

23 Sec. 2. INSTRUCTIONAL SUPPORT STATE AID — FY 2022-2023. In
24 lieu of the appropriation provided in section 257.20,
25 subsection 2, the appropriation for the fiscal year
26 beginning July 1, 2022, and ending June 30, 2023, for paying
27 instructional support state aid under [section 257.20](#) for the
28 fiscal year is zero.

29 Sec. 3. SPECIAL FUNDS — SALARY ADJUSTMENTS —
30 UNAPPROPRIATED MONEYS — FY 2022-2023. For the fiscal year
31 beginning July 1, 2022, and ending June 30, 2023, salary
32 adjustments otherwise provided may be funded as determined
33 by the department of management, subject to any applicable
34 constitutional limitation, using unappropriated moneys
35 remaining in the department of commerce revolving fund, the

1 gaming enforcement revolving fund, the gaming regulatory
2 revolving fund, the primary road fund, the road use tax
3 fund, the fish and game protection fund, and the Iowa public
4 employees' retirement fund, and in other departmental
5 revolving, trust, or special funds for which the general
6 assembly has not made an operating budget appropriation.

7 DIVISION II

8 CORRECTIVE PROVISIONS

9 Sec. 4. Section 45.1, subsection 7, paragraph a, Code 2022,
10 as amended by 2022 Iowa Acts, House File 2466, section 3, is
11 amended to read as follows:

12 a. For a supervisor district with a population of greater
13 than fifteen thousand but ~~fewer~~ no more than fifty thousand
14 according to the most recent federal decennial census,
15 nomination petitions shall include at least fifty signatures.

16 Sec. 5. Section 80E.2, subsection 2, Code 2022, as amended
17 by 2022 Iowa Acts, House File 2367, section 2, is amended to
18 read as follows:

19 2. The prosecuting attorney, certified alcohol and drug
20 counselor, certified substance abuse prevention specialist,
21 substance use disorder treatment program director, member
22 representing the Iowa peace officers association, member
23 representing the Iowa state police association, the
24 member representing the Iowa state sheriffs' and deputies'
25 association, and the member ~~representing the Iowa police chiefs~~
26 ~~association~~ who is a police chief shall be appointed by the
27 governor, subject to senate confirmation, for four-year terms
28 beginning and ending as provided in [section 69.19](#). A vacancy
29 on the council shall be filled for the unexpired term in the
30 same manner as the original appointment was made.

31 Sec. 6. Section 124.204, subsection 2, paragraph c1, as
32 enacted by 2022 Iowa Acts, House File 2201, section 1, is
33 amended to read as follows:

34 c1. N-(1-phenethylpiperidin-4-yl)
35 -N-phenylcyclopentanecarboxamide. Other name: ~~cyclopentanyl~~

1 cyclopentyl fentanyl.

2 Sec. 7. Section 147.77, subsection 1, paragraph 1, as
3 enacted by 2022 Iowa Acts, House File 803, section 51, is
4 amended to read as follows:

5 1. The department of public safety, with respect to rules
6 relating to permits to carry weapons, that a person who is
7 an unlawful user of or addicted to any controlled substance
8 includes any person who is a current user of a controlled
9 substance in a manner other than as prescribed by a licensed
10 physician.

11 Sec. 8. Section 147.77, subsection 1, paragraph p,
12 subparagraph (3), as enacted by 2022 Iowa Acts, House File 803,
13 section 51, is amended to read as follows:

14 (3) For applications for a license to practice asbestos
15 removal, that except as noted in rule, only worker and
16 contractor/supervisor license applicants must submit a the
17 respiratory protection and physician's certification forms.

18 Sec. 9. Section 249A.42A, subsection 2, as enacted by 2022
19 Iowa Acts, House File 736, section 1, is amended to read as
20 follows:

21 2. The provider documented the eligibility verification
22 performed and any necessary prior authorization obtained
23 pursuant to ~~paragraph "a"~~ subsection 1 in a manner and format
24 established by the department by rule, and retained the
25 required documentation in the recipient's file.

26 Sec. 10. Section 261.116, subsection 7, Code 2022, as
27 amended by 2022 Iowa Acts, Senate File 2383, section 16, if
28 enacted, is amended to read as follows:

29 6. *Health care award fund.* A health care award fund is
30 created for deposit of moneys appropriated to or received by
31 the commission for use under the program. Notwithstanding
32 section 8.33, moneys deposited in the health care award
33 fund shall not revert to any fund of the state at the
34 end of any fiscal year but shall remain in the award fund
35 and be continuously available for use under the program.

1 Notwithstanding [section 12C.7, subsection 2](#), interest or
2 earnings on moneys deposited in the health care award fund
3 shall be credited to the fund.

4 Sec. 11. Section 441.1, subsection 3, paragraph d, as
5 enacted by 2022 Iowa Acts, Senate File 384, section 1, is
6 amended to read as follows:

7 *d.* The provisions of chapter 28E are applicable to this
8 ~~section~~ subsection.

9 Sec. 12. Section 600.5, subsection 9A, if enacted by 2022
10 Iowa Acts, House File 2252, section 6, is amended to read as
11 follows:

12 9A. If the parents of the person to be adopted had their
13 parental rights terminated pursuant to chapter 232, the
14 petition shall ~~included~~ include the names of any known siblings
15 placed separately from the person to be adopted and either the
16 plan for ongoing contact between the siblings if a court found
17 that continued contact is in the best interest of each sibling
18 or a statement that the court found continued contact between
19 the siblings is not in the best interest of each sibling.

20 Sec. 13. 2022 Iowa Acts, House File 2200, section 3, is
21 amended to read as follows:

22 SEC. 3. APPLICABILITY. This Act applies to direct health
23 care agreements that are fully executed on or after the
24 effective date of enactment ~~this Act~~.

25 Sec. 14. 2022 Iowa Acts, House File 2201, section 7, is
26 amended by striking the section and inserting in lieu thereof
27 the following:

28 SEC. 7. Section 124.206, subsection 2, paragraph a,
29 unnumbered paragraph 1, Code 2022, is amended by striking
30 the unnumbered paragraph and inserting in lieu thereof the
31 following:

32 Opium and opiate, and any salt, compound, derivative,
33 or preparation of opium or opiate excluding apomorphine,
34 thebaine-derived butorphanol, dextrorphan, nalbuphine,
35 naldemedine, nalmefene, naloxegol, naloxone, 6beta-naltrexol,

1 naltrexone, and samidorphan, and their respective salts, but
2 including the following:

3 Sec. 15. 2022 Iowa Acts, Senate File 2295, section 184, is
4 amended by striking the section and inserting in lieu thereof
5 the following:

6 SEC. 184. 2020 Iowa Acts, chapter 1064, sections 17 and
7 18, are amended by striking the sections and inserting in lieu
8 thereof the following:

9 SEC. 17. [Section 422.12D, subsection 2](#), Code 2022, is
10 amended to read as follows:

11 2. The director of revenue shall draft the income tax form
12 to allow the designation of contributions to the veterans trust
13 fund and to the volunteer fire fighter preparedness fund as
14 one checkoff on the tax return. The department of revenue,
15 on or before January 31, shall transfer one-half of the total
16 amount designated on the tax return forms due in the preceding
17 calendar year to the veterans trust fund and the remaining
18 one-half to the volunteer fire fighter preparedness fund.
19 However, before a checkoff pursuant to [this section](#) shall be
20 permitted, all liabilities on the books of the department of
21 ~~administrative services~~ and accounts identified as owing under
22 section ~~8A.504~~ [421.65](#) shall be satisfied.

23 SEC. 18. [Section 422.12L, subsection 2](#), Code 2022, is
24 amended to read as follows:

25 2. The director of revenue shall draft the income tax form
26 to allow the designation of contributions to the foundation
27 fund on the tax return. The department, on or before January
28 31, shall transfer the total amount designated on the tax
29 form due in the preceding year to the foundation fund.
30 However, before a checkoff pursuant to [this section](#) shall be
31 permitted, all liabilities on the books of the department of
32 ~~administrative services~~ and accounts identified as owing under
33 section ~~8A.504~~ [421.65](#) shall be satisfied.

34 Sec. 16. CONTINGENT REPEAL. 2022 Iowa Acts, House File
35 2581, section 13, if enacted, is repealed.

1 one fifty-dollar prepaid bank, debit, or gift card to every
2 individual who both holds a valid Iowa driver's license and
3 is the registered owner of a motor vehicle that is registered
4 in Iowa for the current registration year if the mean average
5 price for one gallon of ethanol blended gasoline classified
6 as E-10 sold in Iowa reaches or exceeds three dollars and
7 seventy-five cents during a month, as certified by the
8 department. An individual shall not be issued more than one
9 card under this section, regardless of the number of vehicles
10 the individual has registered.

11 (2) The department shall issue a card to every eligible
12 individual no later than thirty days after the month in which
13 the mean average price for one gallon of ethanol blended
14 gasoline classified as E-10 sold in Iowa reaches or exceeds
15 three dollars and seventy-five cents, as certified by the
16 department, or thirty days after the effective date of this
17 division of this Act if the mean average price for one gallon
18 of ethanol blended gasoline classified as E-10 sold in Iowa
19 reached or exceeded three dollars and seventy-five cents for
20 the month prior to the effective date of this Act.

21 b. Notwithstanding section 8.57G, subsection 2, for
22 the fiscal year beginning July 1, 2021, and ending June 30,
23 2022, there is appropriated from the Iowa coronavirus fiscal
24 recovery fund created in section 8.57G to the department of
25 transportation an amount necessary to issue prepaid bank,
26 debit, or gift cards to every eligible person under this
27 section, or the balance of the Iowa coronavirus fiscal recovery
28 fund, whichever is lower.

29 c. Notwithstanding section 8.33, moneys appropriated in
30 this section that remain unencumbered or unobligated at the
31 close of the fiscal year shall not revert but shall remain
32 available for expenditure for the purposes designated until the
33 close of the fiscal year that begins July 1, 2024.

34 2. A person who is issued a prepaid bank, debit, or gift
35 card under this section shall use the prepaid card only to

1 purchase motor fuel in Iowa.

2 3. This section is repealed on the earliest of the
3 following:

4 a. The day after the department of transportation issues
5 a fifty-dollar prepaid bank, debit, or gift card to the last
6 eligible individual.

7 b. The date all moneys in the Iowa coronavirus fiscal
8 recovery fund have been expended.

9 c. July 1, 2025.

10 Sec. 22. EFFECTIVE DATE. This division of this Act, being
11 deemed of immediate importance, takes effect upon enactment.

12 DIVISION IV

13 SALES TAX EXEMPTIONS

14 Sec. 23. Section 423.3, Code 2022, is amended by adding the
15 following new subsection:

16 NEW SUBSECTION. 108. The sales price from the sale of human
17 breastfeeding equipment.

18 DIVISION V

19 SALES TAX HOLIDAY

20 Sec. 24. Section 423.3, subsection 68, paragraph a, Code
21 2022, is amended to read as follows:

22 a. (1) The sales price from the sale of ~~an article of~~
23 clothing all of the following:

24 (a) Clothing designed to be worn on or about the human body
25 if all of the following apply:

26 (b) Emergency preparedness supplies.

27 (2) This subsection applies under all of the following
28 circumstances:

29 ~~{1}~~ (a) The sales price of the article is less than one
30 hundred dollars, except for the sales price of tie-down kits,
31 portable generators, transfer switches, and inverters which may
32 equal or exceed one hundred dollars up to a maximum sales price
33 of five thousand dollars.

34 ~~{2}~~ (b) The sale takes place during a period beginning at
35 12:01 a.m. on the first Friday in August and ending at midnight

1 on the following ~~Saturday~~ Sunday.

2 Sec. 25. Section 423.3, subsection 68, paragraph c,
3 subparagraph (1), unnumbered paragraph 1, Code 2022, is amended
4 to read as follows:

5 "*Clothing*" means ~~all~~ an article of human wearing apparel
6 suitable for general use.

7 Sec. 26. Section 423.3, subsection 68, paragraph c, Code
8 2022, is amended by adding the following new subparagraph:

9 NEW SUBPARAGRAPH. (03) "*Emergency preparedness supplies*"
10 means a collection of basic household items purchased by
11 individuals or families for household use in the event of an
12 emergency. "*Emergency preparedness supplies*" includes but is
13 not limited to batteries, artificial ice packs, portable light
14 sources, portable radios, tarps and plastic drop cloths, bungee
15 cords, ropes, paracords, ground anchor systems, tie-down kits,
16 ratchet straps, duct tape, smoke detectors, carbon monoxide
17 detectors, fire extinguishers, gas containers, water storage
18 containers, nonelectric food storage containers, bottled
19 water, manual can openers, hand-held electronic communication
20 device chargers, first aid kits, emergency ladders, transfer
21 switches, inverters, and inverter power cables, and no more
22 than one portable or permanent generator per household per
23 the time period described in paragraph "a", subparagraph (2),
24 subparagraph division (b).

25 DIVISION VI

26 GROCERY TAX CREDIT

27 Sec. 27. NEW SECTION. 422.120 Grocery tax credit.

28 1. The taxes imposed under this subchapter less the credits
29 allowed under section 422.12 shall be reduced by a grocery tax
30 credit equal to five hundred dollars in order to alleviate food
31 insecurity in this state.

32 2. A taxpayer is entitled to the credit if the taxpayer has
33 an income level at or below two hundred percent of the United
34 States poverty level as defined by the most recently revised
35 poverty income guidelines published by the United States

1 department of health and human services.

2 3. Any credit in excess of tax liability is refundable.

3 4. Married taxpayers electing to file separate returns may
4 avail themselves of the grocery tax credit by allocating the
5 grocery tax credit to each spouse in the proportion that each
6 spouse's respective earned income bears to the total combined
7 earned income. Taxpayers affected by the allocation provisions
8 of section 422.8 shall be permitted a deduction for the credit
9 only in the amount fairly and equitably allocable to Iowa under
10 rules prescribed by the director.

11 Sec. 28. RETROACTIVE APPLICABILITY. This division of this
12 Act applies retroactively to January 1, 2022, for tax years
13 beginning on or after that date.

14 DIVISION VII

15 CAMPAIGN FINANCE

16 Sec. 29. Section 68A.102, subsection 10, paragraph a,
17 subparagraph (2), Code 2022, is amended to read as follows:

18 (2) The payment, by any person other than a candidate or
19 political committee who receives the service, of compensation
20 for the personal services of another person which are rendered
21 to a candidate or political committee for any such purpose.

22 Sec. 30. Section 68A.102, subsection 10, paragraph a, Code
23 2022, is amended by adding the following new subparagraph:

24 NEW SUBPARAGRAPH. (3) A coordinated expenditure if the
25 expenditure must be reported pursuant to subchapter IV.

26 Sec. 31. Section 68A.102, subsections 14 and 18, Code 2022,
27 are amended to read as follows:

28 14. a. "*Express advocacy*" or to "*expressly advocate*" means
29 communication that can be characterized according to at least
30 one of the following descriptions:

31 ~~a.~~ (1) The communication is political speech made in the
32 form of a contribution.

33 ~~b.~~ (2) In advocating the election or defeat of one or more
34 clearly identified candidates or the passage or defeat of one
35 or more clearly identified ballot issues, the communication

1 includes explicit words that unambiguously indicate that the
2 communication is recommending or supporting a particular
3 outcome in the election with regard to any clearly identified
4 candidate or ballot issue.

5 b. "Express advocacy" or "expressly advocate" does not mean
6 a communication that can be characterized according to one or
7 more of the following descriptions:

8 (1) The communication encourages individuals to register
9 to vote or to vote, provided that the communication does not
10 mention or depict a candidate or ballot issue.

11 (2) The communication does not support or oppose a candidate
12 or ballot issue.

13 (3) The communication is a bona fide news story, commentary,
14 blog, or editorial distributed through the facilities of any
15 broadcasting station, newspaper, magazine, internet site, or
16 other periodical publication of general circulation.

17 (4) The communication is by a membership organization or
18 corporation to its members, stockholders, or employees.

19 (5) The board determines by rule that the communication is
20 not express advocacy.

21 18. "Political committee" means any of the following:

22 a. A committee, but not a candidate's committee, that
23 accepts contributions in excess of ~~one thousand~~ two hundred
24 fifty dollars in the aggregate, makes expenditures in excess
25 of ~~one thousand~~ two hundred fifty dollars in the aggregate, or
26 incurs indebtedness in excess of ~~one thousand~~ two hundred fifty
27 dollars in the aggregate in any one calendar year to expressly
28 advocate the nomination, election, or defeat of a candidate
29 for public office, make an electioneering communication, or to
30 expressly advocate the passage or defeat of a ballot issue.

31 b. An association, lodge, society, cooperative, union,
32 fraternity, sorority, educational institution, civic
33 organization, labor organization, religious organization, or
34 professional organization that accepts contributions in excess
35 of ~~one thousand~~ two hundred fifty dollars in the aggregate,

1 makes expenditures in excess of ~~one thousand~~ two hundred fifty
2 dollars in the aggregate, or incurs indebtedness in excess of
3 ~~one thousand~~ two hundred fifty dollars in the aggregate in
4 any one calendar year to expressly advocate the nomination,
5 election, or defeat of a candidate for public office, make an
6 electioneering communication, or to expressly advocate the
7 passage or defeat of a ballot issue.

8 c. A person, other than an individual, that accepts
9 contributions in excess of ~~one thousand~~ two hundred fifty
10 dollars in the aggregate, makes expenditures in excess of
11 ~~one thousand~~ two hundred fifty dollars in the aggregate, or
12 incurs indebtedness in excess of ~~one thousand~~ two hundred fifty
13 dollars in the aggregate in any one calendar year to expressly
14 advocate that an individual should or should not seek election
15 to a public office prior to the individual becoming a candidate
16 as defined in [subsection 4](#).

17 Sec. 32. Section 68A.102, Code 2022, is amended by adding
18 the following new subsections:

19 NEW SUBSECTION. 8A. "*Communication*" means any of the
20 following:

21 a. A paid advertisement broadcast over radio, television,
22 cable, or satellite.

23 b. The paid placement of content on the internet or other
24 electronic communication network.

25 c. A paid advertisement published in a newspaper or
26 periodical or on a billboard.

27 d. A mailing.

28 e. A printed material.

29 NEW SUBSECTION. 10A. "*Coordinated expenditure*" means
30 an expenditure made in cooperation with, in consultation
31 with, at the request of, or with the express prior consent
32 of a candidate or committee receiving the benefit of the
33 expenditure.

34 NEW SUBSECTION. 13A. a. "*Electioneering communication*"
35 means a paid communication that is publicly distributed by

1 radio, television, cable, satellite, internet site, newspaper,
2 periodical, billboard, mail, electronic mail, or any other
3 distribution of materials, that is made within sixty days of
4 the initiation of voting in an election that does not support
5 or oppose a candidate or ballot issue, that can be received
6 by more than one hundred persons, and that does any of the
7 following:

8 (1) Refers to one or more clearly identified candidates in
9 that election.

10 (2) Depicts the name, image, likeness, or voice of a clearly
11 identified candidate in that election.

12 (3) Refers to a political party, ballot issue, or a question
13 submitted to the voters in that election.

14 *b. "Electioneering communication"* does not include any of
15 the following:

16 (1) A bona fide news story, commentary, blog, or editorial
17 distributed through the facilities of any broadcasting station,
18 newspaper, magazine, internet site, or other periodical
19 publication of general circulation.

20 (2) A communication by a membership organization or
21 corporation to its members, stockholders, or employees.

22 (3) A commercial communication that depicts a candidate's
23 name, image, likeness, or voice only in the candidate's
24 capacity as owner, operator, or employee of a business that
25 existed prior to the organization of a candidate's committee by
26 the candidate pursuant to section 68A.202.

27 (4) A communication that constitutes a candidate debate or
28 forum or that solely promotes a candidate debate or forum and
29 is made by or on behalf of the person sponsoring the debate or
30 forum.

31 (5) A communication that the board determines by rule is not
32 an electioneering communication.

33 Sec. 33. Section 68A.402, subsection 9, Code 2022, is
34 amended to read as follows:

35 9. *a. Permanent organizations.* A permanent organization

1 temporarily engaging in activity described in section 68A.102,
2 subsection 18, shall organize a political committee and shall
3 keep the funds relating to that political activity segregated
4 from its operating funds. The political committee shall file
5 reports on the appropriate due dates as required by this
6 section.

7 b. The reports filed under this subsection shall identify
8 the all of the following:

9 (1) The source of the original funds used for a contribution
10 made to a candidate or a committee organized under this
11 chapter.

12 (2) The aggregate amount of contributions made by each
13 person.

14 (3) Each loan received from any person during the reporting
15 period.

16 (4) The amount and nature of debts and obligations owed to
17 the committee.

18 (5) Proceeds that total less than thirty-five dollars
19 per person from mass collections made at fund-raising events
20 sponsored by the committee.

21 (6) The total sum of contributions received by the committee
22 for a specified candidate or committee.

23 (7) The full name, mailing address, occupation, and
24 principal place of business, if any, of each person or
25 committee to whom an expenditure has been made during the
26 reporting period, including the amount, date, and purpose of
27 each expenditure and the total amount of expenditures to each
28 person or committee.

29 (8) The full name, mailing address, occupation, and
30 principal place of business, if any, of each person to whom an
31 expenditure for personal services, salaries, and reimbursement
32 of expenses has been made, including the amount, date,
33 and purpose of that expenditure, and the total amount of
34 expenditures made to each person.

35 (9) The total sum of expenditures made during the reporting

1 period.

2 (10) The full name, mailing address, occupation, and
3 principal place of business, if any, of any person to whom a
4 loan was made, and the full name, mailing address, occupation,
5 and principal place of business, if any, of any endorsers, and
6 the date and amount of each loan.

7 (11) The amount and nature of debts and obligations owed by
8 the committee.

9 (12) Other information as may be required by the board by
10 rule.

11 (13) For reports of expenditures made to a consultant,
12 advertising agency, polling firm, or other person that performs
13 services for the committee, the report shall be itemized
14 and described in sufficient detail to disclose the specific
15 services performed by the entity.

16 c. When the permanent organization ceases to be involved
17 in the political activity, the permanent organization shall
18 dissolve the political committee.

19 d. As used in [this subsection](#), "*permanent organization*"
20 means an organization that is continuing, stable, and enduring,
21 and was originally organized for purposes other than engaging
22 in election activities.

23 Sec. 34. Section 68A.402A, subsection 1, paragraphs f and g,
24 Code 2022, are amended to read as follows:

25 f. The name and mailing address of each person and committee
26 to whom disbursements, payments for personal services,
27 salaries, reimbursement for expenses, or loan repayments
28 have been made by the committee from contributions during
29 the reporting period and the amount, purpose, and date of
30 each disbursement except that disbursements of less than five
31 dollars may be shown as miscellaneous disbursements so long as
32 the aggregate miscellaneous disbursements to any one person
33 during a calendar year do not exceed one hundred dollars.
34 Reports of disbursements under this paragraph must be itemized
35 and sufficiently detailed to disclose the specific services

1 performed by the person to whom a disbursement was made.

2 g. Disbursements made to a consultant, advertising agency,
3 or polling firm and disbursements made by the consultant,
4 advertising agency, or polling firm during the reporting
5 period disclosing the name and address of the recipient,
6 amount, purpose, and date. Reports of disbursements under
7 this paragraph must be itemized and sufficiently detailed to
8 disclose the specific services performed by the entity to whom
9 a disbursement was made.

10 Sec. 35. Section 68A.402A, subsection 1, Code 2022, is
11 amended by adding the following new paragraph:

12 NEW PARAGRAPH. 1. The total sum of disbursements made.

13 Sec. 36. **NEW SECTION. 68A.404A Electioneering**
14 **communications — reports.**

15 1. A person making an electioneering communication shall
16 file a report with the board, including a description of the
17 communication, how the communication was distributed, and
18 the amount of any expenditure made on the electioneering
19 communication, except that a person spending less than two
20 hundred fifty dollars on electioneering communications in a
21 taxable year shall not be required to file a report.

22 2. The board shall adopt rules for the form and schedule of
23 reports filed under this section.

24 Sec. 37. Section 68A.405, subsection 1, paragraphs b, c, d,
25 e, f, g, and h, Code 2022, are amended to read as follows:

26 *b.* (1) Except as set out in [subsection 2](#), published
27 material designed to expressly advocate the nomination,
28 election, or defeat of a candidate for public office or
29 the passage or defeat of a ballot issue and electioneering
30 communications shall include on the published material
31 or electioneering communication an attribution statement
32 disclosing who is responsible for the published material or
33 electioneering communication.

34 (2) The person who is responsible for the published material
35 or electioneering communication has the sole responsibility

1 and liability for the attribution statement required by this
2 section.

3 *c.* If the person paying for the published material or
4 electioneering communication is an individual, the words "paid
5 for by" and the name and address of the person shall appear on
6 the published material or electioneering communication.

7 *d.* If more than one individual is responsible, the words
8 "paid for by", the names of the individuals, and either
9 the addresses of the individuals or a statement that the
10 addresses of the individuals are on file with the Iowa ethics
11 and campaign disclosure board shall appear on the published
12 material or electioneering communication.

13 *e.* If the person responsible is an organization, the words
14 "paid for by", the name and address of the organization, and
15 the name of one officer of the organization shall appear on the
16 published material or electioneering communication.

17 *f.* If the person responsible is a corporation, the words
18 "paid for by", the name and address of the corporation, and the
19 name and title of the corporation's chief executive officer
20 shall appear on the published material or electioneering
21 communication.

22 *g.* If the person responsible is a committee that has filed
23 a statement of organization pursuant to [section 68A.201](#), the
24 words "paid for by" and the name of the committee shall appear
25 on the published material or electioneering communication.

26 *h.* If the published material or electioneering communication
27 is the result of an independent expenditure subject to section
28 68A.404, the published material or electioneering communication
29 shall include a statement that the published material or
30 electioneering communication was not authorized by any
31 candidate, candidate's committee, or ballot issue committee.

32 Sec. 38. Section 68A.405, subsection 2, paragraph d, Code
33 2022, is amended to read as follows:

34 *d.* Any published material or electioneering communication
35 that is subject to federal regulations regarding an attribution

1 requirement.

2 Sec. 39. Section 68A.405, subsection 4, Code 2022, is
3 amended to read as follows:

4 4. The board shall adopt rules relating to the placing of an
5 attribution statement on published materials and electioneering
6 communication.

7 DIVISION VIII

8 WEATHERIZATION ASSISTANCE

9 Sec. 40. Section 476.6, subsection 15, paragraph a,
10 subparagraph (1), subparagraph division (a), Code 2022, is
11 amended to read as follows:

12 (a) Electric utilities required to be rate-regulated under
13 this chapter shall file five-year energy efficiency plans
14 and demand response plans with the board. Gas utilities
15 required to be rate-regulated under **this chapter** shall file
16 five-year energy efficiency plans with the board. An energy
17 efficiency plan and budget or a demand response plan and budget
18 shall include a range of energy efficiency or demand response
19 programs, tailored to the needs of all customer classes,
20 including residential, commercial, and industrial customers,
21 for energy efficiency opportunities. The plans shall
22 include programs for qualified low-income persons including a
23 cooperative program with any community action agency within the
24 utility's service area to implement countywide or communitywide
25 energy efficiency programs for qualified low-income persons.
26 Energy efficiency plans filed by rate-regulated gas and
27 electric utilities shall include weatherization assistance
28 programs for qualified low-income persons, which programs shall
29 be funded by the gas or electric utility in an amount no less
30 than the amount used to fund such programs pursuant to the
31 gas or electric utility's five-year energy efficiency plan in
32 effect as of July 1, 2022. Rate-regulated gas and electric
33 utilities shall utilize Iowa agencies and Iowa contractors to
34 the maximum extent cost-effective in their energy efficiency
35 plans or demand response plans filed with the board.

1 Sec. 41. Section 476.6, subsection 15, paragraph c,
2 subparagraph (2), Code 2022, is amended to read as follows:

3 (2) (a) Notwithstanding the goals developed pursuant
4 to paragraph "b", the board shall not require or allow a gas
5 utility to adopt an energy efficiency plan that results in
6 projected cumulative average annual costs that exceed one
7 and one-half percent of the gas utility's expected annual
8 Iowa retail rate revenue from retail customers in the state,
9 shall not require or allow an electric utility to adopt an
10 energy efficiency plan that results in projected cumulative
11 average annual costs that exceed two percent of the electric
12 utility's expected annual Iowa retail rate revenue from retail
13 customers in the state, and shall not require or allow an
14 electric utility to adopt a demand response plan that results
15 in projected cumulative average annual costs that exceed two
16 percent of the electric utility's expected annual Iowa retail
17 rate revenue from retail customers in the state.

18 (b) For purposes of determining the one and one-half or two
19 percent threshold amount, the board shall exclude all of the
20 following from an a gas or electric utility's expected annual
21 Iowa retail rate revenue ~~the~~:

22 (i) The revenues expected from customers that have received
23 exemptions from energy efficiency plans pursuant to paragraph
24 "a".

25 (ii) The costs of providing weatherization assistance
26 programs for qualified low-income persons, as required in
27 paragraph "a", subparagraph (1), subparagraph division (a).

28 (c) This subparagraph shall apply to energy efficiency
29 plans and demand response plans that are effective on or after
30 January 1, ~~2019~~ 2022.

31 Sec. 42. RETROACTIVE APPLICABILITY. This division of
32 this Act applies retroactively to January 1, 2022, for energy
33 efficiency plans that are effective on or after January 1,
34 2022.

35

DIVISION IX

1 USE OF PRIMARY ROAD FUND MONEYS

2 Sec. 43. Section 313.4, subsection 1, paragraph c, Code
3 2022, is amended by striking the paragraph.

4 DIVISION X

5 MEDICAID EXTENDED POSTPARTUM COVERAGE OPTION — APPROPRIATION

6 Sec. 44. MEDICAID EXTENDED POSTPARTUM COVERAGE OPTION. The
7 department of human services shall submit a Medicaid state plan
8 amendment to the centers for Medicare and Medicaid services of
9 the United States department of health and human services for
10 approval of the option to provide twelve months of continuous
11 postpartum coverage under the Medicaid program to pregnant
12 women enrolled in the Medicaid program in accordance with
13 section 1902(e)(16) of the Social Security Act.

14 Sec. 45. MEDICAID EXTENDED POSTPARTUM COVERAGE OPTION —
15 APPROPRIATION. There is appropriated from the general fund of
16 the state to the department of human services for the following
17 fiscal years, the following amounts or so much thereof as is
18 necessary to fund extended postpartum coverage to pregnant
19 women enrolled in the Medicaid program in accordance with this
20 division of this Act:

21	FY 2022-2023:	
22	\$ 5,588,660
23	FY 2023-2024:	
24	\$ 8,878,785

25 DIVISION XI

26 MEDICAL CANNABIDIOL PROGRAM

27 Sec. 46. Section 124E.1, Code 2022, is amended to read as
28 follows:

29 124E.1 Short title.

30 This chapter shall be known and may be cited as the "*Medical*
31 *Cannabidiol Cannabis Act*".

32 Sec. 47. Section 124E.2, subsection 2, Code 2022, is amended
33 by adding the following new paragraph:

34 NEW PARAGRAPH. 1. Any other medical condition for which
35 the patient's health care practitioner determines the use of

1 medical cannabis could be medically beneficial.

2 Sec. 48. Section 124E.2, subsection 7, Code 2022, is amended
3 to read as follows:

4 7. "*Health care practitioner*" means an individual licensed
5 under [chapter 148](#) to practice medicine and surgery or
6 osteopathic medicine and surgery, a physician assistant
7 licensed under [chapter 148C](#), an advanced registered nurse
8 practitioner licensed under [chapter 152](#), or an advanced
9 practice registered nurse under [chapter 152E](#), who is a
10 patient's primary care provider, ~~or~~ a podiatrist licensed
11 pursuant to [chapter 149](#), or a pharmacist licensed pursuant
12 to chapter 155A who has completed medical cannabis training
13 requirements imposed by the board of pharmacy.

14 Sec. 49. Section 124E.3, subsection 1, paragraph a, Code
15 2022, is amended to read as follows:

16 a. (1) Determine, in the health care practitioner's medical
17 judgment, whether the patient whom the health care practitioner
18 has examined and treated suffers from a debilitating medical
19 condition that qualifies for the use of medical ~~cannabidiol~~
20 cannabis under [this chapter](#), and if so determined, provide the
21 patient with a written certification of that diagnosis.

22 (2) If a health care practitioner determines that the
23 patient whom the health care practitioner has examined and
24 treated suffers from a debilitating medical condition pursuant
25 to section 124E.2, subsection 2, paragraph "1", that qualifies
26 for the use of medical cannabis under this chapter, the health
27 care practitioner's written certification shall be based on
28 reasonable medical evidence, and shall be made in good faith,
29 in the best interest of the patient, without fraudulent intent,
30 and with the same reasonable medical judgment and prudence
31 exercised according to generally accepted medical practice.

32 Sec. 50. Section 124E.4, subsection 1, paragraph e, Code
33 2022, is amended to read as follows:

34 e. Submits a medical ~~cannabidiol~~ cannabis registration
35 card fee of ~~one hundred~~ ten dollars to the department. If

1 the patient ~~attests to receiving social security disability~~
2 ~~benefits, supplemental security insurance payments, or being~~
3 ~~enrolled in the medical assistance program, the fee shall be~~
4 ~~twenty-five dollars~~ submits documentation that the patient is a
5 veteran as defined in section 35.1, the department shall waive
6 the fee.

7 Sec. 51. Section 124E.4, subsection 3, paragraph c, Code
8 2022, is amended to read as follows:

9 c. Submits a medical ~~cannabidiol~~ cannabis registration card
10 fee of ~~twenty-five~~ ten dollars to the department.

11 Sec. 52. Section 124E.5, subsection 1, paragraphs a and b,
12 Code 2022, are amended to read as follows:

13 a. A medical ~~cannabidiol~~ cannabis board is created
14 consisting of ~~eight~~ ten practitioners representing the fields
15 of neurology, pain management, gastroenterology, oncology,
16 psychiatry, pediatrics, family medicine, physician assistance,
17 advanced practice registered nursing, and pharmacy, and one
18 representative from law enforcement.

19 b. The practitioners shall be licensed in this state and
20 nationally board-certified in their area of specialty and
21 knowledgeable about the use of medical ~~cannabidiol~~ cannabis.

22 Sec. 53. Section 124E.7, subsection 12, paragraph c, Code
23 2022, is amended to read as follows:

24 c. A medical ~~cannabidiol~~ cannabis manufacturer ~~shall not~~
25 may manufacture edible medical ~~cannabidiol~~ cannabis products.
26 However, an edible medical cannabis product shall not appear
27 in a form or be sold in packaging that would be likely to
28 appeal to children. The department shall adopt rules for the
29 implementation of this paragraph.

30 Sec. 54. Section 124E.9, subsection 14, Code 2022, is
31 amended to read as follows:

32 14. A medical ~~cannabidiol~~ cannabis dispensary shall not
33 dispense more than a combined total of ~~four and one-half~~
34 seventeen grams of total tetrahydrocannabinol to a patient and
35 the patient's primary caregiver in a ninety-day period, except

1 as provided in [subsection 15](#).

2 Sec. 55. Section 124E.9, subsection 15, unnumbered
3 paragraph 1, Code 2022, is amended to read as follows:

4 A medical ~~eannabidiol~~ cannabis dispensary may dispense
5 more than a combined total of ~~four and one-half~~ seventeen
6 grams of total tetrahydrocannabinol to a patient and the
7 patient's primary caregiver in a ninety-day period if any of
8 the following apply:

9 Sec. 56. Section 124E.9, subsection 15, paragraph b, Code
10 2022, is amended to read as follows:

11 *b.* The health care practitioner who certified the patient
12 to receive a medical ~~eannabidiol~~ cannabis registration
13 card certifies that the patient has participated in the
14 medical ~~eannabidiol~~ cannabis program and that the health
15 care practitioner has determined that ~~four and one-half~~
16 seventeen grams of total tetrahydrocannabinol in a ninety-day
17 period is insufficient to treat the patient's debilitating
18 medical condition. A certification issued pursuant to this
19 paragraph shall include a total tetrahydrocannabinol cap deemed
20 appropriate by the patient's health care practitioner.

21 Sec. 57. Section 124E.9, Code 2022, is amended by adding the
22 following new subsection:

23 NEW SUBSECTION. 16. A medical cannabis dispensary may send
24 medical cannabis to a patient or a patient's primary caregiver
25 following an initial telehealth consultation with the patient
26 and receipt of proof that the patient or patient's primary
27 caregiver possesses a valid medical cannabis registration card.
28 The department shall adopt rules for the implementation of this
29 subsection.

30 Sec. 58. NEW SECTION. 155A.49 **Medical cannabis —**
31 **recommendation.**

32 The board shall adopt rules establishing the requirements a
33 pharmacist must meet prior to recommending the use of medical
34 cannabis by a patient pursuant to chapter 124E.

35 Sec. 59. Section 423.3, subsection 60, paragraph a,

1 grade cannabinoid found in the plant Cannabis sativa L. or
2 Cannabis indica or any other preparation thereof that is
3 delivered in a form recommended by the medical ~~cannabidiol~~
4 cannabis board, approved by the board of medicine, and adopted
5 by the department pursuant to rule.

6 11. “*Primary caregiver*” means a person who is a resident of
7 this state or a bordering state as defined in [section 331.910](#),
8 including but not limited to a parent or legal guardian, at
9 least eighteen years of age, who has been designated by a
10 patient’s health care practitioner as a necessary caretaker
11 taking responsibility for managing the well-being of the
12 patient with respect to the use of medical ~~cannabidiol~~ cannabis
13 pursuant to the provisions of [this chapter](#).

14 Sec. 62. Section 124E.3, subsection 1, unnumbered paragraph
15 1, Code 2022, is amended to read as follows:

16 Prior to a patient’s submission of an application for a
17 medical ~~cannabidiol~~ cannabis registration card pursuant to
18 section 124E.4, a health care practitioner shall do all of the
19 following:

20 Sec. 63. Section 124E.3, subsection 1, paragraph b, Code
21 2022, is amended to read as follows:

22 *b.* Provide explanatory information as provided by the
23 department to the patient about the therapeutic use of medical
24 ~~cannabidiol~~ cannabis and the possible risks, benefits, and side
25 effects of the proposed treatment.

26 Sec. 64. Section 124E.4, subsection 1, unnumbered paragraph
27 1, Code 2022, is amended to read as follows:

28 Subject to [subsection 6](#), the department may issue a medical
29 ~~cannabidiol~~ cannabis registration card to a patient who:

30 Sec. 65. Section 124E.4, subsection 2, unnumbered paragraph
31 1, Code 2022, is amended to read as follows:

32 A medical ~~cannabidiol~~ cannabis registration card issued to
33 a patient by the department pursuant to [subsection 1](#) shall
34 contain, at a minimum, all of the following:

35 Sec. 66. Section 124E.4, subsection 2, paragraph b, Code

1 2022, is amended to read as follows:

2 *b.* The date of issuance and expiration date of the medical
3 ~~cannabidiol~~ cannabis registration card.

4 Sec. 67. Section 124E.4, subsection 3, unnumbered paragraph
5 1, Code 2022, is amended to read as follows:

6 For a patient in a primary caregiver's care, subject to
7 subsection 6, the department may issue a medical ~~cannabidiol~~
8 cannabis registration card to the primary caregiver who:

9 Sec. 68. Section 124E.4, subsection 4, unnumbered paragraph
10 1, Code 2022, is amended to read as follows:

11 A medical ~~cannabidiol~~ cannabis registration card issued by
12 the department to a primary caregiver pursuant to [subsection 3](#)
13 shall contain, at a minimum, all of the following:

14 Sec. 69. Section 124E.4, subsection 4, paragraph c, Code
15 2022, is amended to read as follows:

16 *c.* The medical ~~cannabidiol~~ cannabis registration card
17 number of each patient in the primary caregiver's care. If
18 the patient in the primary caregiver's care is under the age
19 of eighteen, the full name of the patient's parent or legal
20 guardian.

21 Sec. 70. Section 124E.4, subsections 5 and 6, Code 2022, are
22 amended to read as follows:

23 5. *Expiration date of card.* A medical ~~cannabidiol~~ cannabis
24 registration card issued pursuant to [this section](#) shall expire
25 one year after the date of issuance and may be renewed.

26 6. *Federally approved clinical trials.* The department shall
27 not approve the issuance of a medical ~~cannabidiol~~ cannabis
28 registration card pursuant to [this section](#) for a patient who
29 is enrolled in a federally approved clinical trial for the
30 treatment of a debilitating medical condition with medical
31 ~~cannabidiol~~ cannabis.

32 Sec. 71. Section 124E.5, subsections 2, 3, 4, 5, and 6, Code
33 2022, are amended to read as follows:

34 2. The medical ~~cannabidiol~~ cannabis board shall convene at
35 least twice per year.

1 3. The duties of the medical ~~eannabidiol~~ cannabis board
2 shall include but not be limited to the following:
3 *a.* Accepting and reviewing petitions to add medical
4 conditions, medical treatments, or debilitating diseases to the
5 list of debilitating medical conditions for which the medical
6 use of ~~eannabidiol~~ cannabis would be medically beneficial under
7 this chapter.
8 *b.* Making recommendations relating to the removal or
9 addition of debilitating medical conditions to the list
10 of allowable debilitating medical conditions for which the
11 medical use of ~~eannabidiol~~ cannabis under **this chapter** would
12 be medically beneficial.
13 *c.* Working with the department regarding the requirements
14 for the licensure of medical ~~eannabidiol~~ cannabis manufacturers
15 and medical ~~eannabidiol~~ cannabis dispensaries, including
16 licensure procedures.
17 *d.* Advising the department regarding the location of medical
18 ~~eannabidiol~~ cannabis manufacturers and medical ~~eannabidiol~~
19 cannabis dispensaries throughout the state.
20 *e.* Making recommendations relating to the form and quantity
21 of allowable medical uses of ~~eannabidiol~~ cannabis.
22 4. Recommendations made by the medical ~~eannabidiol~~ cannabis
23 board pursuant to **subsection 3**, paragraphs “*b*” and “*e*”, shall
24 be made to the board of medicine for consideration, and if
25 approved, shall be adopted by the board of medicine by rule.
26 5. On or before January 1 of each year, beginning January
27 1, 2018, the medical ~~eannabidiol~~ cannabis board shall submit a
28 report detailing the activities of the board.
29 6. The general assembly shall have the sole authority
30 to revise the definition of medical ~~eannabidiol~~ cannabis for
31 purposes of **this chapter**.
32 Sec. 72. Section 124E.6, Code 2022, is amended to read as
33 follows:
34 **124E.6 Medical ~~eannabidiol~~ cannabis manufacturer licensure.**
35 1. *a.* The department shall issue a request for proposals

1 to select and license by December 1, 2017, up to two medical
2 ~~cannabidiol~~ cannabis manufacturers to manufacture and to
3 possess, cultivate, harvest, transport, package, process,
4 or supply medical ~~cannabidiol~~ cannabis within this state
5 consistent with the provisions of this chapter. The department
6 shall license new medical ~~cannabidiol~~ cannabis manufacturers
7 or relicense the existing medical ~~cannabidiol~~ cannabis
8 manufacturers by December 1 of each year.

9 *b.* Information submitted during the application process
10 shall be confidential until a medical ~~cannabidiol~~ cannabis
11 manufacturer is licensed by the department unless otherwise
12 protected from disclosure under state or federal law.

13 2. As a condition for licensure, a medical ~~cannabidiol~~
14 cannabis manufacturer must agree to begin supplying medical
15 ~~cannabidiol~~ cannabis to medical ~~cannabidiol~~ cannabis
16 dispensaries in this state no later than December 1, 2018.

17 3. The department shall consider the following factors in
18 determining whether to select and license a medical ~~cannabidiol~~
19 cannabis manufacturer:

20 *a.* The technical expertise of the medical ~~cannabidiol~~
21 cannabis manufacturer regarding medical ~~cannabidiol~~ cannabis.

22 *b.* The qualifications of the medical ~~cannabidiol~~ cannabis
23 manufacturer's employees.

24 *c.* The long-term financial stability of the medical
25 ~~cannabidiol~~ cannabis manufacturer.

26 *d.* The ability to provide appropriate security measures on
27 the premises of the medical ~~cannabidiol~~ cannabis manufacturer.

28 *e.* Whether the medical ~~cannabidiol~~ cannabis manufacturer
29 has demonstrated an ability to meet certain medical ~~cannabidiol~~
30 cannabis production needs for medical use regarding the range
31 of recommended dosages for each debilitating medical condition,
32 the range of chemical compositions of any plant of the genus
33 cannabis that will likely be medically beneficial for each
34 of the debilitating medical conditions, and the form of the
35 medical ~~cannabidiol~~ cannabis in the manner determined by the

1 department pursuant to rule.

2 *f.* The medical ~~cannabidiol~~ cannabis manufacturer's
3 projection of and ongoing assessment of fees on patients with
4 debilitating medical conditions.

5 4. A medical ~~cannabidiol~~ cannabis manufacturer shall
6 contract with a laboratory to perform spot-check testing of
7 the medical ~~cannabidiol~~ cannabis produced by the medical
8 ~~cannabidiol~~ cannabis manufacturer as provided in section
9 124E.7. The department shall require that the laboratory
10 report testing results to the medical ~~cannabidiol~~ cannabis
11 manufacturer and the department as determined by the department
12 by rule. If a medical ~~cannabidiol~~ cannabis manufacturer
13 contracts with a laboratory other than the state hygienic
14 laboratory at the university of Iowa in Iowa City, the
15 department shall approve the laboratory to perform testing
16 pursuant to [this chapter](#).

17 5. Each entity submitting an application for licensure
18 as a medical ~~cannabidiol~~ cannabis manufacturer shall pay a
19 nonrefundable application fee of seven thousand five hundred
20 dollars to the department.

21 Sec. 73. Section 124E.7, subsections 1, 2, 3, 4, 5, 6, 7, 8,
22 9, 10, and 11, Code 2022, are amended to read as follows:

23 1. A medical ~~cannabidiol~~ cannabis manufacturer shall
24 contract with a laboratory to perform spot-check testing of
25 the medical ~~cannabidiol~~ cannabis produced by the medical
26 ~~cannabidiol~~ cannabis manufacturer as to content, contamination,
27 and consistency. The cost of all laboratory testing shall be
28 paid by the medical ~~cannabidiol~~ cannabis manufacturer.

29 2. The operating documents of a medical ~~cannabidiol~~
30 cannabis manufacturer shall include all of the following:

31 *a.* Procedures for the oversight of the medical ~~cannabidiol~~
32 cannabis manufacturer and procedures to ensure accurate
33 recordkeeping.

34 *b.* Procedures for the implementation of appropriate security
35 measures to deter and prevent the theft of medical ~~cannabidiol~~

1 cannabis and unauthorized entrance into areas containing
2 medical ~~cannabidiol~~ cannabis.

3 3. A medical ~~cannabidiol~~ cannabis manufacturer shall
4 implement security requirements, including requirements for
5 protection of each location by a fully operational security
6 alarm system, facility access controls, perimeter intrusion
7 detection systems, and a personnel identification system.

8 4. A medical ~~cannabidiol~~ cannabis manufacturer shall
9 not share office space with, refer patients to, or have any
10 financial relationship with a health care practitioner.

11 5. A medical ~~cannabidiol~~ cannabis manufacturer shall not
12 permit any person to consume medical ~~cannabidiol~~ cannabis on
13 the property of the medical ~~cannabidiol~~ cannabis manufacturer.

14 6. A medical ~~cannabidiol~~ cannabis manufacturer is subject
15 to reasonable inspection by the department.

16 7. A medical ~~cannabidiol~~ cannabis manufacturer shall not
17 employ a person who is under eighteen years of age or who has
18 been convicted of a disqualifying felony offense. An employee
19 of a medical ~~cannabidiol~~ cannabis manufacturer shall be subject
20 to a background investigation conducted by the division of
21 criminal investigation of the department of public safety and a
22 national criminal history background check pursuant to section
23 124E.19.

24 8. A medical ~~cannabidiol~~ cannabis manufacturer owner shall
25 not have been convicted of a disqualifying felony offense and
26 shall be subject to a background investigation conducted by
27 the division of criminal investigation of the department of
28 public safety and a national criminal history background check
29 pursuant to [section 124E.19](#).

30 9. A medical ~~cannabidiol~~ cannabis manufacturer shall not
31 operate at the same physical location as a medical ~~cannabidiol~~
32 cannabis dispensary.

33 10. A medical ~~cannabidiol~~ cannabis manufacturer shall not
34 operate in any location, whether for manufacturing, possessing,
35 cultivating, harvesting, transporting, packaging, processing,

1 or supplying, within one thousand feet of a public or private
2 school existing before the date of the medical ~~cannabidiol~~
3 cannabis manufacturer's licensure by the department.

4 11. A medical ~~cannabidiol~~ cannabis manufacturer shall
5 comply with reasonable restrictions set by the department
6 relating to signage, marketing, display, and advertising of
7 medical ~~cannabidiol~~ cannabis.

8 Sec. 74. Section 124E.7, subsection 12, paragraphs a and b,
9 Code 2022, are amended to read as follows:

10 a. A medical ~~cannabidiol~~ cannabis manufacturer shall provide
11 a reliable and ongoing supply of medical ~~cannabidiol~~ cannabis
12 to medical ~~cannabidiol~~ cannabis dispensaries pursuant to this
13 chapter.

14 b. All manufacturing, cultivating, harvesting, packaging,
15 and processing of medical ~~cannabidiol~~ cannabis shall take place
16 in an enclosed, locked facility at a physical address provided
17 to the department during the licensure process.

18 Sec. 75. Section 124E.8, Code 2022, is amended to read as
19 follows:

20 **124E.8 Medical ~~cannabidiol~~ cannabis dispensary licensure.**

21 1. a. The department shall issue a request for proposals
22 to select and license by April 1, 2018, up to five medical
23 ~~cannabidiol~~ cannabis dispensaries to dispense medical
24 ~~cannabidiol~~ cannabis within this state consistent with the
25 provisions of [this chapter](#). The department shall license new
26 medical ~~cannabidiol~~ cannabis dispensaries or relicense the
27 existing medical ~~cannabidiol~~ cannabis dispensaries by December
28 1 of each year.

29 b. Information submitted during the application process
30 shall be confidential until a medical ~~cannabidiol~~ cannabis
31 dispensary is licensed by the department unless otherwise
32 protected from disclosure under state or federal law.

33 2. As a condition for licensure, a medical ~~cannabidiol~~
34 cannabis dispensary must agree to begin supplying medical
35 ~~cannabidiol~~ cannabis to patients by December 1, 2018.

1 3. The department shall consider the following factors in
2 determining whether to select and license a medical ~~cannabidiol~~
3 cannabis dispensary:

4 a. The technical expertise of the medical ~~cannabidiol~~
5 cannabis dispensary regarding medical ~~cannabidiol~~ cannabis.

6 b. The qualifications of the medical ~~cannabidiol~~ cannabis
7 dispensary's employees.

8 c. The long-term financial stability of the medical
9 ~~cannabidiol~~ cannabis dispensary.

10 d. The ability to provide appropriate security measures on
11 the premises of the medical ~~cannabidiol~~ cannabis dispensary.

12 e. The medical ~~cannabidiol~~ cannabis dispensary's projection
13 and ongoing assessment of fees for the purchase of medical
14 ~~cannabidiol~~ cannabis on patients with debilitating medical
15 conditions.

16 4. Each entity submitting an application for licensure
17 as a medical ~~cannabidiol~~ cannabis dispensary shall pay a
18 nonrefundable application fee of five thousand dollars to the
19 department.

20 Sec. 76. Section 124E.9, subsections 1, 2, 3, 4, 5, 6, 7,
21 8, 9, 10, 11, 12, and 13, Code 2022, are amended to read as
22 follows:

23 1. a. The medical ~~cannabidiol~~ cannabis dispensaries shall
24 be located based on geographical need throughout the state to
25 improve patient access.

26 b. A medical ~~cannabidiol~~ cannabis dispensary may dispense
27 medical ~~cannabidiol~~ cannabis pursuant to the provisions of this
28 chapter but shall not dispense any medical ~~cannabidiol~~ cannabis
29 in a form or quantity other than the form or quantity allowed
30 by the department pursuant to rule.

31 2. The operating documents of a medical ~~cannabidiol~~
32 cannabis dispensary shall include all of the following:

33 a. Procedures for the oversight of the medical ~~cannabidiol~~
34 cannabis dispensary and procedures to ensure accurate
35 recordkeeping.

1 *b.* Procedures for the implementation of appropriate security
2 measures to deter and prevent the theft of medical ~~cannabidiol~~
3 cannabis and unauthorized entrance into areas containing
4 medical ~~cannabidiol~~ cannabis.

5 3. A medical ~~cannabidiol~~ cannabis dispensary shall
6 implement security requirements, including requirements for
7 protection by a fully operational security alarm system,
8 facility access controls, perimeter intrusion detection
9 systems, and a personnel identification system.

10 4. A medical ~~cannabidiol~~ cannabis dispensary shall not
11 share office space with, refer patients to, or have any
12 financial relationship with a health care practitioner.

13 5. A medical ~~cannabidiol~~ cannabis dispensary shall not
14 permit any person to consume medical ~~cannabidiol~~ cannabis on
15 the property of the medical ~~cannabidiol~~ cannabis dispensary.

16 6. A medical ~~cannabidiol~~ cannabis dispensary is subject to
17 reasonable inspection by the department.

18 7. A medical ~~cannabidiol~~ cannabis dispensary shall not
19 employ a person who is under eighteen years of age or who has
20 been convicted of a disqualifying felony offense. An employee
21 of a medical ~~cannabidiol~~ cannabis dispensary shall be subject
22 to a background investigation conducted by the division of
23 criminal investigation of the department of public safety and a
24 national criminal history background check pursuant to section
25 124E.19.

26 8. A medical ~~cannabidiol~~ cannabis dispensary owner shall
27 not have been convicted of a disqualifying felony offense and
28 shall be subject to a background investigation conducted by
29 the division of criminal investigation of the department of
30 public safety and a national criminal history background check
31 pursuant to [section 124E.19](#).

32 9. A medical ~~cannabidiol~~ cannabis dispensary shall not
33 operate at the same physical location as a medical ~~cannabidiol~~
34 cannabis manufacturer.

35 10. A medical ~~cannabidiol~~ cannabis dispensary shall not

1 operate in any location within one thousand feet of a public
2 or private school existing before the date of the medical
3 ~~cannabidiol~~ cannabis dispensary's licensure by the department.

4 11. A medical ~~cannabidiol~~ cannabis dispensary shall comply
5 with reasonable restrictions set by the department relating
6 to signage, marketing, display, and advertising of medical
7 ~~cannabidiol~~ cannabis.

8 12. Prior to dispensing of any medical ~~cannabidiol~~
9 cannabis, a medical ~~cannabidiol~~ cannabis dispensary shall do
10 all of the following:

11 a. Verify that the medical ~~cannabidiol~~ cannabis dispensary
12 has received a valid medical ~~cannabidiol~~ cannabis registration
13 card from a patient or a patient's primary caregiver, if
14 applicable.

15 b. Assign a tracking number to any medical ~~cannabidiol~~
16 cannabis dispensed from the medical ~~cannabidiol~~ cannabis
17 dispensary.

18 c. Properly package medical ~~cannabidiol~~ cannabis in
19 compliance with federal law regarding child resistant packaging
20 and exemptions for packaging for elderly patients, and
21 label medical ~~cannabidiol~~ cannabis with a list of all active
22 ingredients and individually identifying information.

23 13. A medical ~~cannabidiol~~ cannabis dispensary shall employ
24 a pharmacist or pharmacy technician licensed or registered
25 pursuant to [chapter 155A](#) for the purpose of making dosing
26 recommendations.

27 Sec. 77. Section 124E.9, subsection 15, paragraph a, Code
28 2022, is amended to read as follows:

29 a. The health care practitioner who certified the patient
30 to receive a medical ~~cannabidiol~~ cannabis registration card
31 certifies that patient's debilitating medical condition is a
32 terminal illness with a life expectancy of less than one year.
33 A certification issued pursuant to this paragraph shall include
34 a total tetrahydrocannabinol cap deemed appropriate by the
35 patient's health care practitioner.

1 Sec. 78. Section 124E.10, Code 2022, is amended to read as
2 follows:

3 **124E.10 Fees.**

4 All fees collected by the department under [this chapter](#)
5 shall be retained by the department for operation of the
6 medical ~~eannabidiol~~ cannabis registration card program and
7 the medical ~~eannabidiol~~ cannabis manufacturer and medical
8 ~~eannabidiol~~ cannabis dispensary licensing programs. The moneys
9 retained by the department shall be considered repayment
10 receipts as defined in [section 8.2](#) and shall be used for any of
11 the department's duties under [this chapter](#), including but not
12 limited to the addition of full-time equivalent positions for
13 program services and investigations. Notwithstanding section
14 8.33, moneys retained by the department pursuant to this
15 section shall not revert to the general fund of the state but
16 shall remain available for expenditure only for the purposes
17 specified in [this section](#).

18 Sec. 79. Section 124E.11, subsection 1, paragraph a, Code
19 2022, is amended to read as follows:

20 a. The department shall maintain a confidential file of the
21 names of each patient to or for whom the department issues a
22 medical ~~eannabidiol~~ cannabis registration card and the name of
23 each primary caregiver to whom the department issues a medical
24 ~~eannabidiol~~ cannabis registration card under [section 124E.4](#).

25 Sec. 80. Section 124E.11, subsection 1, paragraph b,
26 subparagraph (1), subparagraph divisions (b) and (d), Code
27 2022, are amended to read as follows:

28 (b) To authorized employees of law enforcement agencies
29 of a state or political subdivision thereof, but only for the
30 purpose of verifying that a person is lawfully in possession
31 of a medical ~~eannabidiol~~ cannabis registration card issued
32 pursuant to [this chapter](#).

33 (d) To any other authorized persons recognized by the
34 department by rule, but only for the purpose of verifying that
35 a person is lawfully in possession of a medical ~~eannabidiol~~

1 cannabis registration card issued pursuant to [this chapter](#).

2 Sec. 81. Section 124E.11, subsection 2, Code 2022, is
3 amended to read as follows:

4 2. The department shall adopt rules pursuant to chapter
5 17A to administer [this chapter](#) which shall include but not be
6 limited to rules to do all of the following:

7 a. Govern the manner in which the department shall consider
8 applications for new and renewal medical ~~cannabidiol~~ cannabis
9 registration cards.

10 b. Ensure that the medical ~~cannabidiol~~ cannabis registration
11 card program operates on a self-sustaining basis.

12 c. Establish the form and quantity of medical ~~cannabidiol~~
13 cannabis allowed to be dispensed to a patient or primary
14 caregiver pursuant to [this chapter](#) as appropriate to serve the
15 medical needs of patients with debilitating medical conditions,
16 subject to recommendation by the medical ~~cannabidiol~~ cannabis
17 board and approval by the board of medicine.

18 d. Establish requirements for the licensure of medical
19 ~~cannabidiol~~ cannabis manufacturers and medical ~~cannabidiol~~
20 cannabis dispensaries and set forth procedures for medical
21 ~~cannabidiol~~ cannabis manufacturers and medical ~~cannabidiol~~
22 cannabis dispensaries to obtain licenses.

23 e. Develop a dispensing system for medical ~~cannabidiol~~
24 cannabis within this state that provides for all of the
25 following:

26 (1) Medical ~~cannabidiol~~ cannabis dispensaries within this
27 state housed on secured grounds and operated by licensed
28 medical ~~cannabidiol~~ cannabis dispensaries.

29 (2) The dispensing of medical ~~cannabidiol~~ cannabis to
30 patients and their primary caregivers to occur at locations
31 designated by the department.

32 f. Establish and collect annual fees from medical
33 ~~cannabidiol~~ cannabis manufacturers and medical ~~cannabidiol~~
34 cannabis dispensaries to cover the costs associated with
35 regulating and inspecting medical ~~cannabidiol~~ cannabis

1 manufacturers and medical ~~eannabidiol~~ cannabis dispensaries.

2 *g.* Specify and implement procedures that address public
3 safety including security procedures and product quality
4 including measures to ensure contaminant-free cultivation of
5 medical ~~eannabidiol~~ cannabis, safety, and labeling.

6 *h.* Establish and implement a real-time, statewide medical
7 ~~eannabidiol~~ cannabis registry management sale tracking system
8 that is available to medical ~~eannabidiol~~ cannabis dispensaries
9 on a twenty-four-hour-a-day, seven-day-a-week basis for the
10 purpose of verifying that a person is lawfully in possession
11 of a medical ~~eannabidiol~~ cannabis registration card issued
12 pursuant to [this chapter](#) and for tracking the date of the sale
13 and quantity of medical ~~eannabidiol~~ cannabis purchased by a
14 patient or a primary caregiver.

15 *i.* Establish and implement a medical ~~eannabidiol~~ cannabis
16 inventory and delivery tracking system to track medical
17 ~~eannabidiol~~ cannabis from production by a medical ~~eannabidiol~~
18 cannabis manufacturer through dispensing at a medical
19 ~~eannabidiol~~ cannabis dispensary.

20 Sec. 82. Section 124E.12, Code 2022, is amended to read as
21 follows:

22 **124E.12 Use of medical ~~eannabidiol~~ cannabis — affirmative**
23 **defenses.**

24 1. A health care practitioner, including any authorized
25 agent or employee thereof, shall not be subject to
26 prosecution for the unlawful certification, possession, or
27 administration of marijuana under the laws of this state for
28 activities arising directly out of or directly related to the
29 certification or use of medical ~~eannabidiol~~ cannabis in the
30 treatment of a patient diagnosed with a debilitating medical
31 condition as authorized by [this chapter](#).

32 2. A medical ~~eannabidiol~~ cannabis manufacturer, including
33 any authorized agent or employee thereof, shall not be subject
34 to prosecution for manufacturing, possessing, cultivating,
35 harvesting, transporting, packaging, processing, or supplying

1 medical ~~eannabidiol~~ cannabis pursuant to [this chapter](#).

2 3. A medical ~~eannabidiol~~ cannabis dispensary, including
3 any authorized agent or employee thereof, shall not be subject
4 to prosecution for dispensing medical ~~eannabidiol~~ cannabis
5 pursuant to [this chapter](#).

6 4. a. In a prosecution for the unlawful possession of
7 marijuana under the laws of this state for the possession
8 of medical ~~eannabidiol~~ cannabis, including but not limited
9 to [chapters 124](#) and [453B](#), it is an affirmative and complete
10 defense to the prosecution that the patient has been diagnosed
11 with a debilitating medical condition, used or possessed
12 medical ~~eannabidiol~~ cannabis pursuant to a certification by a
13 health care practitioner as authorized under [this chapter](#), and,
14 for a patient eighteen years of age or older, is in possession
15 of a valid medical ~~eannabidiol~~ cannabis registration card
16 issued pursuant to [this chapter](#).

17 b. In a prosecution for the unlawful possession of marijuana
18 under the laws of this state for the possession of medical
19 ~~eannabidiol~~ cannabis, including but not limited to [chapters](#)
20 [124](#) and [453B](#), it is an affirmative and complete defense to
21 the prosecution that the person possessed medical ~~eannabidiol~~
22 cannabis because the person is a primary caregiver of a patient
23 who has been diagnosed with a debilitating medical condition
24 and is in possession of a valid medical ~~eannabidiol~~ cannabis
25 registration card issued pursuant to [this chapter](#), and where
26 the primary caregiver's possession of the medical ~~eannabidiol~~
27 cannabis is on behalf of the patient and for the patient's use
28 only as authorized under [this chapter](#).

29 c. If a patient or primary caregiver is charged with
30 the unlawful possession of marijuana under the laws of this
31 state for the possession of medical ~~eannabidiol~~ cannabis,
32 including but not limited to [chapters 124](#) and [453B](#), and is not
33 in possession of the person's medical ~~eannabidiol~~ cannabis
34 registration card, any charge or charges filed against the
35 person for the possession of medical ~~eannabidiol~~ cannabis

1 shall be dismissed by the court if the person produces to the
2 court prior to or at the person's trial a medical ~~cannabidiol~~
3 cannabis registration card issued to that person and valid at
4 the time the person was charged.

5 5. An agency of this state or a political subdivision
6 thereof, including any law enforcement agency, shall not remove
7 or initiate proceedings to remove a patient under the age
8 of eighteen from the home of a parent based solely upon the
9 parent's or patient's possession or use of medical ~~cannabidiol~~
10 cannabis as authorized under [this chapter](#).

11 6. The department and any health care practitioner,
12 including any authorized agent or employee thereof, are not
13 subject to any civil or disciplinary penalties by the board
14 of medicine or any business, occupational, or professional
15 licensing board or entity, solely for activities conducted
16 relating to a patient's possession or use of medical
17 ~~cannabidiol~~ cannabis as authorized under [this chapter](#). Nothing
18 in [this section](#) affects a professional licensing board from
19 taking action in response to violations of any other section
20 of law.

21 7. Notwithstanding any law to the contrary, the department,
22 the governor, or any employee of any state agency shall not
23 be held civilly or criminally liable for any injury, loss
24 of property, personal injury, or death caused by any act or
25 omission while acting within the scope of office or employment
26 as authorized under [this chapter](#).

27 8. An attorney shall not be subject to disciplinary action
28 by the Iowa supreme court or attorney disciplinary board for
29 providing legal assistance to a patient, primary caregiver, or
30 others based upon a patient's or primary caregiver's possession
31 or use of medical ~~cannabidiol~~ cannabis as authorized under this
32 chapter.

33 9. Possession of a medical ~~cannabidiol~~ cannabis
34 registration card or an application for a medical ~~cannabidiol~~
35 cannabis registration card by a person entitled to possess or

1 apply for a medical ~~cannabidiol~~ cannabis registration card
2 shall not constitute probable cause or reasonable suspicion,
3 and shall not be used to support a search of the person or
4 property of the person possessing or applying for the medical
5 ~~cannabidiol~~ cannabis registration card, or otherwise subject
6 the person or property of the person to inspection by any
7 governmental agency.

8 Sec. 83. Section 124E.13, Code 2022, is amended to read as
9 follows:

10 **124E.13 Medical ~~cannabidiol~~ cannabis source.**

11 Medical ~~cannabidiol~~ cannabis provided exclusively pursuant
12 to a written certification of a health care practitioner, if
13 not legally available in this state or from any other bordering
14 state, shall be obtained from an out-of-state source.

15 Sec. 84. Section 124E.14, Code 2022, is amended to read as
16 follows:

17 **124E.14 Out-of-state medical ~~cannabidiol~~ cannabis
18 dispensaries.**

19 The department of public health shall utilize a request for
20 proposals process to select and license by December 1, 2017, up
21 to two out-of-state medical ~~cannabidiol~~ cannabis dispensaries
22 from a bordering state to sell and dispense medical ~~cannabidiol~~
23 cannabis to a patient or primary caregiver in possession of a
24 valid medical ~~cannabidiol~~ cannabis registration card issued
25 under [this chapter](#).

26 Sec. 85. Section 124E.15, Code 2022, is amended to read as
27 follows:

28 **124E.15 Iowa patients and primary caregivers registering in
29 the state of Minnesota.**

30 A patient or a primary caregiver with a valid medical
31 ~~cannabidiol~~ cannabis registration card issued pursuant to this
32 chapter may register in the state of Minnesota as a visiting
33 qualified patient or primary caregiver and may register with
34 one or more medical cannabis manufacturers registered under the
35 laws of Minnesota.

1 Sec. 86. Section 124E.16, Code 2022, is amended to read as
2 follows:

3 **124E.16 Penalties.**

4 1. A person who knowingly or intentionally possesses or uses
5 medical ~~eannabidiol~~ cannabis in violation of the requirements
6 of [this chapter](#) is subject to the penalties provided under
7 chapters 124 and [453B](#).

8 2. A medical ~~eannabidiol~~ cannabis manufacturer or a medical
9 ~~eannabidiol~~ cannabis dispensary shall be assessed a civil
10 penalty of up to one thousand dollars per violation for any
11 violation of [this chapter](#) in addition to any other applicable
12 penalties.

13 Sec. 87. Section 124E.17, Code 2022, is amended to read as
14 follows:

15 **124E.17 Use of medical ~~eannabidiol~~ cannabis — smoking**
16 **prohibited.**

17 A patient shall not consume medical ~~eannabidiol~~ cannabis
18 possessed or used as authorized under [this chapter](#) by smoking
19 medical ~~eannabidiol~~ cannabis.

20 Sec. 88. Section 124E.18, Code 2022, is amended to read as
21 follows:

22 **124E.18 Reciprocity.**

23 A valid medical ~~eannabidiol~~ cannabis registration card,
24 or its equivalent, issued under the laws of another state
25 that allows an out-of-state patient to possess or use medical
26 ~~eannabidiol~~ cannabis in the jurisdiction of issuance shall
27 have the same force and effect as a valid medical ~~eannabidiol~~
28 cannabis registration card issued pursuant to [this chapter](#),
29 except that an out-of-state patient in this state shall not
30 obtain medical ~~eannabidiol~~ cannabis from a medical ~~eannabidiol~~
31 cannabis dispensary in this state.

32 Sec. 89. Section 124E.19, subsections 1, 2, and 4, Code
33 2022, are amended to read as follows:

34 1. The division of criminal investigation of the
35 department of public safety shall conduct thorough background

1 investigations for the purposes of licensing medical
2 ~~cannabidiol~~ cannabis manufacturers and medical ~~cannabidiol~~
3 cannabis dispensaries under [this chapter](#). The results of any
4 background investigation conducted pursuant to [this section](#)
5 shall be presented to the department.

6 *a.* An applicant for a medical ~~cannabidiol~~ cannabis
7 manufacturer license or a medical ~~cannabidiol~~ cannabis
8 dispensary license and their owners, investors, and employees
9 shall submit all required information on a form prescribed by
10 the department of public safety.

11 *b.* The department shall charge an applicant for a medical
12 ~~cannabidiol~~ cannabis manufacturer license or a medical
13 ~~cannabidiol~~ cannabis dispensary license a fee determined by
14 the department of public safety and adopted by the department
15 by rule to defray the costs associated with background
16 investigations conducted pursuant to the requirements of this
17 section. The fee shall be in addition to any other fees
18 charged by the department. The fee may be retained by the
19 department of public safety and shall be considered repayment
20 receipts as defined in [section 8.2](#).

21 2. The department shall require an applicant for a
22 medical ~~cannabidiol~~ cannabis manufacturer license or a
23 medical ~~cannabidiol~~ cannabis dispensary license, their owners
24 and investors, and applicants for employment at a medical
25 ~~cannabidiol~~ cannabis manufacturer or medical ~~cannabidiol~~
26 cannabis dispensary to submit fingerprints and other required
27 identifying information to the department on a form prescribed
28 by the department of public safety. The department shall
29 submit the fingerprint cards and other identifying information
30 to the division of criminal investigation of the department
31 of public safety for submission to the federal bureau of
32 investigation for the purpose of conducting a national criminal
33 history record check. The department may require employees and
34 contractors involved in carrying out a background investigation
35 to submit fingerprints and other identifying information for

1 the same purpose.

2 4. An applicant for a medical ~~cannabidiol~~ cannabis
3 manufacturer license or a medical ~~cannabidiol~~ cannabis
4 dispensary license shall submit information and fees required
5 by this section at the time of application.

6 Sec. 90. Section 124E.20, Code 2022, is amended to read as
7 follows:

8 **124E.20 Observational effectiveness study.**

9 The department may conduct an observational effectiveness
10 study in cooperation with patients and health care
11 practitioners and pursuant to rules of the department in order
12 to study the effectiveness of medical ~~cannabidiol~~ cannabis in
13 the treatment of debilitating medical conditions.

14 Sec. 91. Section 204.17, subsection 4, Code 2022, is amended
15 to read as follows:

16 4. Nothing in this chapter shall be construed or applied
17 to authorize a person to manufacture, recommend, possess, use,
18 dispense, deliver, transport, or administer medical ~~cannabidiol~~
19 cannabis pursuant to chapter 124E.

20 Sec. 92. Section 730.5, subsection 11, paragraph f, Code
21 2022, is amended to read as follows:

22 *f.* Testing or taking action against an employee or
23 prospective employee with a confirmed positive test result due
24 to the employee's or prospective employee's use of medical
25 ~~cannabidiol~~ cannabis as authorized under chapter 124E.

26 DIVISION XIII

27 COLLECTIVE BARGAINING

28 Sec. 93. Section 20.1, subsection 2, paragraph a, Code 2022,
29 is amended to read as follows:

30 *a.* Determining appropriate bargaining units, amending
31 the composition of previously determined bargaining units
32 represented by a certified employee organization, reconsidering
33 and altering the composition of previously determined
34 bargaining units which are not represented by a certified
35 employee organization, and conducting representation elections.

1 Sec. 94. Section 20.3, subsection 11, Code 2022, is amended
2 by adding the following new paragraphs:

3 NEW PARAGRAPH. *g.* An employee of the Iowa department of
4 corrections who is responsible for the custody and supervision
5 of inmates through ongoing direct inmate contact, to enforce
6 and maintain discipline, safety, and security within a
7 correctional facility.

8 NEW PARAGRAPH. *h.* A jailer or detention officer who
9 performs duties as a jailer, including but not limited to the
10 transportation of inmates, who is certified as having completed
11 jailer training pursuant to chapter 80B, and who is employed
12 by a county as a jailer.

13 NEW PARAGRAPH. *i.* An emergency dispatcher for a county
14 sheriff.

15 NEW PARAGRAPH. *j.* A probation or parole officer employed by
16 the Iowa department of corrections.

17 NEW PARAGRAPH. *k.* A residential officer employed by
18 the department of corrections working at a community-based
19 corrections residential facility.

20 Sec. 95. Section 20.13, Code 2022, is amended to read as
21 follows:

22 **20.13 Bargaining unit determination, amendment, and**
23 **reconsideration.**

24 1. ~~Board~~ The board's determination of an appropriate
25 bargaining unit shall be upon petition filed by a public
26 employer, public employee, or employee organization. Except
27 as provided in subsection 4, the board's amendment of the
28 composition of a represented bargaining unit shall be upon
29 petition filed by the employer or certified representative
30 of the bargaining unit. The board's reconsideration of the
31 composition of a previously determined bargaining unit which is
32 not represented by a certified representative shall be upon the
33 combined petition of an employee organization which also seeks
34 a representation election pursuant to section 20.14, subsection
35 2.

1 2. Within thirty days of receipt of a petition, the board
2 shall conduct a public hearing, receive written or oral
3 testimony, and promptly thereafter file an order defining
4 the appropriate bargaining unit, amending or refusing to
5 amend the composition of a represented bargaining unit or
6 reconsidering and altering or refusing to alter the composition
7 of an unrepresented bargaining unit. In defining the unit,
8 or determining whether a unit should be amended or altered
9 in response to a petition for amendment or reconsideration,
10 the board shall take into consideration, along with other
11 relevant factors, the principles of efficient administration
12 of government, the existence of a community of interest among
13 public employees, the history and extent of public employee
14 organization, geographical location, and the recommendations
15 of the parties involved.

16 ~~3. Appeals from such order shall be governed by the~~
17 ~~provisions of [chapter 17A.](#)~~

18 ~~4.~~ 3. Professional and nonprofessional employees shall not
19 be included in the same bargaining unit unless a majority of
20 both agree.

21 4. Notwithstanding the provisions of subsection 1, a
22 petition to amend the composition of a represented bargaining
23 unit by the removal of public safety employees may be filed
24 by a public safety employee who is a member of the bargaining
25 unit. If the petition is accompanied by evidence satisfactory
26 to the board that the public safety employees in the bargaining
27 unit do not constitute at least thirty percent of the employees
28 in the unit and that a majority of the public safety employees
29 in the unit support the petition, the board shall conduct
30 a hearing within thirty days of its finding such evidence
31 satisfactory and shall promptly thereafter issue an order
32 granting or denying the requested amendment. If the board
33 amends the composition of the bargaining unit by removing
34 public safety employees, those employees may immediately be the
35 subject of a separate bargaining unit determination petition

1 filed in accordance with subsection 1.

2 5. Appeals from such orders shall be governed by the
3 provisions of chapter 17A.

4 Sec. 96. Section 20.15, Code 2022, is amended by striking
5 the section and inserting in lieu thereof the following:

6 **20.15 Elections.**

7 1. Upon the filing of a petition for certification of an
8 employee organization, the board shall submit a question to
9 the public employees at an election in the bargaining unit
10 found appropriate by the board. The question on the ballot
11 shall permit the public employees to vote for no bargaining
12 representation or for any employee organization which has
13 petitioned for certification or which has presented proof
14 satisfactory to the board of support of ten percent or more of
15 the public employees in the appropriate unit.

16 2. If a majority of the votes cast on the question is
17 for no bargaining representation, the public employees in
18 the bargaining unit found appropriate by the board shall not
19 be represented by an employee organization. If a majority
20 of the votes cast on the question is for a listed employee
21 organization, then that employee organization shall represent
22 the public employees in the bargaining unit found appropriate
23 by the board.

24 3. If none of the choices on the ballot receives the vote
25 of a majority of the public employees voting, the board shall
26 conduct a runoff election among the two choices receiving the
27 greatest number of votes.

28 4. Upon written objections filed by any party to the
29 election within ten days after notice of the results of
30 the election, if the board finds that misconduct or other
31 circumstances prevented the public employees eligible to
32 vote from freely expressing their preferences, the board may
33 invalidate the election and hold a second election for the
34 public employees.

35 5. Upon completion of a valid election in which the majority

1 choice of the employees voting is determined, the board shall
2 certify the results of the election and shall give reasonable
3 notice of the order to all employee organizations listed on the
4 ballot, the public employers, and the public employees in the
5 appropriate bargaining unit.

6 6. a. A petition for certification as exclusive bargaining
7 representative of a bargaining unit shall not be considered
8 by the board for a period of one year from the date of the
9 noncertification of an employee organization as the exclusive
10 bargaining representative of that bargaining unit following a
11 certification election. A petition for certification as the
12 exclusive bargaining representative of a bargaining unit shall
13 also not be considered by the board if the bargaining unit is
14 at that time represented by a certified exclusive bargaining
15 representative.

16 b. A petition for the decertification of the exclusive
17 bargaining representative of a bargaining unit shall not be
18 considered by the board for a period of one year from the date
19 of its certification, or within one year of its continued
20 certification following a decertification election, or during
21 the duration of a collective bargaining agreement which, for
22 purposes of this section, shall be deemed not to exceed two
23 years. However, if a petition for decertification is filed
24 during the duration of a collective bargaining agreement, the
25 board shall award an election under this section not more than
26 one hundred eighty days and not less than one hundred fifty
27 days prior to the expiration of the collective bargaining
28 agreement. If an employee organization is decertified, the
29 board may receive petitions under section 20.14, provided that
30 no such petition and no election conducted pursuant to such
31 petition within one year from decertification shall include as
32 a party the decertified employee organization.

33 7. A collective bargaining agreement with the state, its
34 boards, commissions, departments, and agencies shall be for two
35 years. The provisions of a collective bargaining agreement or

1 arbitrator's award affecting state employees shall not provide
2 for renegotiations which would require the refinancing of
3 salary and fringe benefits for the second year of the term of
4 the agreement, except as provided in section 20.17, subsection
5 6. The effective date of any such agreement shall be July 1 of
6 odd-numbered years, provided that if an exclusive bargaining
7 representative is certified on a date which will prevent the
8 negotiation of a collective bargaining agreement prior to
9 July 1 of odd-numbered years for a period of two years, the
10 certified collective bargaining representative may negotiate
11 a one-year contract with the public employer which shall be
12 effective from July 1 of the even-numbered year to July 1
13 of the succeeding odd-numbered year when new contracts shall
14 become effective.

15 Sec. 97. Section 22.7, subsections 69 and 70, Code 2022, are
16 amended to read as follows:

17 69. The evidence of public employee support for
18 the certification, ~~retention and recertification~~, or
19 decertification of an employee organization as defined in
20 section 20.3 that is submitted to the public employment
21 relations board as provided in [section 20.14](#) or [20.15](#).

22 70. Information indicating whether a public employee
23 voted in a certification, ~~retention and recertification~~, or
24 decertification election held pursuant to [section 20.15](#) or
25 how the employee voted on any question on a ballot in such an
26 election.

27 Sec. 98. Section 602.1401, subsection 3, paragraph b, Code
28 2022, is amended to read as follows:

29 *b.* For purposes of [chapter 20](#), the certified representative,
30 which on July 1, 1983, represents employees who become judicial
31 branch employees as a result of [1983 Iowa Acts, ch. 186](#), shall
32 remain the certified representative when the employees become
33 judicial branch employees and thereafter, unless the public
34 employee organization is ~~not retained and recertified or is~~
35 decertified in an election held under [section 20.15](#) or amended

1 or absorbed into another certified organization pursuant to
2 chapter 20. Collective bargaining negotiations shall be
3 conducted on a statewide basis and the certified employee
4 organizations which engage in bargaining shall negotiate on a
5 statewide basis, although bargaining units shall be organized
6 by judicial district. The public employment relations board
7 shall adopt rules pursuant to [chapter 17A](#) to implement this
8 subsection.

9 Sec. 99. Section 905.4, subsection 2, Code 2022, is amended
10 to read as follows:

11 2. Employ a director having the qualifications required by
12 section 905.6 to head the district department's community-based
13 correctional program and, within a range established by the
14 Iowa department of corrections, fix the compensation of and
15 have control over the director and the district department's
16 staff. For purposes of collective bargaining under chapter
17 20, employees of the district board who are not exempt from
18 chapter 20 are employees of the state, and the employees of all
19 of the district boards shall be included within one collective
20 bargaining unit. Furthermore, employees of the district board
21 shall be considered state employees for purposes of section
22 8A.415, subsection 2.

23 Sec. 100. DIRECTIVES TO PUBLIC EMPLOYMENT RELATIONS BOARD.

24 1. The public employment relations board shall cancel any
25 elections scheduled or in process pursuant to section 20.15,
26 subsection 2, Code 2022, as of the effective date of this
27 division of this Act.

28 2. Notwithstanding section 20.15, subsection 1, paragraph
29 "c", Code 2022, the public employment relations board
30 shall consider a petition for certification of an employee
31 organization as the exclusive representative of a bargaining
32 unit for which an employee organization was not retained and
33 recertified as the exclusive representative of that bargaining
34 unit regardless of the amount of time that has elapsed since
35 the retention and recertification election at which an employee

1 organization was not retained or recertified.

2

DIVISION XIV

3 HEALTH INSURANCE COVERAGE — SURVIVING SPOUSE AND CHILDREN OF
4 CERTAIN DEPARTMENT OF CORRECTIONS EMPLOYEES

5 Sec. 101. Section 509A.13D, subsection 3, Code 2022, is
6 amended to read as follows:

7 3. The governing body of the state shall ~~not~~ be required
8 to pay for the full cost of the health insurance under this
9 section; ~~however, the governing body of the state may pay the~~
10 ~~full cost or a portion of the cost of the health insurance. If~~
11 ~~the full cost or a portion of the cost of the coverage is not~~
12 ~~paid by the governing body of the state, the surviving spouse~~
13 ~~and each surviving child who is eligible for health insurance~~
14 ~~under this section may elect to continue coverage by paying~~
15 ~~that portion of the cost of the health insurance not paid by~~
16 ~~the governing body of the state.~~

17

DIVISION XV

18 ASSAULTS ON PERSONS ENGAGED IN CERTAIN OCCUPATIONS

19 Sec. 102. Section 708.3A, subsections 3 and 4, Code 2022,
20 are amended to read as follows:

21 3. A person who commits an assault, as defined in section
22 708.1, against a peace officer, jailer, correctional staff,
23 member or employee of the board of parole, health care
24 provider, employee of the department of human services,
25 employee of the department of revenue, civilian employee of a
26 law enforcement agency, civilian employee of a fire department,
27 or fire fighter, whether paid or volunteer, who knows that
28 the person against whom the assault is committed is a peace
29 officer, jailer, correctional staff, member or employee of
30 the board of parole, health care provider, employee of the
31 department of human services, employee of the department
32 of revenue, civilian employee of a law enforcement agency,
33 civilian employee of a fire department, or fire fighter, and
34 who causes bodily injury or mental illness, is guilty of an
35 ~~aggravated misdemeanor~~ a class "D" felony.

1 4. Any other assault, as defined in [section 708.1](#), committed
2 against a peace officer, jailer, correctional staff, member
3 or employee of the board of parole, health care provider,
4 employee of the department of human services, employee of the
5 department of revenue, civilian employee of a law enforcement
6 agency, civilian employee of a fire department, or fire
7 fighter, whether paid or volunteer, by a person who knows
8 that the person against whom the assault is committed is a
9 peace officer, jailer, correctional staff, member or employee
10 of the board of parole, health care provider, employee of
11 the department of human services, employee of the department
12 of revenue, civilian employee of a law enforcement agency,
13 civilian employee of a fire department, or fire fighter, is a
14 ~~serious misdemeanor~~ an aggravated misdemeanor.

15 Sec. 103. Section 708.3A, Code 2022, is amended by adding
16 the following new subsections:

17 NEW SUBSECTION. 4A. Any person who commits an assault,
18 as defined in [section 708.1](#), against a jailer or correctional
19 staff while the person is in the custody and control of the
20 department of corrections in a correctional institution,
21 community-based correctional facility, or an institution under
22 the management of the Iowa department of corrections which
23 is used for the purposes of confinement of persons who have
24 committed public offenses, or a county jail or other facility
25 used for purposes of confinement of persons who have committed
26 public offenses, shall, upon conviction of a violation of
27 this section, in addition to any other sentence imposed, lose
28 one-half of all earned time accumulated pursuant to [section](#)
29 [903A.2](#) for a first conviction, and shall lose all earned
30 time accumulated pursuant to [section 903A.2](#) for a second or
31 subsequent conviction.

32 NEW SUBSECTION. 4B. If the county attorney of the county
33 where a violation of this section occurs against a jailer
34 or correctional staff by a person who is in the custody
35 and control of the department of corrections while in any

1 correctional institution or a county jail or other facility
2 used for purposes of confinement fails to prosecute the case
3 against the person, the area prosecutions division of the
4 attorney general's office may elect to prosecute the case.

5 DIVISION XVI

6 DEPARTMENT OF CORRECTIONS

7 Sec. 104. DEPARTMENT OF CORRECTIONS — CONTRABAND AND
8 SURVEILLANCE CAMERAS — TRAUMA EVENTS.

9 1. For fiscal years beginning on or after July 1, 2022,
10 the department of corrections shall increase funding for
11 screening for contraband and surveillance cameras at all state
12 correctional facilities and for upgrades to provide for an
13 enhanced technology system to improve the safety and efficiency
14 of operations at all state correctional facilities.

15 2. The department of corrections shall amend its
16 administrative rules pursuant to chapter 17A to allow an
17 employee of the department who has witnessed a trauma event to
18 take between five and thirty days of paid leave depending upon
19 the severity of the trauma event. If the appointing authority
20 of a correctional institution determines that an employee
21 has been held hostage, the employee shall be eligible for a
22 paid leave of absence of up to ninety days, as determined by
23 a licensed physician, to allow for recovery from stress and
24 any related conditions. Such paid leave shall not be charged
25 against the employee's sick leave account.

26 DIVISION XVII

27 ACCOMMODATIONS — PREGNANCY AND CHILDBIRTH

28 Sec. 105. Section 216.6, subsection 2, Code 2022, is amended
29 by adding the following new paragraph:

30 NEW PARAGRAPH. *f.* (1) An employer shall provide reasonable
31 accommodations to an employee based on medical conditions
32 related to the employee's pregnancy or childbirth if the
33 employee so requests with the advice of the employee's health
34 care provider.

35 (2) For purposes of this lettered paragraph "f", "reasonable

1 *accommodations*" means actions which would permit an employee
2 with a medical condition relating to the employee's pregnancy
3 or childbirth to perform in a reasonable manner the activities
4 involved in the employee's specific occupation and include but
5 are not limited to the provision of an accessible worksite,
6 acquisition or modification of equipment, job restructuring,
7 and a modified work schedule. "*Reasonable accommodations*" does
8 not mean any action that would impose an undue hardship on the
9 business of the employer from whom the action is requested.

10

DIVISION XVIII

11

STUDENT IDENTIFICATION CARDS — SUICIDE PREVENTION

12

Sec. 106. NEW SECTION. 279.76 **Student identification cards**
13 — **suicide prevention information.**

14

A public school that issues identification cards to students
15 in grades seven through twelve shall include on either side of
16 the identification card the your life Iowa crisis telephone and
17 text numbers. A public school that issues identification cards
18 to students in grades five and six may include on either side
19 of the identification card the your life Iowa crisis telephone
20 and text numbers.

21

Sec. 107. **APPLICABILITY.** This division of this Act
22 applies to student identification cards issued on or after the
23 effective date of this division of this Act. A school that
24 has a supply of unused student identification cards shall use
25 that supply prior to complying with the requirements of this
26 division of this Act relating to student identification cards.

27

DIVISION XIX

28

INFANT FORMULA TASK FORCE

29

Sec. 108. **INFANT FORMULA TASK FORCE.**

30

1. The economic development authority and the department
31 of agriculture and land stewardship shall create an infant
32 formula task force. The task force shall consider programs and
33 other means the state may implement to incentivize all of the
34 following:

35

a. The in-state production of raw materials used to

1 manufacture infant formula.

2 b. The in-state manufacture of infant formula.

3 2. The task force shall report its findings and
4 recommendations to the general assembly on or before December
5 16, 2022.

6 DIVISION XX

7 TAX CREDITS — BUSINESS OPERATIONS WITH RUSSIAN FEDERATION

8 Sec. 109. TAX CREDITS — BUSINESS OPERATIONS WITH RUSSIAN
9 FEDERATION.

10 1. The economic development authority may revoke all or a
11 portion of any tax credit authorized, issued, or awarded by
12 the authority to a company under chapter 15 or section 403.19A
13 if the company is engaged, or becomes engaged, in any business
14 operations with the Russian Federation.

15 2. For purposes of this section, unless the context
16 otherwise requires:

17 a. "Business operations" means commerce in any form
18 including the acquisition, development, maintenance, ownership,
19 possession, leasing, selling, or operation of any equipment,
20 facilities, personnel, products, services, personal property,
21 real property, or any other apparatus of business or commerce.

22 b. "Company" means any sole proprietorship, organization,
23 association, corporation, partnership, joint venture, limited
24 partnership, limited liability partnership, limited liability
25 company, or other entity or business association, including
26 all wholly owned subsidiaries, majority-owned subsidiaries,
27 parent companies, or affiliates of such entities or business
28 associations.

29 3. The department of revenue, upon notification by the
30 economic development authority of the revocation of all or any
31 portion of a company's tax credit under this section, shall
32 seek repayment of the value of any such tax credit already
33 claimed. The repayment of any tax credit by a company shall
34 be considered a tax payment due and payable to the department
35 of revenue by any taxpayer who has claimed such tax credit,

1 and the failure to make such a repayment may be treated by the
2 department of revenue in the same manner as a failure to pay
3 the tax shown due or required to be shown due with the filing of
4 a return or deposit form.

5 Sec. 110. EFFECTIVE DATE. This division of this Act, being
6 deemed of immediate importance, takes effect upon enactment.

7 Sec. 111. APPLICABILITY. This division of this Act applies
8 to tax credits authorized, issued, or awarded by the economic
9 development authority under chapter 15 or section 403.19A on or
10 after the effective date of this division of this Act.>

11 2. Title page, line 4, after <atters,> by inserting
12 <providing penalties,>

13 3. Title page, line 4, after <date> by inserting <,
14 applicability,>>

HALL of Woodbury