

Senate File 2385

H-8325

1 Amend Senate File 2385, as amended, passed, and reprinted by
2 the Senate, as follows:

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

5 <DIVISION I

6 SOIL CONSERVATION AND WATER QUALITY COMMITTEE

7 Section 1. Section 159.5, subsection 12, Code 2024, is
8 amended to read as follows:

9 12. Create and maintain a division of soil conservation
10 and water quality as provided in [chapter 161A](#). The division's
11 director shall be appointed by the secretary ~~from a list of~~
12 ~~names of persons recommended by the soil conservation and water~~
13 ~~quality committee, pursuant to [section 161A.4](#),~~ and shall serve
14 at the pleasure of the secretary. The director shall be the
15 administrator responsible for carrying out the provisions of
16 chapters 207 and [208](#).

17 Sec. 2. Section 161A.3, subsection 4, Code 2024, is amended
18 to read as follows:

19 4. "Committee" means the state soil conservation and water
20 quality committee established in [section ~~161A.4~~ 161A.4A](#).

21 Sec. 3. Section 161A.4, subsections 1, 6, and 7, Code 2024,
22 are amended to read as follows:

23 1. The division of soil conservation and water quality
24 created within the department pursuant to [section 159.5](#) shall
25 perform the functions conferred upon it in [this chapter](#) and
26 chapters 161C, [161E](#), [161F](#), [207](#), and [208](#), and [466B](#). ~~The division~~
27 ~~shall be administered in accordance with the policies of the~~
28 ~~committee, which shall advise the division and which shall~~
29 ~~approve administrative rules proposed by the division for~~
30 ~~the administration of [this chapter](#) and [chapters 161C](#), [161E](#),~~
31 ~~[161F](#), [207](#), and [208](#) before the rules are adopted pursuant to~~
32 ~~[section 17A.5](#). If a difference exists between the committee~~
33 ~~and secretary regarding the content of a proposed rule, the~~
34 ~~secretary shall notify the chairperson of the committee of~~
35 ~~the difference within thirty days from the committee's action~~

1 ~~on the rule. The secretary and the committee shall meet to~~
2 ~~resolve the difference within thirty days after the secretary~~
3 ~~provides the committee with notice of the difference.~~

4 6. ~~a.~~ The committee division may perform acts, hold public
5 hearings, and propose and approve rules pursuant to **chapter 17A**
6 as necessary for the execution of its functions.

7 ~~b.~~ ~~The committee shall recommend to the secretary each year~~
8 ~~a budget for the division. The secretary, at the earliest~~
9 ~~opportunity and prior to formulating a budget, shall meet with~~
10 ~~representatives of the committee to discuss the committee's~~
11 ~~recommendation.~~

12 ~~c.~~ ~~The committee shall recommend three persons to the~~
13 ~~secretary of agriculture who shall appoint from the persons~~
14 ~~recommended a director to head the division and serve at~~
15 ~~the pleasure of the secretary. After reviewing the names~~
16 ~~submitted, the secretary may request that the committee submit~~
17 ~~additional names for consideration.~~

18 7. ~~The committee or division may call upon the attorney~~
19 ~~general of the state for necessary legal services. The~~
20 ~~committee may delegate to its chairperson, to one or more of~~
21 ~~its members, or to one or more agents or employees, powers and~~
22 ~~duties as it deems proper. Upon request of the committee, for~~
23 ~~the purpose of carrying out any of the functions assigned the~~
24 ~~committee or the department by law, the supervising officer~~
25 ~~of any state agency, or of any state institution of learning~~
26 ~~shall, insofar as possible under available appropriations,~~
27 ~~and having due regard to the needs of the agency to which the~~
28 ~~request is directed, assign or detail the request to the staff~~
29 ~~or personnel of the agency or institution of learning, and~~
30 ~~make the special reports, surveys, or studies as the committee~~
31 ~~requests.~~

32 Sec. 4. Section 161A.4, subsections 4 and 5, Code 2024, are
33 amended by striking the subsections.

34 Sec. 5. NEW SECTION. **161A.4A State soil conservation and**
35 **water quality committee.**

1 1. A state soil conservation and water quality committee
2 is established within the department. The committee exists to
3 provide expert advice and consultation related to technical
4 and financial assistance programs administered by the division
5 and promote the installation of soil and water conservation
6 practices to the citizens of the state of Iowa.

7 a. The members of the committee shall be appointed by the
8 secretary of agriculture and shall include the following:

9 (1) Six of the members shall be persons engaged in actual
10 farming operations, each of whom shall be a resident of one
11 of six different geographic regions in the state, including
12 northwest, southwest, north central, south central, northeast,
13 and southeast Iowa. One member shall be actively engaged in
14 tree farming. The boundaries of the geographic regions shall
15 be established by the department by rule.

16 (2) One member shall be an elected commissioner from a soil
17 and water conservation district.

18 (3) One member shall be a representative of the mining
19 industry.

20 (4) One member shall be a representative of cities and
21 towns.

22 (5) One member shall be a representative of an organization
23 working in conservation or outdoor recreation.

24 (6) One member shall be a representative of agribusiness.

25 (7) One member shall be a representative of an engineering
26 or contracting business engaged in conservation work.

27 b. The following shall serve as ex officio, nonvoting
28 members of the committee:

29 (1) The director of the Iowa cooperative extension service
30 in agriculture and home economics, or the director's designee.

31 (2) The director of the department of natural resources, or
32 the director's designee.

33 (3) The state conservationist for the state of Iowa of the
34 natural resources conservation service.

35 2. a. The committee shall designate its chairperson, and

1 may change the designation. The members appointed by the
2 secretary of agriculture shall serve for a period of two years.
3 Members designated to represent the director of the department
4 of natural resources and the director of the Iowa cooperative
5 extension service in agriculture and home economics shall serve
6 at the pleasure of the officer making the designation.

7 *b.* Members are entitled to actual expenses necessarily
8 incurred in the discharge of their duties as members of the
9 committee. The expenses paid to the committee members shall be
10 paid from moneys appropriated to the department. Each member
11 of the committee may also be eligible to receive compensation
12 as provided in section 7E.6. The committee shall provide for
13 the keeping of a full and accurate record of all proceedings.

14 Sec. 6. Section 161A.5, subsection 1, Code 2024, is amended
15 to read as follows:

16 1. The one hundred soil and water conservation districts
17 established in the manner which was prescribed by law prior to
18 July 1, 1975 shall continue in existence with the boundaries
19 and the names in effect on July 1, 1975. If the existence of
20 a district so established is discontinued pursuant to section
21 161A.10, a petition for reestablishment of the district or for
22 annexation of the former district's territory to any other
23 abutting district may be submitted to, and shall be acted upon
24 by, the ~~committee~~ division in substantially the manner provided
25 by [section 467A.5, Code 1975](#).

26 Sec. 7. Section 161A.5, subsection 2, paragraph c, Code
27 2024, is amended to read as follows:

28 *c.* If a commissioner is absent for sixty or more percent
29 of monthly meetings during any twelve-month period, the other
30 commissioners by their unanimous vote may declare the member's
31 office vacant. A vacancy in the office of commissioner shall
32 be filled by appointment of the ~~committee~~ remaining members
33 of the district until the next succeeding general election,
34 at which time the balance of the unexpired term shall be
35 filled as provided by [section 69.12](#). Within thirty days of

1 an appointment pursuant to this paragraph, the district shall
2 notify the division of any change to its membership.

3 Sec. 8. Section 161A.7, subsection 1, paragraph k, Code
4 2024, is amended to read as follows:

5 k. Subject to the approval of the ~~committee~~ division, to
6 change the name of the soil and water conservation district.

7 Sec. 9. Section 161A.7, subsection 1, paragraph n,
8 subparagraph (1), unnumbered paragraph 1, Code 2024, is amended
9 to read as follows:

10 The district plan shall contain a comprehensive long-range
11 assessment of soil and surface water resources in the district
12 consistent with rules approved by the ~~committee~~ division under
13 section 161A.4. In developing the plan the district may
14 receive technical support from the United States department
15 of agriculture natural resources conservation service and the
16 county board of supervisors in the county where the district
17 is located. The division and the Iowa cooperative extension
18 service in agriculture and home economics may provide technical
19 support to the district. The support may include but is not
20 limited to the following:

21 Sec. 10. Section 161A.7, subsection 1, paragraph n,
22 subparagraph (2), Code 2024, is amended to read as follows:

23 (2) The title page of the district plan and a notification
24 stating where the plan may be reviewed shall be recorded with
25 the recorder in the county in which the district is located,
26 and updated as necessary, after the ~~committee~~ director of the
27 division approves and ~~the director of the division~~ signs the
28 district plan. The commissioners shall provide notice of the
29 recording and may provide a copy of the approved district plan
30 to the county board of supervisors in the county where the
31 district is located. The district plan shall be filed with
32 the division as part of the state soil and water resource
33 conservation plan provided in [section 161A.4](#).

34 Sec. 11. Section 161A.7, subsection 3, Code 2024, is amended
35 to read as follows:

1 3. The commissioners, as a condition for the receipt of
2 any state cost-sharing funds for permanent soil conservation
3 practices, shall require the owner of the land on which the
4 practices are to be established to covenant and file, in the
5 office of the district of the county in which the land is
6 located, an agreement identifying the particular lands upon
7 which the practices for which state cost-sharing funds are to
8 be received will be established, and providing that the project
9 will not be removed, altered, or modified so as to lessen
10 its effectiveness without the consent of the commissioners,
11 obtained in advance and based on guidelines drawn up by the
12 ~~committee~~ division, for a period not to exceed twenty years
13 after the date of receiving payment. The commissioners shall
14 assist the division in the enforcement of [this subsection](#).
15 The agreement does not create a lien on the land, but is a
16 charge personally against the owner of the land at the time of
17 removal, alteration, or modification if an administrative order
18 is made under [section 161A.61, subsection 3](#).

19 Sec. 12. Section 161A.10, Code 2024, is amended to read as
20 follows:

21 **161A.10 Discontinuance of districts.**

22 1. At any time after five years after the organization of
23 a district under [this chapter](#), any twenty-five owners of land
24 lying within the boundaries of the district, but in no case
25 less than twenty percent of the owners of land lying within
26 the district, may file a petition with the ~~committee~~ division
27 asking that the operations of the district be terminated and
28 the existence of the district discontinued. The ~~committee~~
29 division may conduct public meetings and public hearings upon
30 the petition as necessary to assist in the consideration of
31 the petition. Within sixty days after a petition has been
32 received by the ~~committee~~ division, the division shall give
33 due notice of the holding of a referendum, shall supervise the
34 referendum, and shall issue appropriate rules governing the
35 conduct of the referendum. The question is to be submitted by

1 ballots upon which the words "For terminating the existence of
2 the (name of the soil and water conservation district to
3 be here inserted)" and "Against terminating the existence of
4 the (name of the soil and water conservation district to
5 be here inserted)" shall be printed, with a square before each
6 proposition and a direction to insert an X mark in the square
7 before one or the other of the propositions as the voter favors
8 or opposes discontinuance of the district. All owners of lands
9 lying within the boundaries of the district are eligible to
10 vote in the referendum. No informalities in the conduct of
11 the referendum or in any matters relating to the referendum
12 invalidate the referendum or the result of the referendum if
13 notice was given substantially as provided in [this section](#) and
14 if the referendum was fairly conducted.

15 2. When sixty-five percent of the landowners vote to
16 terminate the existence of the district, the ~~committee~~
17 division shall advise the commissioners to terminate the
18 affairs of the district. The commissioners shall dispose of
19 all property belonging to the district at public auction and
20 shall pay over the proceeds of the sale to be deposited into
21 the state treasury. The commissioners shall then file an
22 application, duly verified, with the secretary of state for the
23 discontinuance of the district, and shall transmit with the
24 application the certificate of the ~~committee~~ division setting
25 forth the determination of the ~~committee~~ division that the
26 continued operation of the district is not administratively
27 practicable and feasible. The application shall recite that
28 the property of the district has been disposed of and the
29 proceeds paid over as provided in [this section](#), and shall set
30 forth a full accounting of the properties and proceeds of the
31 sale. The secretary of state shall issue to the commissioners
32 a certificate of dissolution and shall record the certificate
33 in an appropriate book of record in the secretary of state's
34 office.

35 3. Upon issuance of a certificate of dissolution under this

1 section, all ordinances and regulations previously adopted
2 and in force within the districts are of no further force and
3 effect. All contracts previously entered into, to which the
4 district or commissioners are parties, remain in force and
5 effect for the period provided in the contracts. The ~~committee~~
6 division is substituted for the district or commissioners as
7 party to the contracts. The ~~committee~~ division is entitled to
8 all benefits and subject to all liabilities under the contracts
9 and has the same right and liability to perform, to require
10 performance, to sue and be sued, and to modify or terminate the
11 contracts by mutual consent or otherwise, as the commissioners
12 of the district would have had.

13 4. The ~~committee~~ division shall not entertain petitions for
14 the discontinuance of any district nor conduct referenda upon
15 discontinuance petitions nor make determinations pursuant to
16 the petitions in accordance with [this chapter](#), more often than
17 once in five years.

18 Sec. 13. Section 161A.22, subsection 2, Code 2024, is
19 amended to read as follows:

20 2. The governing body of the subdistrict, upon
21 determination that benefits from works of improvement as set
22 forth in the watershed work plan to be installed will exceed
23 costs thereof, and that funds needed for purposes of the
24 subdistrict require levy of a special benefit assessment as
25 provided in [section 161A.23](#), in lieu of the special annual
26 tax as provided in [section 161A.20](#), shall record its decision
27 to use its taxing authority and, upon majority vote of the
28 governing body and with the approval of the ~~committee~~ division,
29 may issue warrants or bonds payable in not more than forty
30 semiannual installments in connection with the special benefit
31 assessment, and pledge and assign the proceeds of the special
32 benefit assessment and other revenues of the subdistrict as
33 security for the warrants or bonds. The warrants and bonds of
34 indebtedness are general obligations of the subdistrict, exempt
35 from all taxes, state and local, and are not indebtedness of

1 the district or the state of Iowa.

2 Sec. 14. Section 161A.42, subsection 9, paragraphs a and b,
3 Code 2024, are amended to read as follows:

4 a. *“Permanent soil and water conservation practices”* means
5 planting of perennial grasses, legumes, shrubs, or trees, the
6 establishment of grassed waterways, and the construction of
7 terraces, or other permanent soil and water practices approved
8 by the ~~committee~~ division.

9 b. *“Temporary soil and water conservation practices”* means
10 planting of annual or biennial crops, use of strip-cropping,
11 contour planting, or minimum or mulch tillage, and any other
12 cultural practices approved by the ~~committee~~ division.

13 Sec. 15. Section 161A.44, unnumbered paragraph 1, Code
14 2024, is amended to read as follows:

15 The commissioners of each district shall, with approval
16 of and within time limits set by administrative order of
17 the ~~committee~~ division, adopt reasonable regulations as are
18 deemed necessary to establish a soil loss limit or limits for
19 the district and provide for the implementation of the limit
20 or limits. A district may subsequently amend or repeal its
21 regulations as it deems necessary. The ~~committee~~ division
22 shall review the soil loss limit regulations adopted by the
23 districts at least once every five years, and shall recommend
24 changes in the regulations of a district which the ~~committee~~
25 division deems necessary to assure that the district’s soil
26 loss limits are reasonable and attainable. The commissioners
27 may:

28 Sec. 16. Section 161A.44, subsection 2, Code 2024, is
29 amended to read as follows:

30 2. Establish different soil loss limits for different
31 classes of land in the district if in their judgment and that
32 of the ~~committee~~ division a lower soil loss limit should be
33 applied to some land than can reasonably be applied to other
34 land in the district, it being the intent of the general
35 assembly that no land in the state be assigned a soil loss

1 limit that cannot reasonably be applied to such land.

2 Sec. 17. Section 161A.45, Code 2024, is amended to read as
3 follows:

4 **161A.45 Submission of regulations to ~~committee~~ division —**
5 **hearing.**

6 Regulations which the commissioners propose to adopt,
7 amend, or repeal shall be submitted to the ~~committee~~ division,
8 in a form prescribed by the ~~committee~~ division, for its
9 approval. The ~~committee~~ division may approve the regulations
10 as submitted, or with amendments as it deems necessary. The
11 commissioners shall, after approval, publish notice of hearing
12 on the proposed regulations, as approved, in a newspaper
13 of general circulation in the district, setting a date and
14 time not less than ten nor more than thirty days after the
15 publication when a hearing on the proposed regulations will
16 be held at a specified place. The notice shall include the
17 full text of the proposed regulations or shall state that the
18 proposed regulations are on file and available for review
19 at the office of the affected soil and water conservation
20 district.

21 Sec. 18. Section 161A.46, Code 2024, is amended to read as
22 follows:

23 **161A.46 Conduct of hearing.**

24 At the hearing, the commissioners or their designees shall
25 explain, in reasonable detail, the reasons why adoption,
26 amendment, or repeal of the regulations is deemed necessary or
27 advisable. Any landowner, or any occupant of land who would be
28 affected by the regulations, shall be afforded an opportunity
29 to be heard for or against the proposed regulations. At the
30 conclusion of the hearing, the commissioners shall announce
31 and enter of record their decision whether to adopt or modify
32 the proposed regulations. Any modification must be approved
33 by the ~~committee~~ division, which may at its discretion order
34 the commissioners to republish the regulations and hold another
35 hearing in the manner prescribed by [this chapter](#).

1 Sec. 19. Section 161A.71, subsections 1 and 4, Code 2024,
2 are amended to read as follows:

3 1. The division may establish a conservation practices
4 revolving loan fund composed of any money appropriated by the
5 general assembly for that purpose, and of any other moneys
6 available to and obtained or accepted by the ~~committee~~ division
7 from the federal government or private sources for placement
8 in that fund. Except as otherwise provided by [subsection 3](#),
9 the assets of the conservation practices revolving loan fund
10 shall be used only to make loans directly to owners of land in
11 this state for the purpose of establishing on that land any
12 new permanent soil and water conservation practice which the
13 commissioners of the soil and water conservation district in
14 which the land is located have found is necessary or advisable
15 to meet the soil loss limits established for that land. A
16 loan shall not be made for establishing a permanent soil and
17 water conservation practice on land that is subject to the
18 restriction on state cost-sharing funds of [section 161A.76](#).
19 Revolving loan funds and public cost-sharing funds may be
20 used in combination for funding a particular soil and water
21 conservation practice. Each loan made under [this section](#)
22 shall be for a period not to exceed ten years, shall bear no
23 interest, and shall be repayable to the conservation practices
24 revolving loan fund in equal yearly installments due March 1 of
25 each year the loan is in effect. The interest rate upon loans
26 for which payment is delinquent shall accelerate immediately to
27 the current legal usury limit. Applicants are eligible for no
28 more than twenty thousand dollars in loans outstanding at any
29 time under this program. "*Permanent soil and water conservation*
30 *practices*" has the same meaning as defined in [section 161A.42](#)
31 and those established under this program are subject to the
32 requirements of [section 161A.7, subsection 3](#). Loans made under
33 this program shall come due for payment upon sale of the land
34 on which those practices are established.

35 4. [This section](#) does not negate the provisions of

1 section 161A.48 that an owner or occupant of land in this
2 state shall not be required to establish any new soil and
3 water conservation practice unless public cost-sharing
4 funds have been approved and are available for the land
5 affected. However, the owner of land with respect to which an
6 administrative order to establish soil and water conservation
7 practices has been issued under [section 161A.47](#) but not
8 complied with for lack of public cost-sharing funds, may waive
9 the right to await availability of such funds and instead apply
10 for a loan under [this section](#) to establish any permanent soil
11 and water conservation practices necessary to comply with the
12 order. If a landowner does so, that loan application shall be
13 given reasonable preference by the ~~committee~~ division if there
14 are applications for more loans under [this section](#) than can be
15 made from the money available in the conservation practices
16 revolving loan fund. If it is found necessary to deny an
17 application for a soil and water conservation practices loan to
18 a landowner who has waived the right to availability of public
19 cost-sharing funds before complying with an administrative
20 order issued under [section 161A.47](#), the landowner's waiver is
21 void.

22 Sec. 20. Section 161A.71, subsection 3, paragraph a, Code
23 2024, is amended to read as follows:

24 a. Contract, sue and be sued, and promulgate administrative
25 rules necessary to carry out the provisions of [this section](#),
26 but the ~~committee~~ division shall not in any manner directly or
27 indirectly pledge the credit of the state of Iowa.

28 Sec. 21. Section 161A.72, subsection 1, Code 2024, is
29 amended to read as follows:

30 1. Financial incentives provided under [this chapter](#) shall
31 be administered by the division. The incentives shall be
32 supported with funds appropriated by the general assembly,
33 and moneys available to or obtained by the division ~~or the~~
34 ~~committee~~ from public or private sources, including but
35 not limited to the United States, other states, or private

1 organizations. The division shall adopt all rules consistent
2 with [chapter 17A](#) necessary to carry out the purpose of this
3 subchapter as provided in [section 161A.70](#).

4 Sec. 22. Section 161A.74, subsection 1, paragraph a, Code
5 2024, is amended to read as follows:

6 a. The financial incentives shall not exceed more than fifty
7 percent of the estimated cost of establishing the practices
8 as determined by the commissioners, or fifty percent of the
9 actual cost of establishing the practices, whichever is less.
10 However, the commissioners may allocate an amount determined
11 by the ~~committee~~ division for management of soil and water
12 conservation practices, except as otherwise provided regarding
13 land classified as agricultural land under conservation cover.

14 Sec. 23. Section 161A.74, subsection 2, Code 2024, is
15 amended to read as follows:

16 2. The ~~committee~~ division shall review requirements of this
17 section once each year. The ~~committee~~ division may authorize
18 commissioners in districts to condition the establishment of a
19 mandatory soil and water conservation practice in a specific
20 case on a higher proportion of public cost-sharing than is
21 required by [this section](#). The commissioners shall determine
22 the amount of cost-sharing moneys allocated to establish a
23 specific soil and water conservation practice in accordance
24 with an administrative order issued pursuant to [section 161A.47](#)
25 by considering the extent to which the practice will contribute
26 benefits to the individual owner or occupant of the land on
27 which the practice is to be established.

28 Sec. 24. Section 161A.75, subsection 3, Code 2024, is
29 amended to read as follows:

30 3. Following the disaster emergency, the commissioners
31 shall submit a report to the ~~committee~~ division providing
32 information regarding restoration projects and moneys allocated
33 under [this section](#) for the projects.

34 Sec. 25. Section 161C.1, subsection 1, Code 2024, is amended
35 by striking the subsection.

1 the license should not be renewed, the renewal fee shall be
2 refunded and the license shall expire on the expiration date
3 or thirty days after mailing or service of the decision to the
4 licensee, whichever is later.

5 Sec. 30. Section 207.9, subsection 5, Code 2024, is amended
6 to read as follows:

7 5. Within sixty days a person having an interest which is
8 or may be adversely affected may appeal to ~~the committee~~ the
9 decision of the division granting or denying a permit as a
10 contested case under [chapter 17A](#).

11 Sec. 31. Section 207.14, subsection 4, paragraph a, Code
12 2024, is amended to read as follows:

13 a. A permittee may request in writing an appeal to the
14 ~~committee~~ division of a decision made in a hearing under
15 subsection 3 within thirty days of the decision. The ~~committee~~
16 division shall review the record made in the contested case
17 hearing, and may hear additional evidence upon a showing of
18 good cause for failure to present the evidence in the hearing,
19 or if evidence concerning events occurring after the hearing
20 is deemed relevant to the proceeding. However, the ~~committee~~
21 division shall not review a decision in a proceeding if the
22 division seeks to collect a civil penalty pursuant to section
23 207.15, and those decisions are final agency actions subject to
24 direct judicial review as provided in [chapter 17A](#).

25 Sec. 32. Section 207.14, subsection 5, Code 2024, is amended
26 to read as follows:

27 5. In any administrative proceeding under [this chapter](#)
28 or judicial review, the amount of all reasonable costs and
29 expenses, including reasonable attorney fees incurred by a
30 person in connection with the person's participation in the
31 proceedings or judicial review, may be assessed against either
32 party as the court in judicial review or the ~~committee~~ division
33 in administrative proceedings deems proper.

34 Sec. 33. Section 207.14, subsection 7, paragraph a, Code
35 2024, is amended to read as follows:

1 a. A permittee issued a notice or order under [this section](#)
2 or any person having an interest which is or may be adversely
3 affected by the notice or order or by its modification,
4 vacation, or termination may apply to the ~~committee~~ division
5 for review within thirty days of receipt of the notice or
6 order or within thirty days of its modification, vacation, or
7 termination. The review shall be treated as a contested case
8 under [chapter 17A](#).

9 Sec. 34. Section 207.14, subsection 7, paragraph c,
10 subparagraph (2), Code 2024, is amended to read as follows:

11 (2) The applicant shows that there is substantial
12 likelihood that the findings of the ~~committee~~ division will be
13 favorable to the applicant.

14 Sec. 35. Section 208.2, subsection 3, Code 2024, is amended
15 by striking the subsection.

16 Sec. 36. Section 208.8, subsections 2, 4, 5, and 6, Code
17 2024, are amended to read as follows:

18 2. The division shall, by certified mail or personal
19 service, serve on the operator notice in writing of the charges
20 and grounds upon which the license is to be suspended, revoked,
21 or will not be issued. The notice shall include the time
22 and the place at which a hearing shall be held before the
23 ~~committee, a subcommittee appointed by the committee, or the~~
24 ~~committee's designee,~~ division to determine whether to suspend,
25 revoke, or refuse to issue the license. The hearing shall
26 be not less than fifteen nor more than thirty days after the
27 mailing or service of the notice.

28 4. If after full investigation and hearing the operator
29 is found to have willfully or repeatedly violated any of the
30 provisions of [this chapter](#), the ~~committee or subcommittee~~
31 division may affirm or modify the proposed suspension,
32 revocation, or refusal to issue the license.

33 5. When the ~~committee or subcommittee~~ division finds that
34 a license should be suspended or revoked or should not be
35 issued, the division shall so notify the operator in writing by

1 certified mail or by personal service.

2 a. The suspension or revocation of a license shall become
3 effective thirty days after notice to the operator.

4 b. If the license or renewal fee has been paid and the
5 ~~committee or subcommittee~~ division finds that the license
6 should not be issued, then the license shall expire thirty days
7 after notice to the operator.

8 6. An action by the ~~committee or subcommittee~~ division
9 to affirm or modify the proposed suspension, revocation, or
10 refusal to issue a license constitutes a final agency action
11 for purposes of judicial review pursuant to [section 208.11](#) and
12 chapter 17A.

13 Sec. 37. Section 208.9, subsection 3, Code 2024, is amended
14 to read as follows:

15 3. The division shall automatically invalidate all
16 registrations of an operator who fails to renew the operator's
17 mining license within a time period set by the division,
18 who has been denied license renewal by the ~~committee or~~
19 ~~subcommittee~~ division, or whose license has been suspended or
20 revoked by the ~~committee or subcommittee~~ division.

21 Sec. 38. Section 208.11, Code 2024, is amended to read as
22 follows:

23 **208.11 Judicial review.**

24 Judicial review of the action of the ~~committee or~~ division
25 may be sought in accordance with the terms of the Iowa
26 administrative procedure Act, [chapter 17A](#).

27 Sec. 39. Section 460.303, subsection 1, Code 2024, is
28 amended to read as follows:

29 1. An agricultural drainage well water quality assistance
30 fund is created in the state treasury under the control of
31 the division. The fund is composed of moneys appropriated by
32 the general assembly, and moneys available to and obtained or
33 accepted by the division ~~or the state soil conservation and~~
34 ~~water quality committee established in~~ [section 161A.4](#), from the
35 United States or private sources for placement in the fund.

1 Sec. 40. Section 461.11, subsection 1, Code 2024, is amended
2 to read as follows:

3 1. When making decisions regarding the expenditure of
4 trust fund moneys affecting soil and water conservation, the
5 secretary of agriculture shall regularly consult with the soil
6 conservation and water quality committee established in section
7 ~~161A.4~~ 161A.4A. When making decisions regarding the expenditure
8 of trust fund moneys affecting natural resources and outdoor
9 recreation, the director of the department of natural resources
10 shall regularly consult with the natural resource commission
11 established pursuant to section 455A.5. When making decisions
12 regarding the expenditure of trust fund moneys affecting
13 trails, the department of transportation shall consult with the
14 state transportation commission as provided in chapter 307A.

15 DIVISION II

16 PROFESSIONAL LAND SURVEYORS — LICENSING

17 Sec. 41. REPEAL. Section 542B.20, Code 2024, is repealed.

18 Sec. 42. TRANSITION PROVISIONS. A license issued pursuant
19 to section 542B.20, Code 2024, prior to the effective date of
20 this division of this Act shall continue in full force and
21 effect until expiration or until suspension or revocation by
22 the engineering and land surveying examining board pursuant to
23 section 542B.21.

24 DIVISION III

25 ESTABLISHMENT AND REVIEW OF BOARDS, COMMISSIONS, COMMITTEES,
26 AND COUNCILS

27 Sec. 43. NEW SECTION. 4A.1 Definitions.

28 As used in this chapter, unless the context otherwise
29 requires:

30 1. "Board" means any board, commission, committee, council,
31 panel, review team, or foundation of this state.

32 2. "Committee" means the state government efficiency review
33 committee established pursuant to this chapter.

34 3. "Nonhealth profession" means a profession regulated by
35 this state other than as provided in Title IV, subtitle 3.

1 4. "Regulated health profession" means a profession
2 regulated pursuant to Title IV, subtitle 3.

3 5. "Unregulated health profession" means a profession
4 pursuant to Title IV, subtitle 3, that is not regulated by any
5 entity of this state.

6 6. "Unregulated nonhealth profession" means a profession
7 that is not regulated by any entity of this state and is not an
8 unregulated health profession.

9 Sec. 44. NEW SECTION. 4A.2 Committee — duties.

10 1. The committee shall carry out the functions provided in
11 this chapter.

12 2. Administrative assistance shall be provided by the
13 legislative services agency.

14 Sec. 45. NEW SECTION. 4A.3 Board reviews.

15 1. The committee shall review the usefulness, performance,
16 and efficacy of each board as provided in subsection 2. After
17 completing a review, the committee shall prepare and publish
18 a report of its findings and recommendations as provided in
19 section 4A.4.

20 2. The committee shall establish a schedule for the
21 committee to review each board such that the committee reviews
22 approximately one-fourth of all boards each calendar year.
23 Each board shall be reviewed once between the calendar years
24 2025 and 2029, and once every four years thereafter. The
25 committee may modify the schedule as necessary to facilitate
26 the efficient administration of the committee.

27 3. A board that is scheduled for review shall submit a
28 report to the committee thirty days prior to the date that it
29 is scheduled for review that includes but is not limited to all
30 of the following:

31 a. The board's primary purpose and its goals and objectives.

32 b. The board's past and anticipated workload, the number of
33 staff required to complete that workload, and the board's total
34 number of staff.

35 c. The board's past and anticipated budgets and its sources

1 of funding.

2 *d.* The number of members that compose the governing board or
3 other governing entity of the board and member compensation,
4 if any.

5 4. A board subject to review shall bear the burden of
6 demonstrating to the committee a public need for its continued
7 existence. In determining whether a board has met that burden,
8 the committee shall consider the following, as applicable,
9 in addition to any other information deemed relevant by the
10 committee:

11 *a.* Whether continuation of the board is necessary to protect
12 the health or safety of the public, and if so, whether the
13 board's authority is narrowly tailored to protect against
14 present, recognizable, and significant harms to the health or
15 safety of the public.

16 *b.* Whether the public could be protected or served in an
17 alternate or less restrictive manner.

18 *c.* Whether rules adopted by the board are consistent with
19 the legislative mandate of the board as expressed in the
20 statutes that created and empowered the board.

21 *d.* The extent to which the board's jurisdiction and programs
22 overlap or duplicate those of other boards, the extent to which
23 the board coordinates with those other boards, and the extent
24 to which the board's programs could be consolidated with the
25 programs of other state departments or boards.

26 *e.* The number of other states that regulate the occupation,
27 whether a license is required to engage in the occupation in
28 other states, whether the initial licensing and license renewal
29 requirements for the occupation are substantially equivalent
30 in every state, and the amount of regulation exercised by the
31 board compared to the regulation, if any, in other states.

32 *f.* Whether the board recognizes national uniform licensure
33 requirements for the occupation.

34 *g.* Whether private contractors could be used, in an
35 effective and efficient manner, either to assist the board in

1 the performance of its duties or to perform the board's duties
2 in place of the board.

3 *h.* The cost-effectiveness of the board in terms of the
4 number of employees, services rendered, and administrative
5 costs incurred, both past and present.

6 *i.* The efficiency with which formal public complaints filed
7 with the board have been processed to completion.

8 *j.* Whether the purpose for which the board was created has
9 been fulfilled, has changed, or no longer exists.

10 *k.* Whether federal law requires that the board exist in some
11 form.

12 *l.* Whether the requirement for an occupational license
13 is consistent with the principles expressed in section 4A.4,
14 subsection 2, serves the public health or safety, and provides
15 the least restrictive form of regulation that adequately
16 protects the public health or safety.

17 *m.* The extent to which licensing ensures that practitioners
18 have occupational skill sets or competencies that are
19 substantially related to protecting consumers from present,
20 significant, and substantiated harms that threaten the public
21 health or safety, and the impact that those criteria have on
22 applicants for a license, particularly those with moderate or
23 low incomes, seeking to enter the occupation or profession.

24 *n.* The extent to which the requirement for the occupational
25 license stimulates or restricts competition, affects consumer
26 choice, and affects the cost of services.

27 Sec. 46. NEW SECTION. **4A.4 Reports.**

28 1. After completing a review of a board pursuant to section
29 4A.3, the committee shall prepare and submit a report of its
30 findings and recommendations by December 21 of each year.

31 A report may include findings and recommendations for more
32 than one board. Copies of the report shall be submitted
33 to the president of the senate, the speaker of the house
34 of representatives, the governor, and each affected board,
35 and shall be made publicly available on the internet site

1 of the general assembly. The committee shall present its
2 recommendations to the general assembly.

3 2. Recommendations of the committee shall indicate how or
4 whether implementation of the recommendations would do each of
5 the following:

6 a. Improve efficiency in the management of state government.

7 b. Improve services rendered to citizens of the state.

8 c. Provide for the least restrictive regulations by
9 repealing current regulations and replacing them with less
10 restrictive regulations that adequately protect the public.

11 d. Improve the effectiveness of the services performed by
12 the boards of the state.

13 e. Avoid duplication of effort by state agencies or boards.

14 Sec. 47. NEW SECTION. **4A.5 Boards and governmental entities**
15 **— dissolution.**

16 1. Except as provided in subsection 2, a board established
17 by an Act of the general assembly after the effective date of
18 this division of this Act shall dissolve four years after the
19 establishment of the board, unless the Act establishing the
20 board expressly states an alternative dissolution date.

21 2. An Act of the general assembly establishing a board for
22 the exclusive purpose of providing advice or recommendations
23 after the effective date of this division of this Act shall
24 include a dissolution date of the board not more than two years
25 after the establishment of the board.

26 Sec. 48. NEW SECTION. **4A.6 State government efficiency**
27 **review committee established.**

28 1. A state government efficiency review committee is
29 established which shall meet as necessary to efficiently
30 review all boards according to the schedule established by the
31 committee pursuant to section 4A.3.

32 2. a. The committee shall consist of two members of the
33 senate appointed by the majority leader of the senate, one
34 member of the senate appointed by the minority leader of the
35 senate, two members of the house of representatives appointed

1 by the speaker of the house of representatives, one member of
2 the house of representatives appointed by the minority leader
3 of the house of representatives, an employee of the office
4 of the governor appointed by the governor, the director of
5 the department of management or the director's designee, and
6 the director of the department of inspections, appeals, and
7 licensing, or the director's designee.

8 *b.* Members shall be appointed prior to January 31 of the
9 first regular session of each general assembly and shall serve
10 for terms ending upon the convening of the following general
11 assembly or when their successors are appointed, whichever is
12 later. A vacancy shall be filled in the same manner as the
13 original appointment and shall be for the remainder of the
14 unexpired term of the vacancy.

15 *c.* The committee shall elect a chairperson and vice
16 chairperson.

17 3. The legislative members of the committee shall be
18 reimbursed for actual and necessary expenses incurred in the
19 performance of their duties and shall be paid a per diem as
20 specified in section 2.10 for each day in which they engaged
21 in the performance of their duties. However, per diem
22 compensation and expenses shall not be paid to members of the
23 general assembly when the general assembly is actually in
24 session at the seat of government. Expenses and per diem shall
25 be paid from moneys appropriated pursuant to section 2.12.

26 4. Administrative assistance shall be provided by the
27 legislative services agency.

28 Sec. 49. NEW SECTION. **4A.7 Regulation of unregulated health**
29 **professions.**

30 1. An unregulated health profession shall not be subject
31 to regulation by any entity of this state for the purpose of
32 prohibiting competition but may be subject to such regulation
33 only for the exclusive purpose of protecting the public health
34 or safety. All proposed legislation to create a board or
35 commission to regulate an unregulated health profession shall

1 be reviewed by the general assembly to determine that all of
2 the following conditions are met:

3 a. There is credible evidence that the unregulated practice
4 of the unregulated health profession will clearly harm or
5 endanger the public health or safety and the potential for harm
6 is easily recognizable and not remote.

7 b. The public needs and can reasonably be expected
8 to benefit from an assurance of initial and continuing
9 professional ability.

10 2. Prior to considering proposed legislation to create
11 a board or commission to regulate an unregulated health
12 profession for passage to the floor of the senate or the
13 house of representatives, a legislative standing committee to
14 which proposed legislation to create a board or commission to
15 regulate an unregulated health profession has been referred
16 shall consider whether the conditions in subsection 1 have been
17 met. If the committee finds that the conditions in subsection
18 1 have been met, the committee shall consider whether the
19 legislation is the least restrictive method of regulation, that
20 adequately protects the public, to address the specific harm or
21 danger identified in this subsection.

22 3. The legislative standing committee shall submit its
23 findings regarding whether the proposed legislation meets
24 the conditions in subsections 1 and 2 to the president of
25 the senate or the speaker of the house of representatives,
26 as applicable, who shall make the findings available to each
27 member of the general assembly on the internet site of the
28 general assembly.

29 4. This section does not allow a person to practice an
30 unregulated health profession if the profession includes
31 practices within the scope of practice of an existing regulated
32 health profession.

33 Sec. 50. NEW SECTION. 4A.8 Proposed regulation of
34 unregulated health professions — written reports.

35 1. A member of the general assembly introducing proposed

1 legislation to create a board or commission to regulate an
2 unregulated health profession shall submit with the legislation
3 a report addressing the requirements contained in subsection 2.
4 The report shall be submitted to the president of the senate
5 or the speaker of the house of representatives, as applicable,
6 prior to full consideration of the legislation by the senate or
7 the house of representatives and made available on the internet
8 site of the general assembly.

9 2. The report must address, at a minimum, all of the
10 following and identify the source of all information contained
11 in the report:

12 a. Why regulation is necessary, including the nature of the
13 proven harm to the public if the unregulated health profession
14 is not regulated and the extent to which there is a threat to
15 the public health or safety.

16 b. The efforts made to address the problem the legislation
17 is intended to solve.

18 c. The alternatives considered, including all of the
19 following:

20 (1) Regulation of business employers or practitioners
21 rather than employee practitioners.

22 (2) Voluntary efforts to regulate the profession.

23 (3) Registration of all practitioners.

24 (4) Certification of all practitioners.

25 (5) If licensing is sought, why licensing would serve to
26 protect the public health or safety.

27 d. The benefit to the public health or safety if regulation
28 is granted, including all of the following:

29 (1) The extent to which the incidence of specific problems
30 present in the unregulated health profession can reasonably be
31 expected to be reduced by regulation.

32 (2) The extent to which qualified practitioners are
33 competent, including all of the following:

34 (a) The nature of the standards proposed for registration,
35 certification, or licensure as compared with the standards in

1 other jurisdictions.

2 (b) Whether the proposed regulatory entity would be
3 authorized to enter into reciprocity agreements with other
4 jurisdictions.

5 (c) The nature and duration of any training and experience
6 required, whether applicants will be required to pass an
7 examination, and whether there will be alternative methods to
8 enter the health profession.

9 (3) Assurances to the public that practitioners have
10 maintained their competence, including all of the following:

11 (a) Whether a registration, certificate, or license will
12 include an expiration date.

13 (b) Whether the renewal of a registration, certificate,
14 or license will be based only on payment of a fee or whether
15 renewal will involve reexamination, peer review, or other
16 enforcement.

17 e. The maintenance of professional standards, including all
18 of the following:

19 (1) Whether effective quality assurance standards exist
20 in the profession such as legal requirements associated with
21 specific programs that define or enforce standards or a code
22 of ethics.

23 (2) How the proposed legislation will ensure quality,
24 including whether a code of ethics will be adopted and the
25 grounds for suspension or revocation of a registration,
26 certificate, or license.

27 f. A description of the group proposed for regulation,
28 including a list of associations, organizations, and other
29 professional groups representing practitioners in this state,
30 an estimate of the number of practitioners in each professional
31 group, and whether the professional groups represent different
32 levels of practice.

33 g. The expected costs of regulation, including the impact of
34 costs on the public and costs imposed on this state.

35 Sec. 51. NEW SECTION. 4A.9 Regulation of unregulated

1 **nonhealth professions.**

2 1. An unregulated nonhealth profession shall not be
3 regulated except for the exclusive purpose of protecting the
4 public health or safety. All proposed legislation to create
5 a board or commission to regulate an unregulated nonhealth
6 profession shall be reviewed by the legislative standing
7 committee to which the proposed legislation is referred to
8 ensure that all of the following requirements are met:

9 a. The unregulated practice of the nonhealth profession can
10 clearly harm the public health or safety.

11 b. The actual or anticipated public benefit of the
12 regulation clearly exceeds the costs imposed by the regulation
13 on consumers, businesses, and individuals.

14 c. The public cannot be effectively protected by private
15 certification or other alternatives.

16 2. If a legislative standing committee finds that the
17 proposed legislation satisfies the conditions in subsection
18 1, the committee shall examine data from multiple sources and
19 shall consider evidence of actual harm to the public related
20 to the unregulated nonhealth profession being considered for
21 regulation. The evidence may include industry association
22 data; federal, state, and local government data; business
23 reports; complaints to law enforcement, relevant state
24 agencies, and the better business bureau; and data from
25 agencies in other states with and without similar systems of
26 regulation.

27 3. If, after consideration of evidence pursuant to
28 subsection 2, the legislative standing committee finds that it
29 is necessary to create a board or commission to regulate an
30 unregulated nonhealth profession, the committee shall review
31 the proposed legislation to determine whether it is the least
32 restrictive regulation necessary to adequately protect the
33 public and whether the regulation protects a discrete interest
34 group from economic competition.

35 4. The legislative standing committee shall submit its

1 findings regarding whether the proposed legislation meets the
2 requirements of subsections 1, 2, and 3, to the president of
3 the senate or the speaker of the house of representatives,
4 as applicable, who shall make the findings available to each
5 member of the general assembly on the internet site of the
6 general assembly.

7 5. This section does not allow a person to practice an
8 unregulated nonhealth profession if the profession includes
9 practices within the scope of practice of an existing regulated
10 nonhealth profession.

11 Sec. 52. NEW SECTION. 4A.10 Proposed regulation of
12 unregulated nonhealth professions — written reports.

13 1. A member of the general assembly introducing legislation
14 to regulate an unregulated nonhealth profession shall submit
15 with the legislation a report addressing the requirements
16 contained in subsection 2. The report shall be submitted to
17 the president of the senate or the speaker of the house of
18 representatives, as applicable, prior to full consideration of
19 the legislation by the senate or the house of representatives
20 and made available on the internet site of the general
21 assembly.

22 2. The report must address all of the following and identify
23 the source of all information contained in the report:

24 a. Why regulation is necessary including what particular
25 problem regulation would address.

26 b. The alternatives considered.

27 c. The benefit to the public health or safety of regulating
28 the profession.

29 d. The extent to which regulation might harm the public.

30 e. The maintenance of professional standards, including all
31 of the following:

32 (1) Whether effective quality assurance standards exist
33 in the profession such as legal requirements associated with
34 specific programs that define or enforce standards or a code
35 of ethics.

1 (2) How the proposed legislation will assure quality
2 including the extent to which a code of ethics will be
3 adopted and the grounds for the suspension or revocation of a
4 registration, certificate, or license.

5 f. A description of the profession proposed for regulation,
6 including a list of associations, organizations, and other
7 professional groups representing practitioners in this state,
8 an estimate of the number of practitioners in each profession,
9 and whether the professional groups represent different levels
10 of practice.

11 g. The expected costs of regulation, including the impact of
12 costs on the public and costs imposed on this state.

13 Sec. 54. REPEAL. Sections 2.69 and 3.20, Code 2024, are
14 repealed.

15 Sec. 55. CODE EDITOR DIRECTIVE — TRANSFERS.

16 1. The Code editor is directed to make the following
17 transfers:

18 a. Section 69.15 to section 4A.11.

19 b. Section 69.16 to section 4A.12.

20 c. Section 69.16B to section 4A.13.

21 d. Section 69.16C to section 4A.14.

22 e. Section 69.16D to section 4A.15.

23 f. Section 69.16E to section 4A.16.

24 g. Section 69.17 to section 4A.17.

25 2. The Code editor shall correct internal references in the
26 Code and in any enacted legislation as necessary due to the
27 enactment of this section.

28 DIVISION IV

29 PROFESSIONAL BOARDS

30 Sec. 56. Section 10A.503, subsection 1, Code 2024, is
31 amended to read as follows:

32 1. Each board under [chapter 100C](#), [103](#), [103A](#), [105](#), or [147](#)
33 that is under the administrative authority of the department
34 shall receive ~~administrative and clerical~~ staff support from
35 the department and may not employ its own support staff ~~for~~

1 ~~administrative and clerical duties. The executive director~~
2 ~~of the board of nursing, board of medicine, dental board,~~
3 ~~and board of pharmacy shall be appointed pursuant to section~~
4 ~~10A.504.~~

5 Sec. 57. Section 10A.504, subsection 1, unnumbered
6 paragraph 1, Code 2024, is amended to read as follows:

7 The director shall appoint and supervise a ~~full-time~~ an
8 executive director for each of the following boards:

9 Sec. 58. Section 103.4, Code 2024, is amended to read as
10 follows:

11 **103.4 ~~Executive secretary — staff and duties~~ Support staff.**

12 The director shall ~~appoint an executive secretary for the~~
13 ~~board and shall hire and provide staff to assist the board~~
14 ~~in administering this chapter. The executive secretary~~
15 ~~shall report to the director for purposes of routine board~~
16 ~~administrative functions, and shall report directly to~~
17 ~~the board for purposes of execution of board policy such~~
18 ~~as application of licensing criteria and processing of~~
19 ~~applications.~~

20 Sec. 59. Section 103.34, subsection 1, Code 2024, is amended
21 to read as follows:

22 1. Upon receipt of a notice of appeal filed pursuant
23 to section 103.33, the chairperson or ~~executive secretary~~
24 administrative staff of the board may designate a hearing
25 officer from among the board members to hear the appeal or
26 may set the matter for hearing before the full board at its
27 next regular meeting. A majority of the board shall make the
28 decision.

29 Sec. 60. Section 147.80, subsection 3, Code 2024, is amended
30 by striking the subsection.

31 Sec. 61. Section 147.87, Code 2024, is amended to read as
32 follows:

33 **147.87 Enforcement.**

34 1. A board shall enforce the provisions of this chapter and
35 the board's enabling statute and for that purpose may request

1 the department of inspections, appeals, and licensing to make
2 necessary investigations. Every licensee and member of a board
3 shall furnish the board or the department of inspections,
4 appeals, and licensing such evidence as the member or licensee
5 may have relative to any alleged violation which is being
6 investigated.

7 2. The department of inspections, appeals, and licensing
8 may administratively close a complaint that does not allege a
9 violation of this chapter, the board's enabling statute, or a
10 rule of the board.

11 Sec. 62. Section 147.88, Code 2024, is amended to read as
12 follows:

13 **147.88 Inspections and investigations.**

14 The department of inspections, appeals, and licensing may
15 perform inspections and investigations as required by this
16 subtitle, ~~except inspections and investigations for the board~~
17 ~~of medicine, board of pharmacy, board of nursing, and the~~
18 ~~dental board. The department of inspections, appeals, and~~
19 ~~licensing shall employ personnel related to the inspection and~~
20 ~~investigative functions.~~

21 Sec. 63. Section 152.2, Code 2024, is amended to read as
22 follows:

23 **152.2 Executive director.**

24 ~~The board shall retain a full-time~~ An executive director,
25 ~~who~~ shall be appointed pursuant to [section 10A.504](#). The
26 executive director shall be a registered nurse. The governor,
27 with the approval of the executive council pursuant to section
28 8A.413, subsection 3, under the pay plan for exempt positions
29 in the executive branch of government, shall set the salary of
30 the executive director.

31 Sec. 64. Section 152E.2, Code 2024, is amended to read as
32 follows:

33 **152E.2 Compact administrator.**

34 ~~The executive director of the board of nursing, as~~
35 ~~provided for in [section 152.2](#),~~ director of the department

1 of inspections, appeals, and licensing, or the director's
2 designee, shall serve as the compact administrator identified
3 in article VII, paragraph "b", of the nurse licensure compact
4 contained in [section 152E.1](#) and as the compact administrator
5 identified in article VIII, paragraph "a", of the advanced
6 practice registered nurse compact contained in [section 152E.3](#).

7 Sec. 65. Section 153.36, subsection 1, Code 2024, is amended
8 to read as follows:

9 1. [Sections 147.44, 147.48, 147.49, 147.53, and 147.55](#), and
10 ~~[sections 147.87 through 147.92](#)~~ shall not apply to the practice
11 of dentistry.

12 Sec. 66. Section 272C.6, subsection 1, Code 2024, is amended
13 to read as follows:

14 1. Disciplinary hearings held pursuant to [this chapter](#)
15 shall be heard by the board sitting as the hearing panel, or
16 by an administrative law judge, or by a panel of not less
17 than three board members who are licensed in the profession,
18 or by a panel of not less than three members appointed
19 pursuant to [subsection 2](#). Notwithstanding [chapters 17A](#) and
20 21 a disciplinary hearing shall be open to the public at the
21 discretion of the licensee.

22 Sec. 67. REPEAL. Sections 152.3 and 153.33B, Code 2024,
23 are repealed.

24 DIVISION V

25 LICENSURE STUDIES

26 Sec. 68. LICENSURE RENEWAL CYCLES STUDY. The department of
27 inspections, appeals, and licensing shall review all current
28 licensure renewal cycles for professional and occupational
29 licenses issued by a department, board, commission, or other
30 governmental entity. The department shall submit a report,
31 including proposed recommendations for a uniform renewal cycle
32 for all professional and occupational licenses, to the governor
33 and the general assembly by September 30, 2024.

34 Sec. 69. LICENSURE FEE STUDY.

35 1. The department of inspections, appeals, and licensing

1 shall review fees imposed by a department, board, commission,
2 or other governmental entity for the issuance or renewal of a
3 professional or occupational license. The department shall
4 evaluate the fees based on the licensure fees imposed in
5 surrounding states and the operational costs of the licensing
6 functions of the entity.

7 2. The department shall submit a report, including proposed
8 fees, to the governor and the general assembly by September 30,
9 2024.

10 DIVISION VI

11 ADVISORY BODIES

12 Sec. 70. Section 7E.3, subsection 3, Code 2024, is amended
13 by striking the subsection and inserting in lieu thereof the
14 following:

15 3. *Advisory bodies.* In addition to any boards, commissions,
16 committees, or councils specifically created by law, establish
17 and utilize other ad hoc advisory committees as determined
18 necessary by the head of the department or independent
19 agency. The department or independent agency shall establish
20 appointment provisions, membership terms, operating guidelines,
21 and any other operational requirements for committees
22 established pursuant to this subsection. Members of committees
23 under this general authority shall serve without compensation
24 but may be reimbursed for actual expenses.

25 Sec. 71. Section 15.105, Code 2024, is amended by adding the
26 following new subsection:

27 NEW SUBSECTION. 12. The authority may establish and utilize
28 such ad hoc advisory committees as determined necessary by
29 the authority. The authority shall establish appointment
30 provisions, membership terms, operating guidelines, and any
31 other operational requirements for committees established
32 pursuant to this subsection. Members of committees established
33 pursuant to this subsection shall serve without compensation
34 but may be reimbursed for actual expenses.

35 Sec. 72. NEW SECTION. 152.3A **Advisory committees.**

1 The board may establish and utilize such ad hoc advisory
2 committees as determined necessary by the board. The board
3 shall establish appointment provisions, membership terms,
4 operating guidelines, and any other operational requirements
5 for committees established pursuant to this section. Members
6 of committees established pursuant to this section shall serve
7 without compensation but may be reimbursed for actual expenses.

8 Sec. 73. Section 153.33, subsection 1, Code 2024, is amended
9 by adding the following new paragraph:

10 NEW PARAGRAPH. *f.* To establish and utilize such ad hoc
11 advisory committees as determined necessary by the board,
12 including an advisory committee on the practice of dental
13 hygiene. The board shall establish appointment provisions,
14 membership terms, operating guidelines, and any other
15 operational requirements for committees established pursuant
16 to this paragraph. Members of committees established pursuant
17 to this paragraph shall serve without compensation but may be
18 reimbursed for actual expenses.

19 Sec. 74. Section 256.7, Code 2024, is amended by adding the
20 following new subsection:

21 NEW SUBSECTION. 35. Establish and utilize such ad hoc
22 advisory committees as determined necessary by the state
23 board. The state board shall establish appointment provisions,
24 membership terms, operating guidelines, and any other
25 operational requirements for committees established pursuant to
26 this subsection. Members of committees established pursuant
27 to this subsection shall serve without compensation but may be
28 reimbursed for actual expenses.

29 Sec. 75. Section 307A.2, Code 2024, is amended by adding the
30 following new subsection:

31 NEW SUBSECTION. 7. Establish and utilize such ad hoc
32 advisory committees as determined necessary by the commission.
33 The commission shall establish appointment provisions,
34 membership terms, operating guidelines, and any other
35 operational requirements for committees established pursuant to

1 this subsection. Members of committees established pursuant
2 to this subsection shall serve without compensation but may be
3 reimbursed for actual expenses.

4 Sec. 76. Section 455A.5, subsection 6, Code 2024, is amended
5 by adding the following new paragraph:

6 NEW PARAGRAPH. *g.* Establish and utilize such ad hoc
7 advisory committees as determined necessary by the commission.
8 The commission shall establish appointment provisions,
9 membership terms, operating guidelines, and any other
10 operational requirements for committees established pursuant
11 to this paragraph. Members of committees established pursuant
12 to this paragraph shall serve without compensation but may be
13 reimbursed for actual expenses.

14 Sec. 77. Section 455A.6, subsection 6, Code 2024, is amended
15 by adding the following new paragraph:

16 NEW PARAGRAPH. *e.* Establish and utilize such ad hoc
17 advisory committees as determined necessary by the commission.
18 The commission shall establish appointment provisions,
19 membership terms, operating guidelines, and any other
20 operational requirements for committees established pursuant
21 to this paragraph. Members of committees established pursuant
22 to this paragraph shall serve without compensation but may be
23 reimbursed for actual expenses.

24 Sec. 78. Section 904.105, Code 2024, is amended by adding
25 the following new subsection:

26 NEW SUBSECTION. 9A. Establish and utilize such ad hoc
27 advisory committees as determined necessary by the board. The
28 board shall establish appointment provisions, membership terms,
29 operating guidelines, and any other operational requirements
30 for committees established pursuant to this subsection.
31 Members of committees established pursuant to this subsection
32 shall serve without compensation but may be reimbursed for
33 actual expenses.

34
35

DIVISION VII
ELECTRONIC MEETINGS

1 **5.3 Organization.**

2 The commissioners shall meet at the state capitol ~~at least~~
3 ~~once in two years~~ as necessary and shall organize by the
4 election of one of their number as chairperson and another
5 as secretary, who shall hold their respective offices for a
6 term of two years and until their successors are elected and
7 qualified.

8 Sec. 85. Section 8A.606, Code 2024, is amended to read as
9 follows:

10 **8A.606 Meetings.**

11 The commission shall have its offices at the seat of
12 government but may hold meetings in other locations. The
13 commission shall meet ~~quarterly and~~ at the call of the
14 chairperson.

15 Sec. 86. Section 8A.616, subsection 4, Code 2024, is amended
16 to read as follows:

17 4. *Meetings.* The board shall meet ~~at least three times~~
18 ~~annually and~~ at the call of the chair. ~~At least one meeting~~
19 ~~annually shall be held outside the state capital or in~~
20 ~~conjunction with a meeting of a relevant statewide professional~~
21 ~~organization.~~

22 Sec. 87. Section 10A.601, subsection 3, Code 2024, is
23 amended to read as follows:

24 3. The members of the appeal board shall select a
25 chairperson and vice chairperson from their membership. The
26 appeal board ~~shall meet at least once per month but~~ may meet
27 as often as necessary. Meetings shall be set by a majority of
28 the appeal board or upon the call of the chairperson, or in the
29 chairperson's absence, upon the call of the vice chairperson.
30 The employment appeal board, subject to the approval of the
31 director, may appoint personnel necessary for carrying out its
32 functions and duties.

33 Sec. 88. Section 13A.5, Code 2024, is amended to read as
34 follows:

35 **13A.5 Meetings.**

1 The council ~~shall meet at least four times each year and~~
2 shall hold meetings when called by the chairperson, or in the
3 absence of the chairperson, by the vice chairperson or when
4 called by the chairperson upon the written request of three
5 members of the council. The council shall establish its own
6 procedures and requirements with respect to quorum, place, and
7 conduct of its meetings and other matters.

8 Sec. 89. Section 23.3, subsection 7, Code 2024, is amended
9 to read as follows:

10 7. The board shall meet ~~at least quarterly and~~ at the call
11 of the chairperson.

12 Sec. 90. Section 24.26, subsection 2, Code 2024, is amended
13 to read as follows:

14 2. ~~The annual meeting of the state board shall be held on~~
15 ~~the second Tuesday of January in each year~~ meet as necessary.
16 ~~At each annual meeting the~~ The state board shall organize by
17 the election from its members of a chairperson and a vice
18 chairperson; and by appointing a secretary. Two members of
19 the state board constitute a quorum for the transaction of any
20 business.

21 Sec. 91. Section 47.8, subsection 1, unnumbered paragraph
22 1, Code 2024, is amended to read as follows:

23 A state voter registration commission is established which
24 shall meet ~~at least quarterly~~ as necessary to make and review
25 policy, adopt rules, and establish procedures to be followed by
26 the registrar in discharging the duties of that office, and to
27 promote interagency cooperation and planning.

28 Sec. 92. Section 80B.9, Code 2024, is amended to read as
29 follows:

30 **80B.9 Meetings.**

31 The council ~~shall meet at least four times each year and~~
32 shall hold ~~special~~ meetings when called by the chairperson or,
33 in the absence of the chairperson, by the vice chairperson,
34 or by the chairperson upon written request of five members
35 of the council. The council shall establish procedures and

1 requirements with respect to quorum, place, and conduct of
2 meetings.

3 Sec. 93. Section 99D.6, subsection 1, Code 2024, is amended
4 to read as follows:

5 1. The commission shall have its headquarters in the city of
6 Des Moines and shall meet ~~in July of each year and at other such~~
7 times and places as it finds necessary for the discharge of its
8 duties. The commission shall elect in July of each year one of
9 its members as chairperson for the succeeding year.

10 Sec. 94. Section 99G.8, subsection 11, Code 2024, is amended
11 to read as follows:

12 11. The board shall meet ~~at least quarterly and at such~~
13 ~~other times~~ upon call of the chairperson or the chief executive
14 officer. Notice of the time and place of each board meeting
15 shall be given to each member. The board shall also meet upon
16 call of three or more of the board members. The board shall
17 keep accurate and complete records of all its meetings.

18 Sec. 95. Section 103.2, subsection 3, paragraph b, Code
19 2024, is amended to read as follows:

20 ~~b. The board shall hold at least one meeting quarterly at~~
21 ~~the location of the board's principal office, and meetings~~
22 Meetings shall be called ~~at other times~~ as needed by the
23 chairperson or four members of the board. At any meeting of
24 the board, a majority of members constitutes a quorum.

25 Sec. 96. Section 103.34, subsection 1, Code 2024, is amended
26 to read as follows:

27 1. Upon receipt of a notice of appeal filed pursuant to
28 section 103.33, the chairperson or executive secretary of the
29 board may designate a hearing officer from among the board
30 members to hear the appeal or may set the matter for hearing
31 before the full board at its next ~~regular~~ scheduled meeting. A
32 majority of the board shall make the decision.

33 Sec. 97. Section 123.6, Code 2024, is amended to read as
34 follows:

35 **123.6 Commission meetings.**

1 The commission shall meet on or before July 1 of each year
2 for the purpose of selecting one of its members as chairperson
3 for the succeeding year. The commission shall ~~otherwise~~ meet
4 ~~quarterly or~~ at the call of the chairperson or director or when
5 three members file a written request for a meeting. Written
6 notice of the time and place of each meeting shall be given to
7 each member of the commission. A majority of the commission
8 members shall constitute a quorum.

9 Sec. 98. Section 124E.5, subsection 2, Code 2024, is amended
10 to read as follows:

11 2. The medical cannabidiol board shall convene ~~at least~~
12 ~~twice per year~~ as necessary.

13 Sec. 99. Section 169.5, subsections 3 and 4, Code 2024, are
14 amended to read as follows:

15 3. ~~The board shall meet at least once each year as~~
16 ~~determined by the board. Other necessary~~ Necessary meetings
17 may be called by the president of the board by giving
18 proper notice. Except as provided, a majority of the board
19 constitutes a quorum. Meetings shall be open and public except
20 that the board may meet in closed session to prepare, approve,
21 administer, or grade examinations, or to deliberate the
22 qualifications of an applicant for license or the disposition
23 of a proceeding to discipline a licensed veterinarian.

24 4. ~~At its annual meeting, the~~ The board shall organize
25 by electing a president and such other officers as may be
26 necessary. Officers of the board serve for terms of one year
27 and until a successor is elected, without limitation on the
28 number of terms an officer may serve. The president shall
29 serve as chairperson of board meetings. The person designated
30 as the state veterinarian shall serve as secretary of the
31 board.

32 Sec. 100. Section 182.13, Code 2024, is amended to read as
33 follows:

34 **182.13 Compensation — meetings.**

35 Members of the board may receive payment for their

1 actual expenses and travel in performing official board
2 functions. Payment shall be made from amounts collected from
3 the assessment. No member of the board shall be a salaried
4 employee of the board or any organization or agency receiving
5 funds from the board. The board shall meet at ~~least once every~~
6 ~~three months, and at other~~ such times as it deems necessary.

7 Sec. 101. Section 184.7, subsection 4, Code 2024, is amended
8 to read as follows:

9 4. The council shall meet at ~~least once every three~~
10 ~~months and at other~~ such times as the council determines are
11 necessary.

12 Sec. 102. Section 185.14, Code 2024, is amended to read as
13 follows:

14 **185.14 Compensation — meetings.**

15 Each director of the board shall receive a per diem of one
16 hundred dollars and actual expenses in performing official
17 board functions, notwithstanding [section 7E.6](#). A director of
18 the board shall not be a salaried employee of the board or
19 any organization or agency which is receiving moneys from the
20 board. The board shall meet at ~~least four times each year as~~
21 necessary.

22 Sec. 103. Section 185C.14, subsection 3, Code 2024, is
23 amended to read as follows:

24 3. The board shall meet at ~~least three times each year, and~~
25 at such ~~other~~ times as deemed necessary by the board.

26 Sec. 104. Section 186.1, Code 2024, is amended to read as
27 follows:

28 **186.1 Meetings and organization of society.**

29 The Iowa state horticulture society shall hold meetings each
30 ~~year, at times as it may fix,~~ as necessary for the transaction
31 of business. The officers and board of directors of the
32 society shall be chosen as provided for in the constitution
33 of the society, for the period and in the manner prescribed
34 therein, but the secretary of agriculture or the secretary's
35 designee shall be a member of the board of directors and of

1 the executive committee. Any vacancy in the offices filled by
2 the society may be filled by the executive committee for the
3 unexpired portion of the term.

4 Sec. 105. Section 217.4, Code 2024, is amended to read as
5 follows:

6 **217.4 Meetings of council.**

7 ~~The council shall meet at least monthly.~~ Additional
8 ~~meetings~~ Meetings shall be called by the chairperson or upon
9 written request of any three council members as necessary to
10 carry out the duties of the council. The chairperson shall
11 preside at all meetings or in the absence of the chairperson
12 the vice chairperson shall preside. The members of the council
13 shall be paid a per diem as specified in [section 7E.6](#) and their
14 reasonable and necessary expenses.

15 Sec. 106. Section 237.16, subsection 2, Code 2024, is
16 amended to read as follows:

17 2. The members of the state board shall annually select a
18 chairperson, vice chairperson, and other officers the members
19 deem necessary. The members may be entitled to receive
20 reimbursement for actual and necessary expenses incurred in
21 the performance of their duties, subject to available funding.
22 Each member of the board may also be eligible to receive
23 compensation as provided in [section 7E.6](#). The state board
24 shall meet ~~at least twice a year~~ as necessary.

25 Sec. 107. Section 256.32, subsection 3, Code 2024, is
26 amended to read as follows:

27 3. The duties of the council are to review, develop,
28 and recommend standards for secondary and postsecondary
29 agricultural education. The council shall annually issue a
30 report to the state board of education and the chairpersons
31 of the house and senate agriculture and education committees
32 regarding both short-term and long-term curricular standards
33 for agricultural education and the council's activities. The
34 council shall meet ~~a minimum of twice annually~~ as necessary,
35 and must have a quorum consisting of a majority of voting

1 members present to hold an official meeting and to take any
2 final council action. However, hearings may be held without
3 a quorum. The chairperson shall be elected annually by and
4 from the voting membership. The initial organizational meeting
5 shall be called by the director of the department of education.

6 Sec. 108. Section 256.83, subsection 1, Code 2024, is
7 amended to read as follows:

8 1. The board shall elect from among its members a president
9 and a vice president to serve a one-year term. The board
10 shall ~~meet at least four times annually and shall~~ hold special
11 meetings at the call of the president or in the absence of
12 the president by the vice president or by the president upon
13 written request of four members. The board shall establish
14 procedures and requirements relating to quorum, place, and
15 conduct of meetings.

16 Sec. 109. Section 256I.3, subsection 4, Code 2024, is
17 amended to read as follows:

18 4. The state board shall elect a chairperson from among the
19 citizen members and may select other officers from the voting
20 members as determined to be necessary by the board. The board
21 shall meet ~~regularly~~ as determined by the board, upon the call
22 of the board's chairperson, or upon the call of a majority of
23 voting members. ~~The board shall meet at least quarterly.~~

24 Sec. 110. Section 262.8, Code 2024, is amended to read as
25 follows:

26 **262.8 Meetings.**

27 ~~The board shall meet four times a year. Special meetings~~
28 Meetings may be called by the board, by the president of the
29 board, or by the executive director of the board upon written
30 request of any five members thereof.

31 Sec. 111. Section 267.5, subsection 2, Code 2024, is amended
32 to read as follows:

33 2. ~~Hold a meeting twice each year~~ Meet as necessary at Iowa
34 state university of science and technology. The council shall
35 meet with the faculty of the college of veterinary medicine.

1 The council may hold other such meetings as the council may
2 determine necessary, or as required by [section 267.6](#). An
3 action taken by the council shall not be valid unless agreed to
4 by a majority of the council members.

5 Sec. 112. Section 455A.5, subsection 4, Code 2024, is
6 amended to read as follows:

7 4. The commission shall hold an organizational meeting
8 within thirty days of the beginning of a new regular term for
9 one or more of its members. The commission shall organize by
10 electing a chairperson, vice chairperson, secretary, and any
11 other officers deemed necessary or desirable. The commission
12 shall also meet ~~at least quarterly throughout the year~~ as
13 necessary.

14 Sec. 113. Section 455A.6, subsection 4, Code 2024, is
15 amended to read as follows:

16 4. The commission shall hold an organizational meeting
17 within thirty days of the beginning of a new regular term for
18 one or more of its members. The commission shall organize by
19 electing a chairperson, vice chairperson, secretary, and any
20 other officers deemed necessary or desirable. The commission
21 shall also meet ~~at least quarterly throughout the year~~ as
22 necessary.

23 Sec. 114. Section 465C.5, Code 2024, is amended to read as
24 follows:

25 **465C.5 Organization.**

26 The board shall organize annually by the election of a
27 chairperson. The board shall meet ~~annually and~~ at such ~~other~~
28 times as it deems necessary. Meetings may be called by the
29 chairperson, and shall be called by the chairperson on the
30 request of three members of the board.

31 Sec. 115. Section 466B.3, subsection 5, paragraph a, Code
32 2024, is amended to read as follows:

33 a. The council shall be convened by the secretary of
34 agriculture ~~at least quarterly~~ as necessary.

35 Sec. 116. Section 481A.10A, subsection 3, Code 2024, is

1 amended to read as follows:

2 3. The committee shall meet with a representative of the
3 department of natural resources ~~on a semiannual basis~~ as
4 necessary. The committee shall serve without compensation or
5 reimbursement for expenses.

6 Sec. 117. Section 524.205, subsection 5, Code 2024, is
7 amended to read as follows:

8 5. The state banking council shall meet ~~at least once each~~
9 ~~calendar quarter on such date and at such place as the council~~
10 ~~may decide, and shall meet~~ at such other times as may be deemed
11 necessary by the superintendent or a majority of the council
12 members.

13 Sec. 118. Section 533.107, subsection 3, Code 2024, is
14 amended to read as follows:

15 3. The review board ~~shall meet at least four times each year~~
16 ~~and~~ shall hold ~~special~~ meetings at the call of the chairperson.
17 Four members constitute a quorum.

18 Sec. 119. Section 542B.9, Code 2024, is amended to read as
19 follows:

20 **542B.9 Organization of the board — staff.**

21 The board shall elect annually from its members a
22 chairperson and a vice chairperson. The director of the
23 department of inspections, appeals, and licensing shall
24 hire and provide staff to assist the board in implementing
25 this chapter. ~~The board shall hold at least one meeting at~~
26 ~~the location of the board's principal office, and meetings~~
27 Meetings shall be called ~~at other times~~ by the director or the
28 director's designee at the request of the chairperson or four
29 members of the board. At any meeting of the board, a majority
30 of members constitutes a quorum.

31 Sec. 120. Section 543B.50, Code 2024, is amended to read as
32 follows:

33 **543B.50 Meetings.**

34 The real estate commission shall ~~hold at least one meeting~~
35 per year meet as necessary at the location of the commission's

1 principal office and shall elect a chairperson annually. A
2 majority of the members of the commission shall constitute a
3 quorum.

4 Sec. 121. Section 543D.4, subsection 7, Code 2024, is
5 amended to read as follows:

6 7. The board shall meet ~~at least once each calendar quarter~~
7 as necessary to conduct its business.

8 Sec. 122. Section 904.106, Code 2024, is amended to read as
9 follows:

10 **904.106 Meetings — expenses.**

11 ~~The board shall meet at least quarterly throughout the year.~~
12 ~~Special meetings~~ Meetings may be called by the chairperson
13 or upon written request of any three members of the board.
14 The chairperson shall preside at all meetings or in the
15 chairperson's absence, the vice chairperson shall preside. The
16 members of the board shall be paid their actual expenses while
17 attending the meetings. Each member of the board may also be
18 able to receive compensation as provided in [section 7E.6](#).

19 Sec. 123. Section 905.3, subsection 1, paragraph b, Code
20 2024, is amended to read as follows:

21 *b.* The district advisory board shall meet ~~not more often~~
22 ~~than quarterly during the calendar year~~ as necessary.

23 DIVISION IX

24 REORGANIZATION

25 Sec. 124. Section 7E.5, subsection 2, paragraph a, Code
26 2024, is amended to read as follows:

27 *a.* There is a civil rights commission, ~~a public employment~~
28 ~~relations board, an interstate cooperation commission,~~ an Iowa
29 ethics and campaign disclosure board, an Iowa utilities board,
30 and an Iowa law enforcement academy.

31 Sec. 125. Section 8A.201, subsection 3, paragraph b, Code
32 2024, is amended to read as follows:

33 *b.* Materials excluded from this definition by ~~the commission~~
34 ~~through the adoption and enforcement of rules~~ rule.

35 Sec. 126. Section 8A.203, subsections 3 and 4, Code 2024,

1 are amended to read as follows:

2 3. The commission shall ~~adopt~~ provide advice and
3 recommendations on the adoption of rules under chapter 17A by
4 the department for carrying out the responsibilities of the
5 department as it relates to library services duties of the
6 department.

7 4. ~~Advise~~ The commission shall advise the department and the
8 state librarian concerning the library services duties of the
9 department.

10 Sec. 127. Section 8A.206, subsection 2, paragraphs a and d,
11 Code 2024, are amended to read as follows:

12 a. Operate the law library which shall be maintained in the
13 state capitol or in rooms convenient to the state supreme court
14 and which shall be available for free use by the residents of
15 Iowa under rules the ~~commission~~ department adopts.

16 d. Perform other duties imposed by law or by the rules of
17 the ~~commission~~ department.

18 Sec. 128. Section 8A.207, subsection 1, Code 2024, is
19 amended to read as follows:

20 1. Manage the state data center program to make United
21 States census data available to the residents of Iowa under
22 rules the ~~commission~~ department adopts.

23 Sec. 129. Section 8A.209, subsection 1, Code 2024, is
24 amended to read as follows:

25 1. An enrich Iowa program is established in the department
26 to provide direct state assistance to public libraries, to
27 support the open access and access plus programs, to provide
28 public libraries with an incentive to improve library services
29 that are in compliance with performance measures, and to
30 reduce inequities among communities in the delivery of library
31 services based on performance measures adopted by rule by the
32 ~~commission~~ department. The ~~commission~~ department shall adopt
33 rules governing the allocation of ~~funds~~ moneys appropriated by
34 the general assembly for purposes of this section to provide
35 direct state assistance to eligible public libraries. A public

1 library is eligible for ~~funds~~ moneys under this subchapter
2 if it is in compliance with the ~~commission's~~ department's
3 performance measures.

4 Sec. 130. Section 8A.412, subsection 11, Code 2024, is
5 amended to read as follows:

6 11. Professional employees under the supervision of the
7 attorney general, the state public defender, the secretary of
8 state, the auditor of state, and the treasurer of state, ~~and~~
9 ~~the public employment relations board.~~

10 Sec. 131. Section 8A.415, subsection 1, paragraph b, Code
11 2024, is amended to read as follows:

12 *b.* If not satisfied, the employee may, within thirty
13 calendar days following the director's response, file an appeal
14 with the ~~public~~ employment relations appeal board. The hearing
15 shall be conducted in accordance with the rules of the ~~public~~
16 employment relations appeal board and the Iowa administrative
17 procedure Act, chapter 17A. Decisions rendered shall be based
18 upon a standard of substantial compliance with this subchapter
19 and the rules of the department. Decisions by the ~~public~~
20 employment relations appeal board constitute final agency
21 action.

22 Sec. 132. Section 8A.415, subsection 2, paragraph b, Code
23 2024, is amended to read as follows:

24 *b.* If not satisfied, the employee may, within thirty
25 calendar days following the director's response, file an
26 appeal with the ~~public~~ employment relations appeal board. The
27 employee has the right to a hearing closed to the public,
28 unless a public hearing is requested by the employee. The
29 hearing shall otherwise be conducted in accordance with the
30 rules of the ~~public~~ employment relations appeal board and the
31 Iowa administrative procedure Act, chapter 17A. If the ~~public~~
32 employment relations appeal board finds that the action taken
33 by the appointing authority was for political, religious,
34 racial, national origin, sex, age, or other reasons not
35 constituting just cause, the employee may be reinstated without

1 loss of pay or benefits for the elapsed period, or the public
2 employment ~~relations~~ appeal board may provide other appropriate
3 remedies. Decisions by the public employment ~~relations~~ appeal
4 board constitute final agency action.

5 Sec. 133. Section 8A.703, subsection 1, Code 2024, is
6 amended to read as follows:

7 1. A state historical society board of trustees is
8 established consisting of ~~twelve~~ seven members selected as
9 follows:

10 a. ~~Three~~ Two members shall be elected by the members of the
11 state historical society according to rules established by the
12 board of trustees.

13 ~~b. The governor shall appoint one member from each of the~~
14 ~~state's congressional districts established under [section 40.1](#).~~

15 ~~e.~~ b. The governor shall appoint five members from the
16 state at large, considering but not requiring geographical
17 diversity, at least ~~two~~ one of whom shall be on the faculty of
18 a college or university in the state engaged in a discipline
19 related to the activities of the historical society.

20 Sec. 134. Section 8A.707, subsection 1, Code 2024, is
21 amended by adding the following new paragraphs:

22 NEW PARAGRAPH. *f.* Serve as the central advisory body for
23 historical records planning in the state and as a coordinating
24 body to facilitate cooperation among historical records
25 repositories and other information agencies within the state.

26 NEW PARAGRAPH. *g.* Serve as a state level review body
27 for grant proposals submitted to the national historical
28 publications and records commission.

29 Sec. 135. Section 8A.707, Code 2024, is amended by adding
30 the following new subsection:

31 NEW SUBSECTION. 4. The state historical society board of
32 trustees may:

33 a. Serve in an advisory capacity to the state records
34 commission, the state archives and records program, and other
35 statewide archival or records agencies.

1 director of the commission, subject to confirmation by the
2 senate. Such individual shall not serve as a member of the
3 commission. The executive director shall serve at the pleasure
4 of the ~~commission~~ governor. The executive director shall be
5 selected primarily for administrative ability and knowledge
6 in the field, without regard to political affiliation. The
7 governor shall establish the salary of the executive director
8 within the applicable salary range as established by the
9 general assembly. The salary and support of the executive
10 director shall be paid from ~~funds~~ moneys deposited in the Iowa
11 communications network fund.

12 2. The director shall adopt rules pursuant to chapter 17A
13 for the implementation and administration of the duties of the
14 commission. The director, in consultation with the department
15 of administrative services, shall also adopt and provide for
16 standard communications procedures and policies relating to the
17 use of the network which recognize, at a minimum, the need for
18 reliable communications services. The director shall review
19 and approve for adoption rules as proposed and submitted by
20 an authorized user group necessary for the authorized user
21 group's access and use of the network. The director may refuse
22 to approve and adopt a proposed rule, and upon such refusal,
23 shall return the proposed rule to the respective authorized
24 user group proposing the rule with a statement indicating the
25 director's reason for refusing to approve and adopt the rule.

26 Sec. 138. Section 8D.9, subsection 2, paragraph b, Code
27 2024, is amended to read as follows:

28 *b.* A private or public agency, other than an institution
29 under the control of the state board of regents, a private
30 college or university, or a nonpublic school, shall petition
31 the commission for a waiver of the requirement to use the
32 network as provided in paragraph "a", if the agency determines
33 that paragraph "a", subparagraph (1) or (2), applies. The
34 ~~commission~~ director shall establish by rule a review process
35 for determining, upon application of an authorized user,

1 whether paragraph "a", subparagraph (1) or (2), applies. An
2 authorized user found by the commission to be under contract
3 for such services as provided in paragraph "a", subparagraph
4 (2), shall not enter into another contract upon the expiration
5 of such contract, but shall utilize the network for such
6 services as provided in [this section](#) unless paragraph "a",
7 subparagraph (1), applies. A waiver approved by the commission
8 may be for a period as requested by the private or public
9 agency of up to three years.

10 Sec. 139. Section 10A.104, subsection 2, Code 2024, is
11 amended to read as follows:

12 2. Appoint the administrators of the divisions within
13 the department and all other personnel deemed necessary for
14 the administration of [this chapter](#), except the state public
15 defender, assistant state public defenders, administrator of
16 the racing and gaming commission, labor commissioner, workers'
17 compensation commissioner, director of the Iowa state office of
18 civil rights commission, and members of the employment appeal
19 board. All persons appointed and employed in the department
20 are covered by the provisions of [chapter 8A, subchapter IV](#), but
21 persons not appointed by the director are exempt from the merit
22 system provisions of [chapter 8A, subchapter IV](#).

23 Sec. 140. Section 12.72, subsection 1, Code 2024, is amended
24 to read as follows:

25 1. A vision Iowa fund is created and established as a
26 separate and distinct fund in the state treasury. The moneys
27 in the fund are appropriated to the ~~enhance Iowa economic~~
28 development authority board for purposes of the vision Iowa
29 program established in [section 15F.302](#). Moneys in the fund
30 shall not be subject to appropriation for any other purpose by
31 the general assembly, but shall be used only for the purposes
32 of the vision Iowa fund. The treasurer of state shall act as
33 custodian of the fund and disburse moneys contained in the
34 fund as directed by the ~~enhance Iowa economic development~~
35 authority board, including automatic disbursements of funds

1 received pursuant to the terms of bond indentures and documents
2 and security provisions to trustees. The fund shall be
3 administered by the ~~enhance Iowa~~ economic development authority
4 board which shall make expenditures from the fund consistent
5 with the purposes of the vision Iowa program without further
6 appropriation. An applicant under the vision Iowa program
7 shall not receive more than seventy-five million dollars in
8 financial assistance from the fund.

9 Sec. 141. Section 12.75, subsection 1, Code 2024, is amended
10 to read as follows:

11 1. The ~~enhance Iowa~~ economic development authority board
12 may undertake a project for two or more applicants jointly
13 or for any combination of applicants, and may combine for
14 financing purposes, with the consent of all of the applicants
15 which are involved, the project and some or all future projects
16 of any applicant, and [section 12.71, Code 2020](#), [sections 12.72](#)
17 [and 12.74, this section](#), and [sections 12.76 and 12.77](#) apply to
18 and for the benefit of the ~~enhance Iowa~~ economic development
19 authority board and the joint applicants. However, the money
20 set aside in a fund or funds pledged for any series or issue
21 of bonds or notes shall be held for the sole benefit of the
22 series or issue separate and apart from money pledged for
23 another series or issue of bonds or notes of the treasurer
24 of state. To facilitate the combining of projects, bonds or
25 notes may be issued in series under one or more resolutions or
26 trust agreements and may be fully open-ended, thus providing
27 for the unlimited issuance of additional series, or partially
28 open-ended, limited as to additional series.

29 Sec. 142. Section 12C.6, subsection 2, paragraphs a, c, d,
30 e, and f, Code 2024, are amended to read as follows:

31 ~~a. A committee composed of the superintendent of banking,~~
32 ~~the superintendent of credit unions, the auditor of state or~~
33 ~~a designee, and the treasurer of state shall meet on or about~~
34 ~~the first of each month or at other times as the committee~~
35 ~~may prescribe and by majority action~~ The treasurer of state,

1 in consultation with subject matter experts as needed, shall
2 establish a minimum rate to be earned on state funds placed in
3 time deposits.

4 c. An interest rate established by the ~~committee~~ treasurer
5 of state under this section shall be in effect commencing
6 on the eighth calendar day following the day the rate is
7 established and until a different rate is established and takes
8 effect.

9 d. The ~~committee~~ treasurer of state shall give advisory
10 notice of an interest rate established under this section.
11 This notice may be given by publication in one or more
12 newspapers, by publication in the Iowa administrative bulletin,
13 by ordinary mail to persons directly affected, by any other
14 method determined by the ~~committee~~ treasurer of state, or by
15 a combination of these. In all cases, the notice shall be
16 published in the Iowa administrative bulletin.

17 e. The notice shall contain the following words:
18 The rate of interest has been determined by ~~a committee~~ the
19 treasurer of state of the state of Iowa to be the minimum
20 interest rate that shall be paid on public funds deposited in
21 approved financial institutions. To be eligible to accept
22 deposits of public funds of the state of Iowa, a financial
23 institution shall demonstrate a commitment to serve the
24 needs of the local community in which it is chartered to do
25 business. These needs include credit services as well as
26 deposit services. All such financial institutions are required
27 to provide the ~~committee~~ treasurer of state with a written
28 description of their commitment to provide credit services in
29 the community. This statement is available for examination by
30 citizens.

31 f. The notice shall also provide the name and address of a
32 state official to whom inquiries can be sent. Actions of the
33 ~~committee~~ treasurer of state under this section and section
34 12C.6A are exempt from chapter 17A.

35 Sec. 143. Section 12C.6A, subsection 2, Code 2024, is

1 amended to read as follows:

2 2. In addition to establishing a minimum interest rate for
3 public funds pursuant to [section 12C.6](#), ~~the committee composed~~
4 ~~of the superintendent of banking, the superintendent of credit~~
5 ~~unions, the auditor of state or a designee, and the treasurer~~
6 of state, in consultation with subject matter experts as
7 needed, shall develop a list of financial institutions eligible
8 to accept state public funds. The ~~committee~~ treasurer of state
9 shall require that a financial institution seeking to qualify
10 for the list shall annually provide the ~~committee~~ treasurer
11 of state a written statement that the financial institution
12 has complied with the requirements of [this chapter](#) and has a
13 commitment to community reinvestment consistent with the safe
14 and sound operation of a financial institution, unless the
15 financial institution has received a rating of satisfactory
16 or higher pursuant to the federal Community Reinvestment
17 Act, 12 U.S.C. §2901 et seq., and such rating is certified
18 to the ~~committee~~ treasurer of state by the superintendent of
19 banking. To qualify for the list, a financial institution must
20 demonstrate a continuing commitment to meet the credit needs of
21 the local community in which it is chartered.

22 Sec. 144. Section 12C.6A, subsection 3, unnumbered
23 paragraph 1, Code 2024, is amended to read as follows:

24 The ~~committee~~ treasurer of state may require a financial
25 institution to provide public notice inviting the public to
26 submit comments to the financial institution regarding its
27 community lending activities. Each financial institution shall
28 maintain a file open to public inspection which contains public
29 comments received on its community investment activities, and
30 the financial institution's response to those comments. The
31 ~~committee~~ treasurer of state shall adopt procedures for both
32 of the following:

33 Sec. 145. Section 12C.6A, subsection 4, unnumbered
34 paragraph 1, Code 2024, is amended to read as follows:

35 At least once a year the ~~committee~~ treasurer of state

1 shall review any challenges that have been filed pursuant
2 to [subsection 3](#). The ~~committee~~ treasurer of state may hold
3 a public hearing to consider the challenge. In considering
4 a challenge, the ~~committee~~ treasurer of state shall review
5 documents filed with federal regulatory authorities pursuant to
6 the Community Reinvestment Act, 12 U.S.C. §2901 et seq., and
7 regulations adopted pursuant to the Act, as amended to January
8 1, 1990. In addition, consistent with the confidentiality of
9 financial institution records the ~~committee~~ treasurer of state
10 shall consider other factors including, but not limited to, the
11 following:

12 Sec. 146. Section 12C.6A, subsection 5, Code 2024, is
13 amended to read as follows:

14 5. *a.* A person who believes a bank has failed to meet its
15 community reinvestment responsibility may file a complaint with
16 the ~~committee~~ treasurer of state detailing the basis for that
17 belief.

18 *b.* ~~If any committee member, in the member's discretion,~~
19 the treasurer of state, in the treasurer's discretion, finds
20 that the complaint has merit, the ~~member~~ treasurer of state may
21 order the bank alleged to have failed to meet its community
22 reinvestment responsibility to attend and participate in a
23 meeting with the complainant. The ~~committee member~~ treasurer
24 of state may specify who, at minimum, shall represent the bank
25 at the meeting. At the meeting, or at any other time, the bank
26 may, but is not required to, enter into an agreement with a
27 complainant to correct alleged failings.

28 *c.* ~~A majority of the committee~~ The treasurer of state may
29 order a bank against which a complaint has been filed pursuant
30 to [this subsection](#), to disclose such additional information
31 relating to community reinvestment as required by the order of
32 the ~~majority of the committee~~ treasurer of state.

33 *d.* [This subsection](#) does not preempt any other remedies
34 available under statutory or common law available to the
35 ~~committee~~ treasurer of state, the superintendent of banking, or

1 aggrieved persons to cure violations of [this section](#) or chapter
2 524, or rules adopted pursuant to [this section](#) or [chapter 524](#).
3 The ~~committee~~ treasurer of state may conduct a public hearing
4 as provided in [subsection 4](#) based upon the same complaint. An
5 order finding merit in a complaint and ordering a meeting is
6 not an election of remedies.

7 Sec. 147. Section 15.105, subsection 1, paragraph a,
8 subparagraph (1), Code 2024, is amended to read as follows:

9 (1) The powers of the authority are vested in and shall
10 be exercised by a board of eleven voting members selected at
11 large and appointed by the governor subject to confirmation
12 by the senate. ~~The voting members shall be comprised of the~~
13 ~~following:~~

14 ~~(a) Two members from each United States congressional~~
15 ~~district established under [section 40.1](#) in the state.~~

16 ~~(b) Three members selected at large.~~

17 Sec. 148. Section 15.108, subsection 5, paragraph c, Code
18 2024, is amended to read as follows:

19 c. Coordinate and develop with the department of
20 transportation, the department of natural resources, ~~the~~
21 ~~enhance Iowa board~~, other state agencies, and local and
22 regional entities public interpretation, marketing, and
23 education programs that encourage Iowans and out-of-state
24 visitors to participate in the recreational and leisure
25 opportunities available in Iowa. The authority shall establish
26 and administer a program that helps connect both Iowa residents
27 and residents of other states to new and existing Iowa
28 experiences as a means to enhance the economic, social, and
29 cultural well-being of the state. The program shall include
30 a broad range of new opportunities, both rural and urban,
31 including main street destinations, green space initiatives,
32 and artistic and cultural attractions.

33 Sec. 149. Section 15.108, subsection 8, paragraph b,
34 subparagraphs (4) and (5), Code 2024, are amended to read as
35 follows:

1 (4) Compile, in consultation with the Iowa arts council,
2 a list of grant applications recommended for funding in
3 accordance with the amount available for distribution as
4 provided in [section 15.481, subsection 3](#). ~~The list of~~
5 ~~recommended grant applications shall be submitted to the Iowa~~
6 ~~cultural trust board of trustees for approval.~~

7 (5) Monitor the allocation and use of grant moneys by all
8 qualified organizations to determine whether moneys are used
9 in accordance with the provisions of this paragraph "b" and
10 subchapter II, part 30. ~~The authority shall annually submit~~
11 ~~a report with the authority's findings and recommendations to~~
12 ~~the Iowa cultural trust board of trustees prior to final board~~
13 ~~action in approving grants for the next succeeding fiscal year.~~

14 Sec. 150. Section 15.116, Code 2024, is amended to read as
15 follows:

16 **15.116 Technology commercialization committee.**

17 To evaluate and make recommendations to the authority
18 on appropriate funding for the projects and programs
19 applying for financial assistance from the innovation
20 and commercialization development fund created in section
21 15.412, the economic development authority shall create a
22 technology commercialization committee composed of members
23 with expertise in the areas of biosciences, engineering,
24 manufacturing, pharmaceuticals, materials, information
25 solutions, software, and energy. At least one member of the
26 technology commercialization committee shall be a member of the
27 economic development authority. An organization designated by
28 the authority, composed of members from both the public and
29 private sectors and composed of subunits or subcommittees in
30 the areas of already identified bioscience platforms, education
31 and workforce development, commercialization, communication,
32 policy and governance, and finance, shall provide funding
33 recommendations to the technology commercialization committee.
34 Members of the committee shall be eligible for a per diem as
35 specified in section 7E.6 for each day spent in performance of

1 duties as members, and shall receive compensation for mileage
2 to and from meetings.

3 Sec. 151. Section 15.117A, subsection 2, paragraph a,
4 unnumbered paragraph 1, Code 2024, is amended to read as
5 follows:

6 ~~Twenty-nine~~ Nine voting members as follows:

7 Sec. 152. Section 15.117A, subsection 2, paragraph a,
8 subparagraphs (1), (3), and (9), Code 2024, are amended to read
9 as follows:

10 (1) ~~Twenty~~ Three members selected by the board to serve
11 staggered, two-year terms beginning and ending as provided
12 in [section 69.19](#). ~~Of the members selected by the board,~~
13 ~~fourteen shall be representatives from businesses in the~~
14 ~~targeted industries and six shall be individuals who serve~~
15 ~~on the technology commercialization committee created in~~
16 ~~[section 15.116](#), or other committees of the board, and who~~
17 ~~have expertise with the targeted industries. At least ten of~~
18 ~~the members selected pursuant to this subparagraph shall be~~
19 ~~executives actively engaged in the management of a business in~~
20 ~~a targeted industry. The members selected pursuant to this~~
21 ~~paragraph~~ subparagraph shall have expertise in the targeted
22 industries and reflect the size and diversity of businesses in
23 the targeted industries ~~and of the various geographic areas of~~
24 ~~the state.~~

25 (3) The director of the authority, ~~or the director's~~
26 ~~designee.~~

27 (9) ~~Two~~ One community college ~~presidents from~~
28 ~~geographically diverse areas of the state~~ president, selected
29 by the Iowa association of community college trustees.

30 Sec. 153. Section 15.117A, subsection 2, paragraph a,
31 subparagraphs (2) and (4), Code 2024, are amended by striking
32 the subparagraphs.

33 Sec. 154. Section 15.117A, subsection 4, Code 2024, is
34 amended to read as follows:

35 4. ~~The chief technology officer appointed pursuant to~~

1 ~~section 15.117~~ council shall be select the chairperson of the
2 council ~~and~~, who shall be responsible for convening meetings of
3 the council and coordinating its activities ~~and shall convene~~
4 ~~the council at least annually~~. The council shall annually
5 elect one of the voting members to serve as vice chairperson.
6 A majority of the members of the council constitutes a quorum.
7 However, ~~the chief technology officer~~ chairperson shall not
8 convene a meeting of the council unless the director of the
9 authority, or the director's designee, is present at the
10 meeting.

11 Sec. 155. Section 15.117A, subsection 6, paragraphs a, b,
12 and d, Code 2024, are amended by striking the paragraphs.

13 Sec. 156. Section 15.117A, Code 2024, is amended by adding
14 the following new subsection:

15 NEW SUBSECTION. 7. A committee appointed by the
16 director and the chairperson of the council shall review and
17 make recommendations on all applications received by the
18 authority for financial assistance under the Iowa strategic
19 infrastructure program pursuant to section 15.313. Persons
20 appointed to a committee pursuant to this subsection are not
21 required to be members of the council.

22 Sec. 157. Section 15.439, subsection 1, paragraphs a, c, d,
23 and e, Code 2024, are amended to read as follows:

24 a. The authority shall establish and administer an Iowa
25 great places program for purposes of combining resources of
26 state government in an effort to showcase the unique and
27 authentic qualities of communities, regions, neighborhoods, and
28 districts that make such places exceptional places to work and
29 live. ~~The authority shall provide administrative assistance to~~
30 ~~the Iowa great places board~~. The authority shall coordinate
31 ~~the efforts of the Iowa great places board with the efforts of~~
32 other state agencies participating in the program which shall
33 include but not be limited to the Iowa finance authority, the
34 department of health and human services, the department of
35 natural resources, the state department of transportation, and

1 the department of workforce development.

2 ~~c. Initially, three Iowa great places projects shall be~~
3 ~~identified by the Iowa great places board. The board authority~~
4 may identify additional Iowa great places for participation
5 under the program when places develop dimensions and meet
6 readiness criteria for participation under the program.

7 ~~d. The authority shall work in cooperation with the enhance~~
8 ~~Iowa board for purposes of maximizing and leveraging moneys~~
9 ~~appropriated to identified Iowa great places.~~

10 ~~e. d.~~ As a condition of receiving state funds, an
11 identified Iowa great place shall present information to the
12 ~~board authority~~ concerning the proposed activities and total
13 financial needs of the project.

14 Sec. 158. Section 15.439, subsection 2, Code 2024, is
15 amended by striking the subsection.

16 Sec. 159. Section 15.439, subsections 3 and 4, Code 2024,
17 are amended to read as follows:

18 3. The ~~board authority~~ shall do all of the following:

19 ~~a. Organize.~~

20 ~~b. a.~~ Identify Iowa great places for purposes of receiving
21 a package of resources under the program.

22 ~~e. b.~~ Identify a combination of state resources which can
23 be provided to Iowa great places.

24 4. Notwithstanding any restriction, requirement, or
25 duty to the contrary, in considering an application for a
26 grant, loan, or other financial or technical assistance for a
27 project identified in an Iowa great places agreement developed
28 pursuant to [this section](#), a state agency shall give additional
29 consideration or additional points in the application of rating
30 or evaluation criteria to such applications. [This subsection](#)
31 applies to applications filed within three years of the Iowa
32 ~~great places board's authority's~~ identification of the project
33 for participation in the program.

34 Sec. 160. Section 15.478, subsection 1, Code 2024, is
35 amended by striking the subsection.

1 Sec. 161. Section 15.479, subsection 4, Code 2024, is
2 amended to read as follows:

3 4. The treasurer of state shall act as custodian of the
4 fund, shall invest moneys in the trust fund, and shall transfer
5 the interest attributable to the investment of trust fund
6 moneys to the grant account created in [section 15.482](#). The
7 trust fund's principal shall not be used or accessed by the
8 ~~department or the board~~ authority for any purpose.

9 Sec. 162. Section 15.481, unnumbered paragraph 1, Code
10 2024, is amended to read as follows:

11 The ~~board~~ authority shall do any or all of the following:

12 Sec. 163. Section 15.481, subsections 2 and 3, Code 2024,
13 are amended to read as follows:

14 2. Approve or disapprove the grants recommended for
15 approval by the director, in consultation with the Iowa arts
16 council and the state historical society of Iowa, in accordance
17 with [section 15.108, subsection 8](#), paragraph "b". The ~~board~~
18 authority may remove any recommendation from the list, but
19 shall not add to or otherwise amend the list of recommended
20 grants.

21 3. Upon approving a grant, the ~~board~~ authority shall certify
22 to the treasurer of state the amount of financial assistance
23 payable from the grant account to the qualified organization
24 whose grant application is approved.

25 Sec. 164. Section 15.482, subsections 1 and 3, Code 2024,
26 are amended to read as follows:

27 1. An Iowa cultural trust grant account is created in
28 the office of the treasurer of state under the control of
29 the ~~board~~ authority to receive interest attributable to the
30 investment of trust fund moneys as required by section 15.479,
31 subsection 4. The moneys in the grant account are appropriated
32 to the ~~board~~ authority for purposes of the Iowa cultural trust
33 created in [section 15.479](#). Moneys in the grant account shall
34 not be subject to appropriation for any other purpose by the
35 general assembly, but shall be used only for the purposes of

1 the Iowa cultural trust. The treasurer of state shall act as
2 custodian of the grant account and disburse moneys contained
3 in the grant account as directed by the ~~board~~ authority. The
4 ~~board~~ authority shall make expenditures from the grant account
5 consistent with the purposes of the Iowa cultural trust.

6 3. At any time when the principal balance in the trust fund
7 equals or exceeds three million dollars, the ~~board~~ authority
8 may use moneys in the grant account for a statewide educational
9 program to promote participation in, expanded support of, and
10 local endowment building for, Iowa nonprofit arts, history, and
11 sciences and humanities organizations.

12 Sec. 165. Section 15F.101, subsection 2, Code 2024, is
13 amended to read as follows:

14 2. "*Board*" means the ~~enhance Iowa economic development~~
15 authority board as created in ~~section 15F.102~~ 15.105.

16 Sec. 166. Section 15F.203, subsection 2, Code 2024, is
17 amended to read as follows:

18 2. A review committee composed of five members of the
19 board shall review community attraction and tourism program
20 applications forwarded to the board and make recommendations
21 regarding the applications to the board. ~~The review committee~~
22 ~~shall consist of members of the board, with one member from~~
23 ~~each congressional district under section 15F.102, subsection~~
24 ~~2, paragraph "a", and one member from the state at large under~~
25 section 15F.102, subsection 2, paragraph "b".

26 Sec. 167. Section 15F.304, subsection 2, Code 2024, is
27 amended to read as follows:

28 2. A review committee composed of six members of the
29 board shall review vision Iowa program applications and
30 river enhancement community attraction and tourism project
31 applications forwarded to the board and make recommendations
32 regarding the applications to the board. ~~The review committee~~
33 ~~shall consist of members of the board, with one member from~~
34 ~~each congressional district under section 15F.102, subsection~~
35 ~~2, paragraph "a", and two members from the state at large under~~

1 ~~section 15F.102, subsection 2, paragraph "b".~~

2 Sec. 168. Section 15F.402, subsection 2, Code 2024, is
3 amended to read as follows:

4 2. A review committee composed of five members of the
5 board shall review sports tourism marketing and infrastructure
6 program applications forwarded to the board and make
7 recommendations regarding the applications to the authority.
8 ~~The review committee shall consist of members of the board,~~
9 ~~with one member from each congressional district under section~~
10 ~~15F.102, subsection 2, paragraph "a", and one member from the~~
11 ~~state at large under~~ [section 15F.102, subsection 2](#), paragraph
12 ~~"b".~~

13 Sec. 169. Section 15H.3, subsection 1, paragraphs e and k,
14 Code 2024, are amended by striking the paragraphs.

15 Sec. 170. Section 16.2D, subsections 1, 2, 3, 4, 5, and 6,
16 Code 2024, are amended by striking the subsections.

17 Sec. 171. Section 16.2D, subsection 7, unnumbered paragraph
18 1, Code 2024, is amended to read as follows:

19 The duties of the ~~council~~ authority under this section shall
20 include but are not limited to the following:

21 Sec. 172. Section 16.2D, subsection 7, paragraph e, Code
22 2024, is amended to read as follows:

23 e. Advise the governor's office, ~~the authority~~, state
24 agencies, and private organizations on strategies to prevent
25 and eliminate homelessness.

26 Sec. 173. Section 16.2D, subsections 8, 9, and 10, Code
27 2024, are amended to read as follows:

28 8. The ~~council~~ authority shall file a point-in-time report
29 on homelessness in Iowa with the governor and the general
30 assembly on or before December 1 of each year.

31 9. a. The authority, ~~in consultation with the council~~,
32 shall adopt rules pursuant to [chapter 17A](#) for carrying out the
33 duties of the ~~council~~ authority pursuant to [this section](#).

34 b. The ~~council~~ authority shall establish internal rules of
35 procedure consistent with the provisions of [this section](#).

1 c. Rules adopted or internal rules of procedure established
2 pursuant to paragraph "a" or "b" shall be consistent with the
3 requirements of the federal McKinney-Vento Homeless Assistance
4 Act, 42 U.S.C. §11301 et seq.

5 10. The ~~council~~ authority shall comply with the
6 requirements of chapters 21 and 22. ~~The authority shall be the~~
7 ~~official repository of council records.~~

8 Sec. 174. Section 20.1, subsection 2, unnumbered paragraph
9 1, Code 2024, is amended to read as follows:

10 The general assembly declares that the purposes of the
11 ~~public employment relations board established by employment~~
12 appeal board with respect to this chapter are to implement
13 the provisions of this chapter and adjudicate and conciliate
14 employment-related cases involving the state of Iowa and
15 other public employers and employee organizations. For these
16 purposes the powers and duties of the board include but are not
17 limited to the following:

18 Sec. 175. Section 20.3, subsection 2, Code 2024, is amended
19 to read as follows:

20 2. "Board" means the ~~public employment relations~~ appeal
21 board established under section 20-5 10A.601.

22 Sec. 176. Section 20.6, subsection 1, Code 2024, is amended
23 to read as follows:

24 1. Administer the provisions of this chapter and delegate
25 the powers and duties of the board to ~~the executive director or~~
26 persons employed by the board, as appropriate.

27 Sec. 177. Section 22.7, subsection 69, Code 2024, is amended
28 to read as follows:

29 69. The evidence of public employee support for
30 the certification, retention and recertification, or
31 decertification of an employee organization as defined in
32 section 20.3 that is submitted to the ~~public employment~~
33 relations appeal board as provided in section 20.14 or 20.15.

34 Sec. 178. Section 23A.2, subsection 6, paragraph a, Code
35 2024, is amended to read as follows:

1 a. The director of the department of corrections, ~~with the~~
2 ~~advice of the state prison industries advisory board,~~ may, by
3 rule, provide for exemptions from [this chapter](#).

4 Sec. 179. Section 35A.2, subsection 2, Code 2024, is amended
5 to read as follows:

6 2. Ten commissioners shall be honorably discharged members
7 of the armed forces of the United States. The American
8 legion ~~of Iowa,~~ disabled American veterans ~~department of Iowa,~~
9 veterans of foreign wars ~~department of Iowa,~~ American veterans
10 ~~of World War II, Korea, and Vietnam,~~ the Vietnam veterans of
11 America, the military order of the purple heart, the paralyzed
12 veterans of America, and the Iowa association of county
13 commissioners and veteran service officers, through their
14 department commanders, shall submit two names respectively from
15 their organizations to the governor. The adjutant general and
16 the Iowa affiliate of the reserve officers association ~~shall~~
17 may submit names to the governor of persons to represent the
18 Iowa national guard and the association reserve organization
19 of America. The governor shall appoint from the group of
20 names submitted by the adjutant general and reserve officers
21 association two representatives and from each of the other
22 organizations one representative to serve as a member of the
23 commission, unless the appointments would conflict with the
24 bipartisan and gender balance provisions of [sections 69.16](#) and
25 [69.16A](#). In addition, the governor shall appoint one member
26 of the public, knowledgeable in the general field of veterans
27 affairs, to serve on the commission. If an organization fails
28 to submit a recommendation pursuant to this subsection, the
29 governor may appoint any person to fill the vacancy.

30 Sec. 180. Section 68B.2, subsection 23, Code 2024, is
31 amended to read as follows:

32 23. "*Regulatory agency*" means the department of agriculture
33 and land stewardship, department of workforce development,
34 department of insurance and financial services, department
35 of public safety, department of education, state board of

1 an employee covered by a collective bargaining agreement. An
2 employee eligible to pursue an administrative action pursuant
3 to [this subsection](#) who is discharged, suspended, demoted,
4 or otherwise receives a reduction in pay and who believes
5 the adverse employment action was taken as a result of the
6 employee's disclosure of information that was authorized
7 pursuant to [subsection 2](#), may file an appeal of the adverse
8 employment action with the ~~public employment relations~~ appeal
9 board within thirty calendar days following the later of the
10 effective date of the action or the date a finding is issued
11 to the employee by the office of ombudsman pursuant to section
12 2C.11A. The findings issued by the ombudsman may be introduced
13 as evidence before the ~~public employment relations~~ appeal
14 board. The employee has the right to a hearing closed to
15 the public, but may request a public hearing. The hearing
16 shall otherwise be conducted in accordance with the rules of
17 the ~~public employment relations~~ appeal board and the Iowa
18 administrative procedure Act, [chapter 17A](#). If the ~~public~~
19 ~~employment relations~~ appeal board finds that the action taken
20 in regard to the employee was in violation of [subsection 2](#), the
21 employee may be reinstated without loss of pay or benefits for
22 the elapsed period, or the ~~public employment relations~~ appeal
23 board may provide other appropriate remedies. Decisions by
24 the ~~public employment relations~~ appeal board constitute final
25 agency action.

26 Sec. 183. Section 80.28, subsections 2 and 3, Code 2024, are
27 amended to read as follows:

28 2. The board shall consist of ~~nineteen voting members, as~~
29 ~~follows~~ the following members, selected by the governor after
30 considering recommendations from professional or volunteer
31 organizations:

32 ~~a. The following members representing state agencies:~~

33 ~~(1) One member representing the department of public~~
34 ~~safety.~~

35 ~~(2) One member representing the state department of~~

1 ~~transportation.~~

2 ~~(3) One member representing the department of homeland~~
3 ~~security and emergency management.~~

4 ~~(4) One member representing the department of corrections.~~

5 ~~(5) One member representing the department of natural~~
6 ~~resources.~~

7 ~~(6) One member representing the department of health and~~
8 ~~human services.~~

9 ~~(7) One member representing the office of the chief~~
10 ~~information officer created in [section 8B.2](#).~~

11 ~~(8) One member representing the Iowa law enforcement~~
12 ~~academy created in [section 80B.4](#).~~

13 ~~b. The governor shall solicit and consider recommendations~~
14 ~~from professional or volunteer organizations in appointing the~~
15 ~~following members:~~

16 ~~(1) Two members who are representatives~~ One member who is a
17 representative from a municipal police departments department.

18 ~~(2) b. Two members who are representatives~~ One member who
19 is a representative of a sheriff's offices office.

20 ~~(3) c. Two members who are representatives~~ One member who
21 is a representative from a fire departments department. ~~One~~
22 ~~of the members shall be a volunteer fire fighter and the other~~
23 ~~member shall be a paid fire fighter.~~

24 ~~(4) d. Two members who are~~ One member who is a law
25 communication center managers manager employed by a state or
26 local government agencies agency.

27 ~~(5) e. One member representing local emergency management~~
28 ~~coordinators.~~

29 ~~(6) f. One member representing emergency medical service~~
30 ~~providers.~~

31 ~~(7) g. One at-large member.~~

32 3. In addition to the ~~voting~~ members listed in subsection
33 2, the board membership shall include four members of the
34 general assembly with one member designated by each of
35 the following: the majority leader of the senate, the

1 minority leader of the senate, the speaker of the house of
2 representatives, and the minority leader of the house of
3 representatives. A legislative member serves for a term as
4 provided in [section 69.16B](#) in an ex officio, nonvoting capacity
5 and is eligible for per diem and expenses as provided in
6 section 2.10.

7 Sec. 184. Section 84A.1A, subsection 1, unnumbered
8 paragraph 1, Code 2024, is amended to read as follows:

9 An Iowa workforce development board is created, consisting
10 of ~~thirty-three voting members and thirteen nonvoting~~ the
11 following members.

12 Sec. 185. Section 84A.1A, subsection 1, paragraph a,
13 subparagraph (5), Code 2024, is amended by striking the
14 subparagraph.

15 Sec. 186. Section 84A.1A, subsection 1, paragraph a,
16 subparagraph (8), unnumbered paragraph 1, Code 2024, is amended
17 to read as follows:

18 The following ~~twenty-six~~ members who shall be appointed by
19 the governor for staggered terms of four years beginning and
20 ending as provided in [section 69.19](#), subject to confirmation
21 by the senate:

22 Sec. 187. Section 84A.1A, subsection 1, paragraph a,
23 subparagraph (8), subparagraph division (a), unnumbered
24 paragraph 1, Code 2024, is amended to read as follows:

25 Seventeen Ten members who shall be representatives of
26 businesses in the state to whom each of the following applies,
27 and at least one of whom shall represent small businesses as
28 defined by the United States small business administration:

29 Sec. 188. Section 84A.1A, subsection 1, paragraph a,
30 subparagraph (8), subparagraph division (b), Code 2024, is
31 amended to read as follows:

32 (b) ~~Seven~~ Four members who shall be representatives of
33 the workforce in the state and who shall include all of the
34 following:

35 (i) ~~Four~~ At least two representatives of labor

1 organizations who have been nominated by state labor
2 federations.

3 (ii) ~~One~~ At least one representative of a joint
4 labor-management apprenticeship program in the state who shall
5 be a member of a labor organization or a training director. If
6 such a joint program does not exist in the state, the member
7 shall instead be a representative of an apprenticeship program
8 in the state.

9 ~~(iii) Two representatives of community-based organizations~~
10 ~~that have demonstrated experience and expertise in addressing~~
11 ~~the employment, training, or education needs of individuals~~
12 ~~with barriers to employment as defined in the federal Workforce~~
13 ~~Innovation and Opportunity Act, Pub. L. No. 113-128, §3(24),~~
14 ~~including but not limited to organizations that serve veterans~~
15 ~~or that provide or support competitive, integrated employment~~
16 ~~for individuals with disabilities; or that serve eligible~~
17 ~~youth, as defined in the federal Workforce Innovation and~~
18 ~~Opportunity Act, Pub. L. No. 113-128, §3(18), including~~
19 ~~representatives of organizations that serve out-of-school~~
20 ~~youth, as defined in the federal Workforce Innovation and~~
21 ~~Opportunity Act, Pub. L. No. 113-128, §129(a)(1)(B).~~

22 Sec. 189. Section 84A.1A, subsection 1, paragraph b, Code
23 2024, is amended by striking the paragraph and inserting in
24 lieu thereof the following:

25 *b.* The director of the department of education or the
26 director's designee shall serve as an ex officio, nonvoting
27 member.

28 Sec. 190. Section 97B.8B, subsection 2, Code 2024, is
29 amended to read as follows:

30 2. *Membership.* The benefits advisory committee shall be
31 comprised of representatives of constituent groups concerned
32 with the retirement system, and shall include representatives
33 of employers, active members, and retired members. In
34 addition, the director of the department of administrative
35 services, or the director's designee, and a member of the

1 public selected by the voting members of the committee shall
2 serve as members of the committee. The system shall adopt
3 rules under [chapter 17A](#) to provide for the selection of members
4 to the committee and the election of the voting members of the
5 committee.

6 Sec. 191. Section 100B.1, subsection 1, paragraph a, Code
7 2024, is amended to read as follows:

8 a. The council shall consist of ~~eleven~~ seven voting members
9 and one ex officio, nonvoting member. Voting members of the
10 state fire service and emergency response council shall be
11 appointed by the governor.

12 (1) The governor shall ~~appoint~~ consider appointing voting
13 members of the council from a list of nominees submitted by
14 each of the following organizations, but may appoint any person
15 to serve on the council:

16 (a) ~~Two members from a list submitted by the~~ The Iowa
17 firefighters association.

18 (b) ~~Two members from a list submitted by the~~ The Iowa fire
19 chiefs' association.

20 (c) ~~Two members from a list submitted by the~~ The Iowa
21 professional fire fighters.

22 (d) ~~Two members from a list submitted by the~~ The Iowa
23 association of professional fire chiefs.

24 (e) ~~One member from a list submitted by the~~ The Iowa
25 emergency medical services association.

26 ~~(2) A person nominated for inclusion in the voting~~
27 ~~membership on the council is not required to be a member of the~~
28 ~~organization that nominates the person.~~

29 ~~(3) The tenth and eleventh voting members of the council~~
30 ~~shall be members of the general public appointed by the~~
31 ~~governor.~~

32 ~~(4)~~ (2) The labor commissioner, or the labor commissioner's
33 designee, shall be a nonvoting, ex officio member of the
34 council.

35 Sec. 192. Section 100B.1, subsection 3, Code 2024, is

1 amended to read as follows:

2 3. ~~Six~~ Four voting members of the council shall constitute
3 a quorum. For the purpose of conducting business, a majority
4 vote of the council shall be required. The council shall elect
5 a chairperson from its members. The council shall meet at the
6 call of the chairperson, or the state fire marshal, or when any
7 ~~six~~ four members of the council file a written request with the
8 chairperson for a meeting.

9 Sec. 193. Section 100C.1, subsection 5, Code 2024, is
10 amended to read as follows:

11 5. "*Automatic fire extinguishing system*" means a system of
12 devices and equipment that automatically detects a fire and
13 discharges an approved fire extinguishing agent onto or in
14 the area of a fire and includes automatic sprinkler systems,
15 carbon dioxide extinguishing systems, deluge systems, automatic
16 dry-chemical extinguishing systems, foam extinguishing systems,
17 and halogenated extinguishing systems, or other equivalent fire
18 extinguishing technologies recognized by the ~~fire extinguishing~~
19 ~~system contractors advisory board~~ department.

20 Sec. 194. Section 100C.7, Code 2024, is amended to read as
21 follows:

22 **100C.7 Administration — rules.**

23 The director shall administer this chapter and, ~~after~~
24 ~~consultation with the fire extinguishing system contractors and~~
25 ~~alarm systems advisory board,~~ shall adopt rules pursuant to
26 chapter 17A necessary for the administration and enforcement of
27 this chapter.

28 Sec. 195. Section 100D.5, subsection 1, Code 2024, is
29 amended to read as follows:

30 1. ~~After consultation with the fire extinguishing system~~
31 ~~contractors and alarm systems advisory board established~~
32 ~~pursuant to section 100C.10,~~ adopt Adopt rules pursuant to
33 chapter 17A necessary for the administration and enforcement of
34 this chapter.

35 Sec. 196. Section 123.8, subsection 1, Code 2024, is amended

1 to read as follows:

2 1. The commission, in addition to the duties specifically
3 enumerated in [this chapter](#), shall ~~act as a policy-making body~~
4 ~~under [this chapter](#)~~ and serve in an advisory capacity to the
5 director and department.

6 Sec. 197. Section 123.8, subsection 2, unnumbered paragraph
7 1, Code 2024, is amended to read as follows:

8 The commission may ~~review and affirm, reverse, or amend all~~
9 provide advice and make recommendations regarding the actions
10 of the director under [this chapter](#), including but not limited
11 to the following instances:

12 Sec. 198. Section 123.10, unnumbered paragraph 1, Code
13 2024, is amended to read as follows:

14 The director, with the ~~approval~~ advice of the commission and
15 subject to [chapter 17A](#), may adopt rules as necessary to carry
16 out [this chapter](#). The director's authority under [this chapter](#)
17 extends to, but is not limited to, the following:

18 Sec. 199. Section 123.49, subsection 2, paragraph f,
19 subparagraph (4), Code 2024, is amended to read as follows:

20 (4) If a person employed under this paragraph reports an
21 incident of workplace harassment to the employer or if the
22 employer otherwise becomes aware of such an incident, the
23 employer shall report the incident to the employee's parent,
24 guardian, or legal custodian and to the Iowa office of civil
25 rights commission, which shall determine if any action is
26 necessary or appropriate under [chapter 216](#).

27 Sec. 200. Section 124.551, subsection 1, Code 2024, is
28 amended to read as follows:

29 1. Contingent upon the receipt of funds pursuant to
30 section 124.557 sufficient to carry out the purposes of
31 this subchapter, the board, in conjunction with the advisory
32 ~~council~~ committee created in [section 124.555](#), shall establish
33 and maintain an information program for drug prescribing and
34 dispensing.

35 Sec. 201. Section 124.553, subsection 1, paragraph b, Code

1 2024, is amended to read as follows:

2 *b.* An individual who requests the individual's own program
3 information in accordance with the procedure established in
4 rules of the board ~~and advisory council~~ adopted under section
5 124.554.

6 Sec. 202. Section 124.554, subsection 1, unnumbered
7 paragraph 1, Code 2024, is amended to read as follows:

8 The board ~~and advisory council~~ shall jointly adopt rules in
9 accordance with [chapter 17A](#) to carry out the purposes of, and
10 to enforce the provisions of, [this subchapter](#). The rules shall
11 include but not be limited to the development of procedures
12 relating to:

13 Sec. 203. Section 124.554, subsection 1, paragraphs f, g,
14 and h, Code 2024, are amended to read as follows:

15 *f.* Use by the board or advisory ~~council~~ committee of the
16 program request records required by section 124.553, subsection
17 2, to document and report statistical information.

18 *g.* Including all schedule II, schedule III, and schedule
19 IV controlled substances, schedule V controlled substances
20 including when dispensed by a pharmacist without a prescription
21 except for sales of pseudoephedrine that are reported to the
22 real-time electronic repository, opioid antagonists, and other
23 prescription substances that the advisory ~~council~~ committee and
24 board determine can be addictive or fatal if not taken under
25 the proper care and direction of a prescribing practitioner.

26 *h.* Access by a pharmacist or prescribing practitioner to
27 information in the program pursuant to a written agreement with
28 the board ~~and advisory council~~.

29 Sec. 204. Section 124.554, subsection 2, unnumbered
30 paragraph 1, Code 2024, is amended to read as follows:

31 Beginning February 1, 2021, and annually by February 1
32 thereafter, the board ~~and advisory council~~ shall present to the
33 general assembly and the governor a report prepared consistent
34 with [section 124.555, subsection 3](#), paragraph "d", which shall
35 include but not be limited to the following:

1 Sec. 205. Section 124.554, subsection 2, paragraphs b and c,
2 Code 2024, are amended to read as follows:

3 b. Information from pharmacies, prescribing practitioners,
4 the board, the advisory ~~council~~ committee, and others regarding
5 the benefits or detriments of the program.

6 c. Information from pharmacies, prescribing practitioners,
7 the board, the advisory ~~council~~ committee, and others regarding
8 the board's effectiveness in providing information from the
9 program.

10 Sec. 206. Section 124.554, subsection 3, paragraph a,
11 subparagraph (6), Code 2024, is amended to read as follows:

12 (6) Other pertinent information identified by the board and
13 ~~advisory council~~ by rule.

14 Sec. 207. Section 124.555, unnumbered paragraph 1, Code
15 2024, is amended to read as follows:

16 An advisory ~~council~~ committee shall be established to
17 ~~provide oversight to assist~~ assist the board and in the management of
18 the program and ~~to manage~~ program activities.

19 Sec. 208. Section 124.555, subsections 1 and 2, Code 2024,
20 are amended to read as follows:

21 1. The ~~council~~ committee shall consist of five members
22 appointed by the board. The members shall include at least
23 one ~~licensed pharmacist prescribing practitioner licensed~~
24 by the board, one physician licensed under chapter 148, one
25 prescribing practitioner licensed by the board of nursing, and
26 one licensed prescribing practitioner who is not a physician,
27 and other members as determined by the board. The board
28 shall adopt rules in accordance with chapter 17A on matters
29 pertaining to the ~~council~~ committee membership, including the
30 terms of appointment and quorum. The board shall solicit
31 recommendations for ~~council~~ committee members from Iowa health
32 professional licensing boards, associations, and societies.
33 The license of each member appointed to and serving on the
34 advisory ~~council~~ committee shall be current and in good
35 standing with the professional's licensing board.

1 2. The ~~council~~ committee shall advance the goals of the
2 program, which include identification of misuse and diversion
3 of controlled substances identified pursuant to section
4 124.554, subsection 1, paragraph "g", and enhancement of the
5 quality of health care delivery in this state.

6 Sec. 209. Section 124.555, subsection 3, unnumbered
7 paragraph 1, Code 2024, is amended to read as follows:

8 Duties of the ~~council~~ committee shall include but not be
9 limited to the following:

10 Sec. 210. Section 124.555, subsection 3, paragraph d, Code
11 2024, is amended to read as follows:

12 d. Making recommendations regarding the continued benefits
13 of maintaining the program in relationship to cost and other
14 burdens to the patient, prescribing practitioner, pharmacist,
15 and the board. The ~~council's~~ committee's recommendations shall
16 be included in reports required by section 124.554, subsection
17 2.

18 Sec. 211. Section 124.555, subsection 4, Code 2024, is
19 amended to read as follows:

20 4. Members of the advisory ~~council~~ committee shall
21 be eligible to request and receive actual expenses for
22 their duties as members of the advisory ~~council~~ committee,
23 subject to reimbursement limits imposed by the department of
24 administrative services, and shall also be eligible to receive
25 a per diem compensation as provided in section 7E.6, subsection
26 1.

27 Sec. 212. Section 124.556, Code 2024, is amended to read as
28 follows:

29 **124.556 Education and treatment.**

30 The program shall include education initiatives and outreach
31 to consumers, prescribing practitioners, and pharmacists, and
32 shall also include assistance for identifying substance use
33 disorder treatment programs and providers. The program shall
34 also include educational updates and information on general
35 patient risk factors for prescribing practitioners. The board

1 ~~and advisory council~~ shall adopt rules, as provided under
2 section 124.554, to implement [this section](#).

3 Sec. 213. Section 135.11, subsection 22, Code 2024, is
4 amended to read as follows:

5 22. ~~In consultation with the advisory committee for~~
6 ~~perinatal guidelines, develop~~ Develop and maintain the
7 statewide perinatal program based on the recommendations of
8 the American academy of pediatrics and the American college
9 of obstetricians and gynecologists contained in the most
10 recent edition of the guidelines for perinatal care, and
11 adopt rules in accordance with [chapter 17A](#) to implement those
12 recommendations. Hospitals within the state shall determine
13 whether to participate in the statewide perinatal program,
14 and select the hospital's level of participation in the
15 program. A hospital having determined to participate in the
16 program shall comply with the guidelines appropriate to the
17 level of participation selected by the hospital. Perinatal
18 program surveys and reports are privileged and confidential
19 and are not subject to discovery, subpoena, or other means
20 of legal compulsion for their release to a person other than
21 the affected hospital, and are not admissible in evidence in a
22 judicial or administrative proceeding other than a proceeding
23 involving verification of the participating hospital under this
24 subsection.

25 Sec. 214. Section 135.43, subsections 1 and 2, Code 2024,
26 are amended to read as follows:

27 1. ~~An Iowa child death~~ A state mortality review team
28 committee is established in the department. The department
29 shall provide staffing and administrative support to the ~~team~~
30 committee.

31 2. The membership of the review ~~team~~ committee is subject
32 to the provisions of [sections 69.16](#) and [69.16A](#), relating
33 to political affiliation and gender balance. Review ~~team~~
34 committee members who are not designated by another appointing
35 authority shall be appointed by the director. Membership terms

1 shall be for three years. A membership vacancy shall be filled
2 in the same manner as the original appointment. The review
3 ~~team committee~~ shall elect a chairperson and other officers
4 as deemed necessary by the review ~~team committee~~. The review
5 ~~team committee~~ shall meet upon the call of the director or
6 as determined by the review ~~team committee~~. The review ~~team~~
7 ~~committee~~ shall include the following:

8 *a.* The state medical examiner or the state medical
9 examiner's designee.

10 ~~*b.* A certified or licensed professional who is knowledgeable~~
11 ~~concerning sudden infant death syndrome.~~

12 ~~*c.* A pediatrician who is knowledgeable concerning deaths of~~
13 ~~children.~~

14 ~~*d.* A family practice physician who is knowledgeable~~
15 ~~concerning deaths of children.~~

16 ~~*e.* One mental health professional who is knowledgeable~~
17 ~~concerning deaths of children.~~

18 ~~*f.* One social worker who is knowledgeable concerning deaths~~
19 ~~of children.~~

20 ~~*g.* A certified or licensed professional who is knowledgeable~~
21 ~~concerning domestic violence.~~

22 ~~*h.* A professional who is knowledgeable concerning substance~~
23 ~~use disorder.~~

24 ~~*i.* A local law enforcement official.~~

25 ~~*j.* A county attorney.~~

26 ~~*k.* An emergency room nurse who is knowledgeable concerning~~
27 ~~the deaths of children.~~

28 ~~*l.* A perinatal expert.~~

29 ~~*m.* A representative of the health insurance industry.~~

30 ~~*n.* One other member who is appointed at large.~~

31 *b.* A licensed physician knowledgeable concerning the causes
32 of death.

33 *c.* A certified or licensed professional knowledgeable
34 regarding substance use disorder.

35 *d.* An attorney experienced in prosecuting domestic abuse

1 cases.

2 e. An expert in unexpected or unexplained infant deaths.

3 f. A clerk of a district court, to be appointed by the chief
4 justice of the supreme court.

5 g. A judicial officer, to be appointed by the chief justice
6 of the supreme court.

7 h. A local law enforcement official.

8 i. A social worker knowledgeable about deaths of children.

9 j. Additional members as determined by the director.

10 Sec. 215. Section 135.43, subsection 3, unnumbered
11 paragraph 1, Code 2024, is amended to read as follows:

12 The review ~~team~~ committee shall perform the following
13 duties:

14 Sec. 216. Section 135.43, subsection 3, paragraphs a, c, e,
15 f, and g, Code 2024, are amended to read as follows:

16 a. Collect, review, and analyze child death certificates and
17 child death data, including patient records or other pertinent
18 confidential information concerning the deaths of children
19 under age eighteen, and other information as the review ~~team~~
20 committee deems appropriate for use in preparing an annual
21 report to the governor and the general assembly concerning the
22 causes and manner of child deaths. The report shall include
23 analysis of factual information obtained through review and
24 recommendations regarding prevention of child deaths.

25 c. Recommend to the agencies represented on the review ~~team~~
26 committee changes which may prevent child deaths.

27 e. Recommend to the department, appropriate law enforcement
28 agencies, and any other person involved with child protection,
29 interventions that may prevent harm to a child who is related
30 to or is living in the same home as a child whose case is
31 reviewed by the ~~team~~ committee.

32 f. If the sharing of information is necessary to assist in
33 or initiate a child death investigation or criminal prosecution
34 and the office or agency receiving the information does not
35 otherwise have access to the information, share information

1 possessed by the review ~~team~~ committee with the office of the
2 attorney general, a county attorney's office, or an appropriate
3 law enforcement agency. The office or agency receiving
4 the information shall maintain the confidentiality of the
5 information in accordance with this section. Unauthorized
6 release or disclosure of the information received is subject to
7 penalty as provided in this section.

8 *g.* In order to assist the department in performing the
9 department's duties, if the department does not otherwise have
10 access to the information, share information possessed by the
11 review ~~team~~ committee. The recipient of the information shall
12 maintain the confidentiality of the information in accordance
13 with this section. Unauthorized release or disclosure of the
14 information received is subject to penalty as provided in this
15 section.

16 Sec. 217. Section 135.43, subsection 4, unnumbered
17 paragraph 1, Code 2024, is amended to read as follows:

18 The department shall develop protocols for ~~a child fatality~~
19 ~~review committee, to be appointed by the director on an ad hoc~~
20 ~~basis, the state mortality review committee to immediately~~
21 review the child abuse assessments which involve the fatality
22 of a child under age eighteen. ~~The director shall appoint a~~
23 ~~medical examiner, a pediatrician, and a person involved with~~
24 ~~law enforcement to the committee.~~

25 Sec. 218. Section 135.43, subsection 4, paragraph a, Code
26 2024, is amended to read as follows:

27 *a.* The purpose of the review shall be to determine whether
28 the department and others involved with the case of child abuse
29 responded appropriately. The protocols shall provide for
30 the committee to consult with any multidisciplinary team, as
31 defined in section 235A.13, that is operating in the area in
32 which the fatality occurred. The protocols shall also ensure
33 that a member of the ~~child fatality review~~ committee does not
34 have a conflict of interest regarding the child fatality under
35 review.

1 Sec. 219. Section 135.43, subsection 5, paragraph a,
2 unnumbered paragraph 1, Code 2024, is amended to read as
3 follows:

4 The following individuals shall designate a liaison
5 to assist the review ~~team~~ committee in fulfilling its
6 responsibilities:

7 Sec. 220. Section 135.43, subsection 5, paragraph b, Code
8 2024, is amended to read as follows:

9 **b.** In addition, the department shall designate a liaison
10 from the public at large to assist the review ~~team~~ committee in
11 fulfilling its responsibilities.

12 Sec. 221. Section 135.43, subsections 6, 7, and 8, Code
13 2024, are amended to read as follows:

14 6. The review ~~team~~ committee may establish subcommittees to
15 which the ~~team~~ committee may delegate some or all of the ~~team's~~
16 committee's responsibilities under [subsection 3](#).

17 7. **a.** The department shall adopt rules providing for
18 disclosure of information which is confidential under chapter
19 22 or any other provision of state law, to the review ~~team~~
20 committee for purposes of performing its child death and child
21 abuse review responsibilities.

22 **b.** A person in possession or control of medical,
23 investigative, assessment, or other information pertaining to a
24 child death and child abuse review shall allow the inspection
25 and reproduction of the information by the department
26 upon the request of the department, to be used only in the
27 administration and for the duties of the ~~Iowa child death~~
28 state mortality review ~~team~~ committee. Except as provided
29 for a report on a child fatality by an ~~ad hoc child fatality~~
30 review ~~the~~ committee under [subsection 4](#), information and
31 records produced under [this section](#) which are confidential
32 under [section 22.7](#) and [chapter 235A](#), and information or records
33 received from the confidential records, remain confidential
34 under [this section](#). A person does not incur legal liability by
35 reason of releasing information to the department as required

1 under and in compliance with [this section](#).

2 8. Review ~~team~~ committee members and their agents are immune
3 from any liability, civil or criminal, which might otherwise
4 be incurred or imposed as a result of any act, omission,
5 proceeding, decision, or determination undertaken or performed,
6 or recommendation made as a review ~~team~~ committee member or
7 agent provided that the review ~~team~~ committee members or agents
8 acted in good faith and without malice in carrying out their
9 official duties in their official capacity. The department
10 shall adopt rules pursuant to [chapter 17A](#) to administer
11 this subsection. A complainant bears the burden of proof in
12 establishing malice or lack of good faith in an action brought
13 against review ~~team~~ committee members involving the performance
14 of their duties and powers under [this section](#).

15 Sec. 222. Section 135.108, Code 2024, is amended by adding
16 the following new subsection:

17 NEW SUBSECTION. 01. "*Committee*" or "*review committee*" means
18 the state mortality review committee established in section
19 135.43.

20 Sec. 223. Section 135.108, subsection 4, Code 2024, is
21 amended by striking the subsection.

22 Sec. 224. Section 135.110, subsection 1, unnumbered
23 paragraph 1, Code 2024, is amended to read as follows:

24 The review ~~team~~ committee shall perform the following
25 duties:

26 Sec. 225. Section 135.110, subsection 1, paragraphs b and c,
27 Code 2024, are amended to read as follows:

28 *b.* Advise and consult ~~the agencies represented on the team~~
29 ~~and other~~ state agencies regarding program and regulatory
30 changes that may prevent domestic abuse deaths.

31 *c.* Develop protocols for domestic abuse death investigations
32 and ~~team~~ committee review.

33 Sec. 226. Section 135.110, subsections 2, 3, 4, 5, and 6,
34 Code 2024, are amended to read as follows:

35 2. In performing duties pursuant to [subsection 1](#), the

1 review ~~team~~ committee shall review the relationship between the
2 decedent victim and the alleged or convicted perpetrator from
3 the point where the abuse allegedly began, until the domestic
4 abuse death occurred, and shall review all relevant documents
5 pertaining to the relationship between the parties, including
6 but not limited to protective orders and dissolution, custody,
7 and support agreements and related court records, in order to
8 ascertain whether a correlation exists between certain events
9 in the relationship and any escalation of abuse, and whether
10 patterns can be established regarding such events in relation
11 to domestic abuse deaths in general. The review ~~team~~ committee
12 shall consider such conclusions in making recommendations
13 pursuant to [subsection 1](#).

14 3. The ~~team~~ committee shall meet upon the call of the
15 chairperson, upon the request of a state agency, or as
16 determined by a majority of the ~~team~~ committee.

17 4. The ~~team~~ committee shall annually elect a chairperson and
18 other officers as deemed necessary by the ~~team~~ committee.

19 5. The ~~team~~ committee may establish ~~committees~~
20 subcommittees or panels to whom the ~~team~~ committee may assign
21 some or all of the ~~team's~~ committee's responsibilities.

22 6. Members of the ~~team~~ committee who are currently
23 practicing attorneys or current employees of the judicial
24 branch of state government shall not participate in the
25 following:

26 a. An investigation by the ~~team~~ committee that involves a
27 case in which the ~~team~~ committee member is presently involved
28 in the member's professional capacity.

29 b. Development of protocols by the ~~team~~ committee for
30 domestic abuse death investigations and ~~team~~ committee review.

31 c. Development of regulatory changes related to domestic
32 abuse deaths.

33 Sec. 227. Section 135.111, subsection 1, Code 2024, is
34 amended to read as follows:

35 1. A person in possession or control of medical,

1 investigative, or other information pertaining to a domestic
2 abuse death and related incidents and events preceding the
3 domestic abuse death, shall allow for the inspection and review
4 of written or photographic information related to the death,
5 whether the information is confidential or public in nature, by
6 the department upon the request of the department and the ~~team~~
7 committee, to be used only in the administration and for the
8 official duties of the ~~team~~ committee. Information and records
9 produced under this section that are confidential under the law
10 of this state or under federal law, or because of any legally
11 recognized privilege, and information or records received
12 from the confidential records, remain confidential under this
13 section.

14 Sec. 228. Section 135.112, Code 2024, is amended to read as
15 follows:

16 **135.112 Rulemaking.**

17 The department shall adopt rules pursuant to chapter 17A
18 relating to the administration of the ~~domestic abuse death~~
19 ~~review team~~ committee and sections 135.108 through 135.111.

20 Sec. 229. Section 147.13, subsection 21, Code 2024, is
21 amended by striking the subsection.

22 Sec. 230. Section 147.14, subsection 1, paragraphs b, d, e,
23 n, and s, Code 2024, are amended to read as follows:

24 *b.* For nursing, ~~four~~ three registered nurses, ~~two~~ one of
25 whom shall be actively engaged in practice, ~~two~~ one of whom
26 shall be a nurse educators educator from a nursing education
27 ~~programs; of these, one in higher education and one in area~~
28 ~~community and vocational-technical registered nurse education~~
29 program, and one of whom shall be an advanced registered
30 nurse practitioner; one licensed practical nurse actively
31 engaged in practice; and ~~two members~~ one member who is not a
32 ~~registered nurses nurse~~ nurse or licensed practical ~~nurses nurse~~
33 who shall represent the general public. The ~~representatives~~
34 representative of the general public shall not be ~~members a~~
35 member of a health care delivery systems system.

1 *d.* For pharmacy, ~~five~~ four members licensed to practice
2 pharmacy, one member registered as a certified pharmacy
3 technician as defined by the board by rule, and ~~two members~~
4 one member who ~~are~~ is not licensed to practice pharmacy or
5 registered as a certified pharmacy technician and who shall
6 represent the general public.

7 *e.* For optometry, ~~five~~ four members licensed to practice
8 optometry and ~~two members~~ one member who ~~are~~ is not licensed to
9 practice optometry and who shall represent the general public.

10 *n.* For mortuary science, ~~four~~ three members licensed to
11 practice mortuary science, one member owning, operating,
12 or employed by a crematory, and ~~two members~~ one member not
13 licensed to practice mortuary science and not a crematory
14 owner, operator, or employee who shall represent the general
15 public.

16 *s.* For sign language interpreting and transliterating,
17 ~~four~~ three members licensed to practice interpreting and
18 transliterating, ~~three~~ two of whom shall be practicing
19 interpreters and transliterators at the time of appointment
20 to the board and at least one of whom is employed in an
21 educational setting; and ~~three~~ two members who are consumers of
22 interpreting or transliterating services as defined in section
23 154E.1, each of whom shall be deaf or hard of hearing.

24 Sec. 231. Section 147.14, subsection 1, paragraph t, Code
25 2024, is amended by striking the paragraph.

26 Sec. 232. Section 148.2A, subsection 2, unnumbered
27 paragraph 1, Code 2024, is amended to read as follows:

28 Notwithstanding [sections 17A.11](#), [69.16](#), [69.16A](#), [147.12](#),
29 [147.14](#), and [147.19](#), the board may have a pool of up to ~~ten~~ three
30 alternate members, including members licensed to practice under
31 this chapter and members not licensed to practice under this
32 chapter, to substitute for board members who are disqualified
33 or become unavailable for any other reason for contested case
34 hearings.

35 Sec. 233. Section 148.2A, subsection 2, paragraph a, Code

1 2024, is amended to read as follows:

2 a. The board may recommend, subject to approval by
3 the governor, up to ~~ten~~ three people to serve in a pool of
4 alternate members.

5 Sec. 234. Section 154A.1, subsection 1, Code 2024, is
6 amended by striking the subsection.

7 Sec. 235. Section 154A.1, subsection 6, Code 2024, is
8 amended to read as follows:

9 6. "*Hearing aid specialist*" means any person engaged in the
10 fitting, dispensing, and sale of hearing aids and providing
11 hearing aid services or maintenance, by means of procedures
12 stipulated by this chapter or the ~~board~~ department.

13 Sec. 236. Section 154A.10, subsection 3, Code 2024, is
14 amended to read as follows:

15 3. Pays the necessary fees set by the ~~board~~ department.

16 Sec. 237. Section 154A.12, subsection 2, Code 2024, is
17 amended to read as follows:

18 2. The ~~board~~ department shall not require the applicant to
19 possess the degree of professional competence normally expected
20 of physicians.

21 Sec. 238. Section 154A.13, Code 2024, is amended to read as
22 follows:

23 **154A.13 Temporary permit.**

24 A person who has not been licensed as a hearing aid
25 specialist may obtain a temporary permit from the department
26 upon completion of the application accompanied by the written
27 verification of employment from a licensed hearing aid
28 specialist. The department shall issue a temporary permit for
29 ~~one year~~ two years which shall not be renewed or reissued.
30 The fee for issuance of the temporary permit shall be set
31 by the ~~board~~ department in accordance with the provisions
32 for establishment of fees by boards in section 147.80. The
33 temporary permit entitles an applicant to engage in the fitting
34 or selection and sale of hearing aids under the supervision of
35 a person holding a valid license.

1 Sec. 239. Section 154A.19, subsection 1, Code 2024, is
2 amended to read as follows:

3 1. **This chapter** shall not prohibit a corporation,
4 partnership, trust, association, or other organization
5 maintaining an established business address from engaging in
6 the business of selling or offering for sale hearing aids at
7 retail without a license if it employs only licensed hearing
8 aid specialists in the direct fitting or selection and sale
9 of hearing aids. Such an organization shall file annually
10 with the ~~board~~ department a list of all licensed hearing aid
11 specialists and persons holding temporary permits directly
12 or indirectly employed by it. Such an organization shall
13 also file with the ~~board~~ department a statement on a form
14 approved by the ~~board~~ department that the organization submits
15 itself to the rules and regulations of the ~~board~~ department
16 and the provisions of **this chapter** which the department deems
17 applicable.

18 Sec. 240. Section 154A.19, Code 2024, is amended by adding
19 the following new subsection:

20 NEW SUBSECTION. 4. This chapter shall not apply to a person
21 who engages in practices covered by this chapter if the person
22 is licensed as an audiologist pursuant to chapter 154F.

23 Sec. 241. Section 154A.23, Code 2024, is amended to read as
24 follows:

25 **154A.23 Disciplinary orders — attorney general.**

26 The ~~board~~ department shall forward a copy of all final
27 disciplinary orders, with associated complaints, to the
28 attorney general for consideration for prosecution or
29 enforcement when warranted. The attorney general and all
30 county attorneys shall assist ~~the board~~ and the department in
31 the enforcement of the provisions of **this chapter**.

32 Sec. 242. Section 154A.24, unnumbered paragraph 1, Code
33 2024, is amended to read as follows:

34 The ~~board~~ department may revoke or suspend a license or
35 temporary permit permanently or for a fixed period for any of

1 the following causes:

2 Sec. 243. Section 154A.24, subsection 2, paragraphs e and s,
3 Code 2024, are amended to read as follows:

4 e. Representing that the service or advice of a person
5 licensed to practice medicine, or one who is certificated as
6 a clinical audiologist by the board of speech pathology and
7 audiology or its equivalent, will be used or made available in
8 the fitting or selection, adjustment, maintenance, or repair
9 of hearing aids when that is not true, or using the words
10 "doctor", "clinic", "clinical audiologist", "state approved",
11 or similar words, abbreviations, or symbols which tend to
12 connote the medical or other professions, except where the
13 title "certified hearing aid audiologist" has been granted
14 by the national hearing aid society, or that the hearing aid
15 specialist has been recommended by this state or the ~~board~~
16 department when such is not accurate.

17 s. Such other acts or omissions as the ~~board~~ department may
18 determine to be unethical conduct.

19 Sec. 244. Section 169.5, subsection 1, paragraph a, Code
20 2024, is amended to read as follows:

21 a. The governor shall appoint, subject to confirmation
22 by the senate pursuant to [section 2.32](#), a board of five
23 individuals, three of whom shall be licensed veterinarians
24 and two of whom shall not be licensed veterinarians and shall
25 represent the general public, one of whom shall be a farmer
26 involved in the production of agricultural animals. The board
27 shall be known as the Iowa board of veterinary medicine.

28 Sec. 245. Section 170.1, subsection 2, Code 2024, is amended
29 by striking the subsection.

30 Sec. 246. Section 170.3B, Code 2024, is amended to read as
31 follows:

32 **170.3B Farm deer administration fee.**

33 The department may establish a farm deer administration fee
34 which shall be annually imposed on each landowner who keeps
35 farm deer in this state. The amount of the fee shall not exceed

1 two hundred dollars per year. The fee shall be collected
2 by the department in a manner specified by rules adopted by
3 the department ~~after consulting with the farm deer council~~
4 ~~established in [section 170.2](#)~~. The collected fees shall be
5 credited to the farm deer administration fund created pursuant
6 to [section 170.3C](#).

7 Sec. 247. Section 190C.1, subsection 2, Code 2024, is
8 amended by striking the subsection.

9 Sec. 248. Section 190C.2B, subsection 1, Code 2024, is
10 amended to read as follows:

11 1. The department shall implement and administer the
12 provisions of [this chapter](#) for agricultural products that have
13 been produced and handled within this state using organic
14 methods as provided in [this chapter](#). ~~The department may~~
15 ~~consult with the council in implementing and administering this~~
16 ~~chapter~~. The department may certify agricultural products that
17 have been produced and handled outside this state using an
18 organic method as provided in [this chapter](#).

19 Sec. 249. Section 190C.3, subsection 2, Code 2024, is
20 amended to read as follows:

21 2. The department may request assistance from ~~the council~~
22 ~~as provided in [section 190C.2A](#) or from one or more regional~~
23 organic associations as provided in [section 190C.6](#).

24 Sec. 250. Section 203.11A, subsection 2, Code 2024, is
25 amended to read as follows:

26 2. The amount of a civil penalty shall not exceed one
27 thousand five hundred dollars. Each day that a violation
28 continues shall constitute a separate violation. ~~The amount~~
29 ~~of the civil penalty that may be assessed in a case shall~~
30 ~~not exceed the amount recommended by the grain industry peer~~
31 ~~review panel established pursuant to [section 203.11B](#)~~. Moneys
32 collected in civil penalties by the department or the attorney
33 general shall be deposited in the general fund of the state.

34 Sec. 251. Section 203.16, subsection 8, Code 2024, is
35 amended by striking the subsection.

1 Sec. 252. Section 203C.24, subsection 8, Code 2024, is
2 amended by striking the subsection.

3 Sec. 253. Section 203C.36A, subsection 2, Code 2024, is
4 amended to read as follows:

5 2. The amount of a civil penalty shall not exceed one
6 thousand five hundred dollars. Each day that a violation
7 continues shall constitute a separate violation. ~~The amount~~
8 ~~of the civil penalty that may be assessed in an administrative~~
9 ~~case shall not exceed the amount recommended by the grain~~
10 ~~industry peer review panel established pursuant to section~~
11 ~~203.11B.~~ Moneys collected in civil penalties by the department
12 or the attorney general shall be deposited in the general fund
13 of the state.

14 Sec. 254. Section 206.19, subsection 5, Code 2024, is
15 amended by adding the following new paragraph:

16 NEW PARAGRAPH. c. (1) A person subject to a civil penalty
17 pursuant to this subsection may submit an appeal to the
18 department. The appeal shall be referred to an administrative
19 law judge for hearing as a contested case pursuant to chapter
20 17A.

21 (2) This paragraph does not apply to a license revocation
22 proceeding. This paragraph does not require the department
23 to delay the prosecution of a case if immediate action is
24 necessary to reduce the risk of harm to the environment or
25 public health or safety. This section also does not require a
26 review or response if the department refers a violation of this
27 chapter for criminal prosecution, or for an action involving a
28 stop order issued pursuant to section 206.16.

29 (3) An available response by the department may be used as
30 evidence in an administrative hearing, or a civil or criminal
31 case, except to the extent that information is considered
32 confidential pursuant to section 22.7.

33 Sec. 255. Section 216.2, Code 2024, is amended by adding the
34 following new subsections:

35 NEW SUBSECTION. 01. "Agency" means the administrative

1 function of the Iowa office of civil rights, including the
2 director and staff. "Agency" does not include a member of the
3 Iowa state civil rights commission.

4 NEW SUBSECTION. 4A. "Director" means the director of the
5 Iowa office of civil rights.

6 NEW SUBSECTION. 11A. "Office" means the Iowa office of
7 civil rights.

8 Sec. 256. Section 216.2, subsection 1, Code 2024, is amended
9 to read as follows:

10 1. "Commission" means the Iowa state civil rights commission
11 created by ~~this chapter~~ within the Iowa office of civil rights.

12 Sec. 257. Section 216.3, subsections 1 and 3, Code 2024, are
13 amended to read as follows:

14 1. The Iowa state civil rights commission is created
15 ~~within the department of inspections, appeals, and licensing~~
16 consisting of ~~seven~~ five members appointed by the governor
17 subject to confirmation by the senate. Appointments shall be
18 made to provide geographical area representation insofar as
19 practicable. No more than ~~four~~ three members of the commission
20 shall belong to the same political party. Members appointed
21 to the commission shall serve for four-year staggered terms
22 beginning and ending as provided by section 69.19.

23 3. The governor subject to confirmation by the senate shall
24 appoint a director who shall serve as the ~~executive officer~~
25 of the commission head of the agency. The governor shall set
26 the salary of the director within the applicable salary range
27 established by the general assembly. The director shall adopt
28 rules pursuant to chapter 17A consistent with and necessary for
29 the enforcement of this chapter. The director shall advise and
30 support the commission in fulfilling the commission's duties
31 and responsibilities under section 216.5A.

32 Sec. 258. Section 216.4, Code 2024, is amended to read as
33 follows:

34 **216.4 Compensation and expenses — rules procedures.**

35 Commissioners shall be paid a per diem as specified in

1 section 7E.6 and shall be reimbursed for actual and necessary
2 expenses incurred while on official commission business. All
3 per diem and expense moneys paid to commissioners shall be
4 paid from funds appropriated to the ~~commission~~ office. The
5 commission shall adopt, amend, or rescind ~~rules~~ procedures as
6 necessary for the conduct of its meetings. A quorum shall
7 consist of ~~four~~ three commissioners.

8 Sec. 259. Section 216.5, Code 2024, is amended by striking
9 the section and inserting in lieu thereof the following:

10 **216.5 Powers and duties of agency.**

11 The agency shall have the following powers and duties:

12 1. To receive, investigate, mediate, conciliate,
13 and determine the merits of complaints alleging illegal
14 discriminatory practices. The agency shall not disclose the
15 filing of a complaint, the information gathered during the
16 investigation, or the endeavors to eliminate such illegal
17 discriminatory practice by mediation or conciliation, unless
18 such disclosure is made in connection with the agency's
19 investigation.

20 2. To investigate compliance with conciliation agreements
21 and pursue appropriate remedies up to and including filing in
22 district court.

23 3. To investigate, study, and report on the existence,
24 causes, and extent of illegal discrimination, as deemed
25 necessary by the director.

26 4. To provide education and outreach regarding illegal
27 discrimination, including individuals and organizations.

28 5. To seek a temporary injunction against a respondent when
29 it appears that a complainant may suffer irreparable injury
30 as a result of an alleged violation of this chapter. Unless
31 otherwise specified in this chapter, a temporary injunction
32 may be issued only after the respondent has been notified and
33 afforded an opportunity to be heard.

34 6. To hold contested case hearings upon any complaint made
35 against a respondent, and all of the following:

- 1 *a.* To subpoena witnesses and compel their attendance.
- 2 *b.* To administer oaths and take the testimony of any person
3 under oath.
- 4 *c.* To compel a respondent to produce for examination any
5 books and papers relating to the complaint.
- 6 7. To issue subpoenas at the request of a party in contested
7 hearings.
- 8 8. To petition the district court for issuance of a subpoena
9 and the court, in a proper case, shall issue the subpoena for
10 contested case hearings. Refusal to obey a district court
11 subpoena shall be subject to punishment for contempt.
- 12 9. To pursue the entry of a consent decree in district court
13 for conciliation agreements.
- 14 10. To petition and appear before the district court for
15 the enforcement of office orders following a contested case
16 hearing.
- 17 11. To provide education opportunities and informal
18 technical advice to local commissions regarding legal
19 developments, case process improvements, and cooperation for
20 cross-filing.
- 21 12. To prepare and transmit to the governor and the general
22 assembly an annual report describing performance outcomes of
23 the agency.
- 24 13. To make recommendations to the governor and general
25 assembly for such further legislation concerning illegal
26 discrimination as deemed necessary by the director.
- 27 14. To adopt, publish, amend, and rescind office rules
28 pursuant to chapter 17A consistent with and necessary for the
29 enforcement of this chapter.
- 30 15. To receive, administer, dispense, and account for any
31 moneys that may be granted or voluntarily contributed to the
32 office for furthering the purposes of this chapter.
- 33 16. To utilize volunteers to aid in the conduct of the
34 agency's duties as deemed necessary by the director.
- 35 17. To issue a copy of the case file to any party following

1 the issuance of a right to sue letter, the filing of a
2 contested case, or the filing of an action for judicial review.

3 18. To issue protective orders in case files when necessary.
4 Sec. 260. NEW SECTION. **216.5A Powers and duties of**
5 **commission.**

6 The commission shall have the following powers and duties:

7 1. To adopt, amend, or rescind procedures as necessary for
8 the conduct of commission meetings.

9 2. To sit as the final reviewing body for decisions issued
10 by an administrative law judge following an appeal from a
11 contested case hearing.

12 3. To make policy recommendations to the director for
13 consideration to be incorporated with any recommendations from
14 the agency to the governor and general assembly.

15 Sec. 261. Section 216.8C, subsections 3 and 4, Code 2024,
16 are amended to read as follows:

17 3. The ~~commission~~ agency, in consultation with the consumer
18 protection division of the office of the attorney general,
19 shall adopt rules regarding the making of a written finding
20 by licensees under [this section](#). The rules shall include a
21 form for licensees to document the licensees' written finding.
22 The form shall recite [this section's](#) requirements and comply
23 with the federal Fair Housing Act, 42 U.S.C. §3601 et seq., as
24 amended, and section 504 of the federal Rehabilitation Act of
25 1973, 29 U.S.C. §794, as amended. The form must contain only
26 two questions regarding the qualifications of the patient or
27 client, which shall be whether a person has a disability and
28 whether the need for an assistance animal or service animal is
29 related to the disability. The form must indicate that the
30 responses must be limited to "yes" or "no". The form must not
31 allow for additional detail.

32 4. A person who, in the course of employment, is asked
33 to make a finding of disability and disability-related need
34 for an assistance animal or service animal shall utilize the
35 form created by the ~~commission~~ agency to document the person's

1 written finding.

2 Sec. 262. Section 216.12, subsection 1, paragraph d,
3 unnumbered paragraph 1, Code 2024, is amended to read as
4 follows:

5 Discrimination on the basis of familial status involving
6 dwellings provided under any state or federal program
7 specifically designed and operated to assist elderly persons,
8 as defined in the state or federal program that the ~~commission~~
9 agency determines to be consistent with determinations made by
10 the United States secretary of housing and urban development,
11 and housing for older persons. As used in this paragraph,
12 "*housing for older persons*" means housing communities consisting
13 of dwellings intended for either of the following:

14 Sec. 263. Section 216.15, Code 2024, is amended to read as
15 follows:

16 **216.15 Complaint — hearing.**

17 1. Any person claiming to be aggrieved by a discriminatory
18 or unfair practice may, in person or by an attorney, make,
19 sign, and file with the ~~commission~~ agency a verified, written
20 complaint which shall state the name and address of the person,
21 employer, employment agency, or labor organization alleged
22 to have committed the discriminatory or unfair practice of
23 which complained, shall set forth the particulars thereof,
24 and shall contain such other information as may be required
25 by the ~~commission~~ agency. ~~The commission~~ Agency staff, a
26 commissioner, or the attorney general may in like manner make,
27 sign, and file such complaint.

28 2. Any place of public accommodation, employer, labor
29 organization, or other person who has any employees or members
30 who refuse or threaten to refuse to comply with the provisions
31 of **this chapter** may file with the ~~commission~~ agency a verified
32 written complaint in triplicate asking the ~~commission~~ agency
33 for assistance to obtain their compliance by conciliation or
34 other remedial action.

35 3. a. After the filing of a verified complaint, a true

1 copy shall be served within twenty days on the person against
2 whom the complaint is filed, except as provided in subsection
3 4. ~~An authorized member of the commission~~ Agency staff shall
4 make a prompt investigation and shall issue a recommendation
5 to an administrative law judge employed by the division of
6 administrative hearings created by [section 10A.801](#), who shall
7 then issue a determination of probable cause or no probable
8 cause.

9 *b.* For purposes of [this chapter](#), an administrative law judge
10 issuing a determination of probable cause or no probable cause
11 under [this section](#) is exempt from [section 17A.17](#).

12 *c.* If the administrative law judge concurs with the
13 investigating official that probable cause exists regarding
14 the allegations of the complaint, the staff of the ~~commission~~
15 agency shall promptly endeavor to eliminate the discriminatory
16 or unfair practice by conference, conciliation, and persuasion.
17 If the administrative law judge finds that no probable cause
18 exists, the administrative law judge shall issue a final order
19 dismissing the complaint and shall promptly mail a copy to the
20 complainant and to the respondent. A finding of probable cause
21 shall not be introduced into evidence in an action brought
22 under [section 216.16](#).

23 *d.* The ~~commission~~ agency staff must endeavor to eliminate
24 the discriminatory or unfair practice by conference,
25 conciliation, and persuasion for a period of thirty days
26 following the initial conciliation meeting between the
27 respondent and the ~~commission~~ agency staff after a finding
28 of probable cause. After the expiration of thirty days, the
29 director may order the conciliation conference and persuasion
30 procedure provided in [this section](#) to be bypassed when the
31 director determines the procedure is unworkable by reason of
32 past patterns and practices of the respondent, or a statement
33 by the respondent that the respondent is unwilling to continue
34 with the conciliation. ~~The director must have the approval of~~
35 ~~a commissioner before bypassing the conciliation, conference~~

1 ~~and persuasion procedure.~~ Upon the bypassing of conciliation,
2 the director shall state in writing the reasons for bypassing.

3 4. a. The ~~commission~~ agency may permit service of a
4 complaint on a respondent by regular or electronic mail. If
5 the respondent does not respond to the service by regular or
6 electronic mail after ninety days, the ~~commission~~ agency shall
7 serve the complaint on the respondent by certified mail within
8 twenty days after the expiration of the ninety-day response
9 period to service by regular or electronic mail.

10 b. The ~~commission~~ agency may also permit a party to file
11 a response to a complaint, a document, information, or other
12 material, by electronic mail.

13 c. The ~~commission~~ agency may issue a notice, determination,
14 order, subpoena, request, correspondence, or any other document
15 issued by the ~~commission~~ agency, by electronic mail.

16 5. The members of the commission and ~~its~~ agency staff
17 shall not disclose the filing of a complaint, the information
18 gathered during the investigation, or the endeavors to
19 eliminate such discriminatory or unfair practice by mediation,
20 conference, conciliation, and persuasion, unless such
21 disclosure is made in connection with the conduct of such
22 investigation.

23 6. When the director is satisfied that further endeavor to
24 settle a complaint by conference, conciliation, and persuasion
25 is unworkable and should be bypassed, and the thirty-day period
26 provided for in [subsection 3](#) has expired without agreement, the
27 director ~~with the approval of a commissioner,~~ shall issue and
28 cause to be served a written notice specifying the charges in
29 the complaint as they may have been amended and the reasons for
30 bypassing conciliation, if the conciliation is bypassed, and
31 requiring the respondent to answer the charges of the complaint
32 at a hearing before the ~~commission~~ agency, a commissioner, or
33 a person designated by the ~~commission~~ agency to conduct the
34 hearing, hereafter referred to as the administrative law judge,
35 and at a time and place to be specified in the notice.

1 7. The case in support of such complaint shall be presented
2 at the hearing by one of the ~~commission's~~ agency's attorneys
3 or agents. The investigating official shall not participate
4 in the hearing except as a witness nor participate in the
5 deliberations of the ~~commission~~ agency in such case.

6 8. The hearing shall be conducted in accordance with the
7 provisions of [chapter 17A](#) for contested cases. The burden of
8 proof in such a hearing shall be on the ~~commission~~ agency.

9 9. If upon taking into consideration all of the evidence
10 at a hearing, the ~~commission~~ agency determines that the
11 respondent has engaged in a discriminatory or unfair practice,
12 the ~~commission~~ agency shall state its findings of fact and
13 conclusions of law and shall issue an order requiring the
14 respondent to cease and desist from the discriminatory or
15 unfair practice and to take the necessary remedial action
16 as in the judgment of the ~~commission~~ agency will carry out
17 the purposes of [this chapter](#). A copy of the order shall be
18 delivered to the respondent, the complainant, and to any other
19 public officers and persons as the ~~commission~~ agency deems
20 proper.

21 a. For the purposes of [this subsection](#) and pursuant to the
22 provisions of [this chapter](#) "remedial action" includes but is
23 not limited to the following:

24 (1) Hiring, reinstatement or upgrading of employees
25 with or without pay. Interim earned income and unemployment
26 compensation shall operate to reduce the pay otherwise
27 allowable.

28 (2) Admission or restoration of individuals to a labor
29 organization, admission to or participation in a guidance
30 program, apprenticeship training program, on-the-job training
31 program or other occupational training or retraining program,
32 with the utilization of objective criteria in the admission of
33 individuals to such programs.

34 (3) Admission of individuals to a public accommodation or an
35 educational institution.

1 (4) Sale, exchange, lease, rental, assignment or sublease
2 of real property to an individual.

3 (5) Extension to all individuals of the full and equal
4 enjoyment of the advantages, facilities, privileges, and
5 services of the respondent denied to the complainant because of
6 the discriminatory or unfair practice.

7 (6) Reporting as to the manner of compliance.

8 (7) Posting notices in conspicuous places in the
9 respondent's place of business in form prescribed by the
10 ~~commission~~ agency and inclusion of notices in advertising
11 material.

12 (8) Payment to the complainant of damages for an injury
13 caused by the discriminatory or unfair practice which damages
14 shall include but are not limited to actual damages, court
15 costs and reasonable attorney fees.

16 (9) For an unfair or discriminatory practice relating
17 to wage discrimination pursuant to [section 216.6A](#), payment
18 to the complainant of damages for an injury caused by the
19 discriminatory or unfair practice which damages shall include
20 but are not limited to court costs, reasonable attorney fees,
21 and either of the following:

22 (a) An amount equal to two times the wage differential
23 paid to another employee compared to the complainant for the
24 period of time for which the complainant has been discriminated
25 against.

26 (b) In instances of willful violation, an amount equal to
27 three times the wage differential paid to another employee as
28 compared to the complainant for the period of time for which
29 the complainant has been discriminated against.

30 *b.* In addition to the remedies provided in the preceding
31 provisions of [this subsection](#), the ~~commission~~ agency may issue
32 an order requiring the respondent to cease and desist from the
33 discriminatory or unfair practice and to take such affirmative
34 action as in the judgment of the ~~commission~~ agency will carry
35 out the purposes of [this chapter](#) as follows:

1 (1) In the case of a respondent operating by virtue of
2 a license issued by the state or a political subdivision
3 or agency, if the ~~commission~~ agency, upon notice to the
4 respondent with an opportunity to be heard, determines that the
5 respondent has engaged in a discriminatory or unfair practice
6 and that the practice was authorized, requested, commanded,
7 performed or knowingly or recklessly tolerated by the board
8 of directors of the respondent or by an officer or executive
9 agent acting within the scope of the officer's or agent's
10 employment, the ~~commission~~ agency shall so certify to the
11 licensing agency. Unless the ~~commission~~ agency finding of a
12 discriminatory or unfair practice is reversed in the course of
13 judicial review, the finding of discrimination is binding on
14 the licensing agency. If a certification is made pursuant to
15 this subsection, the licensing agency may initiate licensee
16 disciplinary procedures.

17 (2) In the case of a respondent who is found by the
18 ~~commission~~ agency to have engaged in a discriminatory or
19 unfair practice in the course of performing under a contract
20 or subcontract with the state or political subdivision or
21 agency, if the practice was authorized, requested, commanded,
22 performed, or knowingly or recklessly tolerated by the board
23 of directors of the respondent or by an officer or executive
24 agent acting within the scope of the officer's or agent's
25 employment, the ~~commission~~ agency shall so certify to the
26 contracting agency. Unless the ~~commission's~~ agency's finding
27 of a discriminatory or unfair practice is reversed in the
28 course of judicial review, the finding of discrimination is
29 binding on the contracting agency.

30 (3) Upon receiving a certification made under this
31 subsection, a contracting agency may take appropriate action
32 to terminate a contract or portion thereof previously entered
33 into with the respondent, either absolutely or on condition
34 that the respondent carry out a program of compliance with
35 the provisions of [this chapter](#); and assist the state and all

1 political subdivisions and agencies thereof to refrain from
2 entering into further contracts.

3 *c.* The election of an affirmative order under paragraph "b"
4 of [this subsection](#) shall not bar the election of affirmative
5 remedies provided in paragraph "a" of [this subsection](#).

6 10. *a.* The terms of a conciliation or mediation agreement
7 reached with the respondent may require the respondent to
8 refrain in the future from committing discriminatory or
9 unfair practices of the type stated in the agreement, to take
10 remedial action as in the judgment of the commission agency
11 will carry out the purposes of [this chapter](#), and to consent
12 to the entry in an appropriate district court of a consent
13 decree embodying the terms of the conciliation or mediation
14 agreement. Violation of such a consent decree may be punished
15 as contempt by the court in which it is filed, upon a showing
16 by the commission agency of the violation at any time within
17 six months of its occurrence. At any time in its discretion,
18 the commission agency may investigate whether the terms of the
19 agreement are being complied with by the respondent.

20 *b.* Upon a finding that the terms of the conciliation
21 or mediation agreement are not being complied with by the
22 respondent, the commission agency shall take appropriate action
23 to assure compliance.

24 11. If, upon taking into consideration all of the evidence
25 at a hearing, the commission agency finds that a respondent
26 has not engaged in any such discriminatory or unfair practice,
27 the commission agency shall issue an order denying relief and
28 stating the findings of fact and conclusions of the commission
29 agency, and shall cause a copy of the order dismissing the
30 complaint to be served on the complainant and the respondent.

31 12. The commission agency shall establish rules to govern,
32 expedite, and effectuate the procedures established by this
33 chapter and its own actions thereunder.

34 13. Except as provided in [section 614.8](#), a claim under this
35 chapter shall not be maintained unless a complaint is filed

1 with the ~~commission~~ agency within three hundred days after the
2 alleged discriminatory or unfair practice occurred.

3 14. The ~~commission~~ agency or a party to a complaint may
4 request mediation of the complaint at any time during the
5 ~~commission's~~ agency's processing of the complaint. If the
6 complainant and respondent participate in mediation, any
7 mediation agreement may be enforced pursuant to [this section](#).
8 Mediation may be discontinued at the request of any party or
9 the ~~commission~~ agency.

10 Sec. 264. Section 216.15A, Code 2024, is amended to read as
11 follows:

12 **216.15A Additional proceedings — housing discrimination.**

13 1. *a.* The ~~commission~~ agency may join a person not named
14 in the complaint as an additional or substitute respondent
15 if in the course of the investigation, the ~~commission~~ agency
16 determines that the person should be alleged to have committed
17 a discriminatory housing or real estate practice.

18 *b.* In addition to the information required in the notice,
19 the ~~commission~~ agency shall include in a notice to a respondent
20 joined under [this subsection](#) an explanation of the basis for
21 the determination under [this subsection](#) that the person is
22 properly joined as a respondent.

23 2. *a.* The ~~commission~~ agency shall, during the period
24 beginning with the filing of a complaint and ending with the
25 filing of a charge or a dismissal by the ~~commission~~ agency, to
26 the extent feasible, engage in mediation with respect to the
27 complaint.

28 *b.* A mediation agreement is an agreement between a
29 respondent and the complainant and is subject to ~~commission~~
30 agency approval.

31 *c.* A mediation agreement may provide for binding arbitration
32 or other method of dispute resolution. Dispute resolution that
33 results from a mediation agreement may authorize appropriate
34 relief, including monetary relief.

35 *d.* A mediation agreement shall be made public unless

1 the complainant and respondent agree otherwise, and the
2 ~~commission~~ agency determines that disclosure is not necessary
3 to further the purposes of [this chapter](#) relating to unfair or
4 discriminatory practices in housing or real estate.

5 *e.* The proceedings or results of mediation shall not be made
6 public or used as evidence in a subsequent proceeding under
7 this chapter without the written consent of the persons who are
8 party to the mediation.

9 *f.* After the completion of the ~~commission's~~ agency's
10 investigation, the ~~commission~~ agency shall make available to
11 the aggrieved person and the respondent information derived
12 from the investigation and the final investigation report
13 relating to that investigation.

14 *g.* When the ~~commission~~ agency has reasonable cause to
15 believe that a respondent has breached a mediation agreement,
16 the ~~commission~~ agency shall refer this matter to an assistant
17 attorney general with a recommendation that a civil action be
18 filed for the enforcement of the agreement. The assistant
19 attorney general may commence a civil action in the appropriate
20 district court not later than the expiration of ninety days
21 after referral of the breach.

22 3. *a.* If the ~~commission~~ agency concludes, following the
23 filing of a complaint, that prompt judicial action is necessary
24 to carry out the purposes of [this chapter](#) relating to unfair
25 or discriminatory housing or real estate practices, the
26 ~~commission~~ agency may authorize a civil action for appropriate
27 temporary or preliminary relief pending final disposition of
28 the complaint.

29 *b.* On receipt of the ~~commission's~~ agency's authorization,
30 the attorney general shall promptly file the action.

31 *c.* A temporary restraining order or other order granting
32 preliminary or temporary relief under [this section](#) is governed
33 by the applicable Iowa rules of civil procedure.

34 *d.* The filing of a civil action under [this section](#) does
35 not affect the initiation or continuation of administrative

1 proceedings in regard to an administrative hearing.

2 4. a. The ~~commission~~ agency shall prepare a final
3 investigative report.

4 b. A final report under this section may be amended by the
5 ~~commission~~ agency if additional evidence is discovered.

6 5. a. The ~~commission~~ agency shall determine based on
7 the facts whether probable cause exists to believe that a
8 discriminatory housing or real estate practice has occurred or
9 is about to occur.

10 b. The ~~commission~~ agency shall make its determination under
11 paragraph "a" not later than one hundred days after a complaint
12 is filed unless any of the following applies:

13 (1) It is impracticable to make the determination within
14 that time period.

15 (2) The ~~commission~~ agency has approved a mediation
16 agreement relating to the complaint.

17 c. If it is impracticable to make the determination within
18 the time period provided by paragraph "b", the ~~commission~~ agency
19 shall notify the complainant and respondent in writing of the
20 reasons for the delay.

21 d. If the ~~commission~~ agency determines that probable cause
22 exists to believe that a discriminatory housing or real estate
23 practice has occurred or is about to occur, the ~~commission~~
24 agency shall immediately issue a determination unless the
25 ~~commission~~ agency determines that the legality of a zoning or
26 land use law or ordinance is involved as provided in subsection
27 7.

28 6. a. A determination issued under subsection 5 must
29 include all of the following:

30 (1) Must consist of a short and plain statement of the facts
31 on which the ~~commission~~ agency has found probable cause to
32 believe that a discriminatory housing or real estate practice
33 has occurred or is about to occur.

34 (2) Must be based on the final investigative report.

35 (3) Need not be limited to the facts or grounds alleged in

1 the complaint.

2 *b.* Not later than twenty days after the ~~commission~~ agency
3 issues a determination, the ~~commission~~ agency shall send a copy
4 of the determination with information concerning the election
5 under [section 216.16A](#) to all of the following persons:

6 (1) Each respondent, together with a notice of the
7 opportunity for a hearing as provided under [subsection 10](#).

8 (2) Each aggrieved person on whose behalf the complaint was
9 filed.

10 7. If the ~~commission~~ agency determines that the matter
11 involves the legality of a state or local zoning or other
12 land use ordinance, the ~~commission~~ agency shall not issue a
13 determination and shall immediately refer the matter to the
14 attorney general for appropriate action.

15 8. *a.* If the ~~commission~~ agency determines that no probable
16 cause exists to believe that a discriminatory housing or
17 real estate practice has occurred or is about to occur, the
18 ~~commission~~ agency shall promptly dismiss the complaint.

19 *b.* The ~~commission~~ agency shall make public disclosure of
20 each dismissal under [this section](#).

21 9. The ~~commission~~ agency shall not issue a determination
22 under [this section](#) regarding an alleged discriminatory housing
23 or real estate practice after the beginning of the trial of a
24 civil action commenced by the aggrieved party under federal or
25 state law seeking relief with respect to that discriminatory
26 housing or real estate practice.

27 10. *a.* If a timely election is not made under section
28 216.16A, the ~~commission~~ agency shall provide for a hearing on
29 the charges in the complaint.

30 *b.* Except as provided by paragraph "*c*", the hearing shall be
31 conducted in accordance with [chapter 17A](#) for contested cases.

32 *c.* A hearing under [this section](#) shall not be continued
33 regarding an alleged discriminatory housing or real estate
34 practice after the beginning of the trial of a civil action
35 commenced by the aggrieved person under federal or state law

1 seeking relief with respect to that discriminatory housing or
2 real estate practice.

3 11. *a.* If the ~~commission~~ agency determines at a hearing
4 under subsection 10 that a respondent has engaged or is about
5 to engage in a discriminatory housing or real estate practice,
6 the ~~commission~~ agency may order the appropriate relief,
7 including actual damages, reasonable attorney fees, court
8 costs, and other injunctive or equitable relief.

9 *b.* To vindicate the public interest, the ~~commission~~ agency
10 may assess a civil penalty against the respondent in an amount
11 that does not exceed the following applicable amount:

12 (1) Ten thousand dollars if the respondent has not been
13 adjudged by the order of the commission or agency or a court to
14 have committed a prior discriminatory housing or real estate
15 practice.

16 (2) Except as provided by paragraph "c", twenty-five
17 thousand dollars if the respondent has been adjudged by order
18 of the commission or agency or a court to have committed one
19 other discriminatory housing or real estate practice during
20 the five-year period ending on the date of the filing of the
21 complaint.

22 (3) Except as provided by paragraph "c", fifty thousand
23 dollars if the respondent has been adjudged by order of the
24 commission or agency or a court to have committed two or more
25 discriminatory housing or real estate practices during the
26 seven-year period ending on the date of the filing of the
27 complaint.

28 *c.* If the acts constituting the discriminatory housing or
29 real estate practice that is the object of the complaint are
30 committed by the same natural person who has been previously
31 adjudged to have committed acts constituting a discriminatory
32 housing or real estate practice, the civil penalties in
33 paragraph "b", subparagraphs (2) and (3) may be imposed
34 without regard to the period of time within which any other
35 discriminatory housing or real estate practice occurred.

1 *d.* At the request of the ~~commission~~ agency, the attorney
2 general shall initiate legal proceedings to recover a civil
3 penalty due under [this section](#). Funds collected under this
4 section shall be paid to the treasurer of state for deposit in
5 the state treasury to the credit of the general fund.

6 12. [This section](#) applies only to the following:

7 *a.* Complaints which allege a violation of the prohibitions
8 contained in [section 216.8](#) or [216.8A](#).

9 *b.* Complaints which allege a violation of [section 216.11](#) or
10 [216.11A](#) arising out of alleged violations of the prohibitions
11 contained in [section 216.8](#) or [216.8A](#).

12 13. If a provision of [this section](#) applies under the terms
13 of [subsection 12](#), and the provision of [this section](#) conflicts
14 with a provision of [section 216.15](#), then the provision
15 contained within [this section](#) shall prevail. Similarly, if
16 a provision of [section 216.16A](#) or [216.17A](#) conflicts with a
17 provision of [section 216.16](#) or [216.17](#), then the provision
18 contained in [section 216.16A](#) or [216.17A](#) shall prevail.

19 Sec. 265. Section 216.15B, subsection 1, Code 2024, is
20 amended to read as follows:

21 1. A mediator may be designated in writing by the ~~commission~~
22 agency to conduct formal mediation of a complaint filed under
23 this chapter. The written designation must specifically refer
24 to [this section](#).

25 Sec. 266. Section 216.16, subsections 1, 2, 3, 4, and 6,
26 Code 2024, are amended to read as follows:

27 1. A person claiming to be aggrieved by an unfair or
28 discriminatory practice must initially seek an administrative
29 relief by filing a complaint with the ~~commission~~ agency in
30 accordance with [section 216.15](#). This provision also applies to
31 persons claiming to be aggrieved by an unfair or discriminatory
32 practice committed by the state or an agency or political
33 subdivision of the state, notwithstanding the terms of the Iowa
34 administrative procedure Act, [chapter 17A](#).

35 2. After the proper filing of a complaint with the

1 ~~commission~~ agency, a complainant may subsequently commence an
2 action for relief in the district court if all of the following
3 conditions have been satisfied:

4 *a.* The complainant has timely filed the complaint with the
5 ~~commission~~ agency as provided in [section 216.15, subsection 13](#).

6 *b.* The complaint has been on file with the ~~commission~~ agency
7 for at least sixty days and the ~~commission~~ agency has issued a
8 release to the complainant pursuant to [subsection 3](#).

9 3. *a.* Upon a request by the complainant, and after the
10 expiration of sixty days from the timely filing of a complaint
11 with the ~~commission~~ agency, the ~~commission~~ agency shall issue
12 to the complainant a release stating that the complainant
13 has a right to commence an action in the district court. A
14 release under [this subsection](#) shall not be issued if any of the
15 following apply:

16 (1) A finding of no probable cause has been made on the
17 complaint by the administrative law judge charged with that
18 duty under [section 216.15, subsection 3](#).

19 (2) A conciliation agreement has been executed under
20 section 216.15.

21 (3) The ~~commission~~ agency has served notice of hearing upon
22 the respondent pursuant to [section 216.15, subsection 6](#).

23 (4) The complaint is closed as an administrative closure and
24 two years have elapsed since the issuance date of the closure.

25 *b.* Notwithstanding [section 216.15, subsection 5](#), a party may
26 obtain a copy of all documents contained in a case file where
27 the ~~commission~~ agency has issued a release to the complainant
28 pursuant to [this subsection](#).

29 4. An action authorized under [this section](#) is barred unless
30 commenced within ninety days after issuance by the ~~commission~~
31 agency of a release under [subsection 3](#). If a complainant
32 obtains a release from the ~~commission~~ agency under subsection
33 3, the ~~commission~~ agency is barred from further action on that
34 complaint.

35 6. The district court may grant any relief in an action

1 under [this section](#) which is authorized by section 216.15,
2 subsection 9, to be issued by the ~~commission~~ agency. The
3 district court may also award the respondent reasonable
4 attorney fees and court costs when the court finds that the
5 complainant's action was frivolous.

6 Sec. 267. Section 216.16A, subsection 1, paragraphs b and c,
7 Code 2024, are amended to read as follows:

8 *b.* The election must be made not later than twenty days
9 after the date of receipt by the electing person of service
10 under [section 216.15A, subsection 5](#), or in the case of the
11 ~~commission~~ agency, not later than twenty days after the date
12 the determination was issued.

13 *c.* The person making the election shall give notice to the
14 ~~commission~~ agency and to all other complainants and respondents
15 to whom the election relates.

16 Sec. 268. Section 216.16A, subsection 2, paragraphs d and e,
17 Code 2024, are amended to read as follows:

18 *d.* If the ~~commission~~ agency has obtained a mediation
19 agreement with the consent of an aggrieved person, the
20 aggrieved person shall not file an action under [this subsection](#)
21 with respect to the alleged discriminatory practice that forms
22 the basis for the complaint except to enforce the terms of the
23 agreement.

24 *e.* An aggrieved person shall not file an action under this
25 subsection with respect to an alleged discriminatory housing or
26 real estate practice that forms the basis of a charge issued
27 by the ~~commission~~ agency if the ~~commission~~ agency has begun a
28 hearing on the record under [this chapter](#) with respect to the
29 charge.

30 Sec. 269. Section 216.17, subsections 1, 2, 3, 4, 5, 7, and
31 10, Code 2024, are amended to read as follows:

32 1. *a.* Judicial review of the actions of the agency
33 or commission may be sought in accordance with the terms
34 of the Iowa administrative procedure Act, [chapter 17A](#).

35 Notwithstanding the terms of said Act, petition for judicial

1 review may be filed in the district court in which an
2 enforcement proceeding under [subsection 2](#) may be brought.

3 *b.* For purposes of the time limit for filing a petition for
4 judicial review under the Iowa administrative procedure Act,
5 chapter 17A, specified by [section 17A.19](#), the issuance of a
6 final decision of the agency or commission under [this chapter](#)
7 occurs on the date notice of the decision is mailed to the
8 parties.

9 *c.* Notwithstanding the time limit provided in section
10 17A.19, subsection 3, a petition for judicial review of
11 no-probable-cause decisions and other final agency actions
12 which are not of general applicability must be filed within
13 thirty days of the issuance of the final agency action.

14 2. The ~~commission~~ agency may obtain an order of court for
15 the enforcement of agency or commission orders in a proceeding
16 as provided in [this section](#). Such an enforcement proceeding
17 shall be brought in the district court of the district in the
18 county in which the alleged discriminatory or unfair practice
19 which is the subject of the agency's or commission's order was
20 committed, or in which any respondent required in the order to
21 cease or desist from a discriminatory or unfair practice or to
22 take other affirmative action, resides, or transacts business.

23 3. Such an enforcement proceeding shall be initiated by
24 the filing of a petition in such court and the service of a
25 copy thereof upon the respondent. Thereupon the ~~commission~~
26 agency shall file with the court a transcript of the record
27 of the hearing before it. The court shall have power to
28 grant such temporary relief or restraining order as it deems
29 just and proper, and to make and enter upon the pleadings,
30 testimony, and proceedings set forth in such transcript an
31 order enforcing, modifying, and enforcing as so modified, or
32 setting aside the order of the agency or commission, in whole
33 or in part.

34 4. An objection that has not been urged before the agency
35 or commission shall not be considered by the court in an

1 enforcement proceeding, unless the failure or neglect to urge
2 such objection shall be excused because of extraordinary
3 circumstances.

4 5. Any party to the enforcement proceeding may move the
5 court to remit the case to the agency or commission in the
6 interests of justice for the purpose of adducing additional
7 specified and material evidence and seeking findings thereof,
8 providing such party shall show reasonable grounds for
9 the failure to adduce such evidence before the agency or
10 commission.

11 7. The agency's or commission's copy of the testimony shall
12 be available to all parties for examination at all reasonable
13 times, without cost, and for the purpose of judicial review of
14 the agency's or commission's orders.

15 10. If no proceeding to obtain judicial review is instituted
16 within thirty days from the issuance of an order of the
17 commission under [section 216.15](#) or [216.15A](#), the ~~commission~~
18 agency may obtain an order of the court for the enforcement
19 of the order upon showing that respondent is subject to
20 the jurisdiction of the agency or commission and resides or
21 transacts business within the county in which the petition for
22 enforcement is brought.

23 Sec. 270. Section 216.17A, subsection 1, paragraph a, Code
24 2024, is amended to read as follows:

25 a. If timely election is made under section 216.16A,
26 subsection 1, the ~~commission~~ agency shall authorize, and not
27 later than thirty days after the election is made, the attorney
28 general shall file a civil action on behalf of the aggrieved
29 person in a district court seeking relief.

30 Sec. 271. Section 216.17A, subsections 2, 4, 10, and 11,
31 Code 2024, are amended to read as follows:

32 2. A ~~commission~~ An agency order under section 216.15A,
33 subsection 11, and a an agency or commission order that has
34 been substantially affirmed by judicial review, do not affect
35 a contract, sale, encumbrance, or lease that was consummated

1 before the agency or commission issued the order and involved a
2 bona fide purchaser, encumbrancer, or tenant who did not have
3 actual notice of the charge issued under [this chapter](#).

4 4. If the agency or commission issues an order against a
5 respondent against whom another order was issued within the
6 preceding five years under [section 216.15A, subsection 11](#), the
7 ~~commission~~ agency shall send a copy of each order issued under
8 that section to the attorney general.

9 10. The attorney general, on behalf of the ~~commission~~
10 agency or other party at whose request a subpoena is issued,
11 may enforce the subpoena in appropriate proceedings in district
12 court.

13 11. A court in a civil action brought under [this section](#)
14 or the ~~commission~~ agency in an administrative hearing under
15 section 216.15A, subsection 11, may award reasonable attorney's
16 fees to the prevailing party and assess court costs against the
17 nonprevailing party.

18 Sec. 272. Section 216.17A, subsection 3, unnumbered
19 paragraph 1, Code 2024, is amended to read as follows:

20 If the agency or commission issues an order with respect
21 to a discriminatory housing practice that occurred in the
22 course of a business subject to a licensing or regulation by a
23 governmental agency, the agency or commission, not later than
24 thirty days after the date of issuance of the order, shall do
25 all of the following:

26 Sec. 273. Section 216.17A, subsection 8, paragraph a, Code
27 2024, is amended to read as follows:

28 a. On the request of the agency or commission, the attorney
29 general may intervene in an action under section 216.16A,
30 subsection 2, if the agency or commission certifies that the
31 case is of general public importance.

32 Sec. 274. Section 216.17A, subsection 9, paragraph a,
33 unnumbered paragraph 1, Code 2024, is amended to read as
34 follows:

35 On the request of the agency or commission, the attorney

1 general may file a civil action in district court for
2 appropriate relief if the agency or commission has reasonable
3 cause to believe that any of the following applies:

4 Sec. 275. Section 216.19, subsections 2, 3, 4, 5, 6, 7, and
5 8, Code 2024, are amended to read as follows:

6 2. A city with a population of twenty-nine thousand, or
7 greater, shall maintain an independent local civil rights
8 agency or commission consistent with ~~commission~~ agency rules
9 adopted pursuant to chapter 17A. An agency or commission
10 for which a staff is provided shall have control over such
11 staff. A city required to maintain a local civil rights agency
12 or commission shall structure and adequately fund the agency
13 or commission in order to effect cooperative undertakings
14 with the Iowa office of civil rights ~~commission~~ and to aid in
15 effectuating the purposes of this chapter.

16 3. An agency or commission of local government and the
17 Iowa office of civil rights ~~commission~~ shall cooperate in the
18 sharing of data and research, and coordinating investigations
19 and conciliations in order to expedite claims of unlawful
20 discrimination and eliminate needless duplication. The Iowa
21 office of civil rights ~~commission~~ may enter into cooperative
22 agreements with any local agency or commission to effectuate
23 the purposes of this chapter. Such agreements may include
24 technical and clerical assistance and reimbursement of expenses
25 incurred by the local agency or commission in the performance
26 of the agency's or commission's duties if funds for this
27 purpose are appropriated by the general assembly.

28 4. The ~~Iowa civil rights commission~~ director may designate
29 an unfunded local agency or commission as a referral agency. A
30 local agency or commission shall not be designated a referral
31 agency unless the ordinance creating it provides the same
32 rights and remedies as are provided in this chapter. The ~~Iowa~~
33 ~~civil rights commission~~ director shall establish by rules
34 the procedures for designating a referral agency and the
35 qualifications to be met by a referral agency.

1 5. The ~~Iowa civil rights commission~~ director may adopt
2 rules establishing the procedures for referral of complaints.
3 A referral agency may refuse to accept a case referred to
4 it by the Iowa office of civil rights ~~commission~~ if the
5 referral agency is unable to effect proper administration of
6 the complaint. It shall be the burden of the referral agency
7 to demonstrate that it is unable to properly administer that
8 complaint.

9 6. A complainant who files a complaint with a referral
10 agency having jurisdiction shall be prohibited from filing a
11 complaint with the ~~Iowa civil rights commission~~ agency alleging
12 violations based upon the same acts or practices cited in the
13 original complaint; and a complainant who files a complaint
14 with the ~~commission~~ agency shall be prohibited from filing
15 a complaint with the referral agency alleging violations
16 based upon the same acts or practices cited in the original
17 complaint. However, the ~~Iowa civil rights commission~~ agency in
18 its discretion may refer a complaint filed with the ~~commission~~
19 agency to a referral agency having jurisdiction over the
20 parties for investigation and resolution; and a referral agency
21 in its discretion may refer a complaint filed with that agency
22 to the ~~commission~~ office for investigation and resolution.

23 7. A final decision by a referral agency shall be subject
24 to judicial review as provided in [section 216.17](#) in the same
25 manner and to the same extent as a final decision of the ~~Iowa~~
26 ~~civil rights commission~~ agency.

27 8. The referral of a complaint by the Iowa office of
28 civil rights ~~commission~~ to a referral agency or by a referral
29 agency to the Iowa office of civil rights ~~commission~~ shall not
30 affect the right of a complainant to commence an action in the
31 district court under [section 216.16](#).

32 Sec. 276. Section 216.21, Code 2024, is amended to read as
33 follows:

34 **216.21 Documents to attorney or party.**

35 If a party is represented by an attorney during the

1 proceedings of the agency or commission, with permission of
2 the attorney for the party or of the party, the agency or
3 commission shall provide copies of all relevant documents
4 including an order or decision to either the attorney for the
5 party or the party, but not to both.

6 Sec. 277. Section 216.22, subsection 2, paragraph b, Code
7 2024, is amended to read as follows:

8 b. The franchisor has been found by the ~~commission~~ agency to
9 have exercised a type or degree of control over the franchisee
10 or the franchisee's employees that is not customarily exercised
11 by a franchisor for the purpose of protecting the franchisor's
12 trademarks and brand.

13 Sec. 278. Section 230A.110, subsection 2, Code 2024, is
14 amended by striking the subsection.

15 Sec. 279. Section 235B.1, subsection 4, Code 2024, is
16 amended by striking the subsection.

17 Sec. 280. Section 235B.3, subsection 1, paragraph a,
18 subparagraph (4), Code 2024, is amended to read as follows:

19 (4) If, in the course of an assessment or evaluation of
20 a report of dependent adult abuse, the department or the
21 department of inspections, appeals, and licensing determines
22 that the case involves discrimination under the jurisdiction
23 of the Iowa office of civil rights ~~commission~~, the relevant
24 portions of the case shall be referred to the ~~commission~~
25 office.

26 Sec. 281. Section 235B.16A, subsections 1 and 4, Code 2024,
27 are amended to read as follows:

28 1. The ~~dependent adult protective advisory council~~
29 ~~established pursuant to [section 235B.1](#)~~ department shall
30 ~~recommend~~ adopt a uniform assessment instrument and process for
31 adoption and use by the department and other agencies involved
32 with assessing a dependent adult's degree of dependency
33 and determining whether dependent adult abuse has occurred.
34 However, [this section](#) shall not apply to dependent adult abuse
35 assessments and determinations made under [chapter 235E](#).

1 4. The department shall cooperate with the departments
2 of inspections, appeals, and licensing, public safety,
3 and workforce development, the Iowa office of civil rights
4 ~~commission~~, and other state and local agencies performing
5 inspections or otherwise visiting residential settings where
6 dependent adults live, to regularly provide training to the
7 appropriate staff in the agencies concerning each agency's
8 procedures involving dependent adults, and to build awareness
9 concerning dependent adults and reporting of dependent adult
10 abuse.

11 Sec. 282. Section 235E.5, Code 2024, is amended to read as
12 follows:

13 **235E.5 Rulemaking authority.**

14 The department, in cooperation and consultation with
15 ~~the dependent adult protective advisory council established~~
16 ~~in [section 235B.1](#)~~, affected industry representatives, and
17 professional and consumer groups, may adopt rules pursuant to
18 chapter 17A to administer [this chapter](#).

19 Sec. 283. Section 237A.12, subsection 3, Code 2024, is
20 amended to read as follows:

21 3. Rules relating to fire safety for child care centers
22 shall be adopted under [this chapter](#) by the director of
23 the department of inspections, appeals, and licensing in
24 consultation with the department. Rules adopted by the
25 director of the department of inspections, appeals, and
26 licensing for a building which is owned or leased by a school
27 district or accredited nonpublic school and used as a child
28 care facility shall not differ from standards adopted by
29 the director of the department of inspections, appeals, and
30 licensing for school buildings under chapter 10A, subchapter V,
31 part 2. Rules relating to sanitation shall be adopted by the
32 department. ~~All rules shall be developed in consultation with~~
33 ~~the state child care advisory committee.~~ The director of the
34 department of inspections, appeals, and licensing shall inspect
35 the facilities.

1 Sec. 284. Section 237A.25, subsection 1, Code 2024, is
2 amended to read as follows:

3 1. The department shall develop consumer information
4 material to assist parents in selecting a child care provider.
5 In developing the material, the department shall consult with
6 department staff, department of education staff, ~~the state~~
7 ~~child care advisory committee~~, the early childhood Iowa state
8 board, and child care resource and referral services. In
9 addition, the department may consult with other entities at the
10 local, state, and national level.

11 Sec. 285. Section 237A.30, subsection 1, Code 2024, is
12 amended to read as follows:

13 1. The department shall work with the early childhood Iowa
14 program established in [section 256I.5](#) and ~~the state child care~~
15 ~~advisory committee~~ in designing and implementing a voluntary
16 quality rating system for each provider type of child care
17 facility.

18 Sec. 286. Section 256.3, subsections 1 and 2, Code 2024, are
19 amended to read as follows:

20 1. The state board of education is established for the
21 department. The state board consists of ~~ten~~ nine members:
22 nine seven voting members, and one nonvoting student member,
23 and the director of the department of workforce development,
24 who shall serve as a nonvoting member. The voting members
25 shall be appointed by the governor subject to senate
26 confirmation. The nonvoting student member shall be appointed
27 as provided in [section 256.5A](#).

28 2. The voting members shall be registered voters of
29 the state and hold no other elective or appointive state
30 office. Not more than five voting members shall be of the
31 same political party. ~~Three of the voting members shall~~
32 ~~have substantial knowledge related to the community college~~
33 ~~system.~~ The ~~remaining six~~ voting members shall be members of
34 the general public. A voting member shall not be engaged in
35 professional education for a major portion of the member's time

1 nor shall the member derive a major portion of income from any
2 business or activity connected with education.

3 Sec. 287. Section 256.7, subsection 7, paragraph c, Code
4 2024, is amended by striking the paragraph.

5 Sec. 288. Section 256.9, subsection 31, paragraph b, Code
6 2024, is amended to read as follows:

7 b. Standards and materials developed shall include materials
8 which employ developmentally appropriate practices and
9 incorporate substantial parental involvement. The materials
10 and standards shall include alternative teaching approaches
11 including collaborative teaching and alternative dispute
12 resolution training. The department shall consult with the
13 child development coordinating council, ~~the state child care~~
14 ~~advisory committee established pursuant to [section 135.173A](#),~~
15 the department of health and human services, the state board
16 of regents center for early developmental education, the
17 area education agencies, the department of human development
18 and family studies in the college of human sciences at
19 Iowa state university of science and technology, the early
20 childhood elementary division of the college of education at
21 the university of Iowa, and the college of education at the
22 university of northern Iowa, in developing these standards and
23 materials.

24 Sec. 289. Section 256.17, Code 2024, is amended to read as
25 follows:

26 **256.17 Postsecondary course audit ~~committee~~.**

27 1. The department shall ~~establish and facilitate a~~
28 ~~postsecondary course audit committee which shall annually~~
29 ~~audit postsecondary courses offered to high school students in~~
30 ~~accordance with [chapter 261E](#).~~

31 ~~2. The committee shall include but not be limited~~
32 ~~to representatives from the kindergarten through grade~~
33 ~~twelve education community, community colleges, and regents~~
34 ~~universities.~~

35 ~~3.~~ 2. The ~~committee~~ department shall establish a sampling

1 technique that randomly selects courses for audit. The audit
2 shall include but not be limited to a review of the course
3 syllabus, teacher qualifications, examples of student products,
4 and results of student assessments. Standards for review shall
5 be established by the ~~committee and approved by the~~ department.
6 Audit findings shall be submitted to the institutions providing
7 the classes audited and shall be posted on the department's
8 internet site.

9 ~~4.~~ 3. If the ~~committee~~ department determines that a
10 postsecondary course offered to high school students in
11 accordance with [chapter 261E](#) does not meet the standards
12 established by the ~~committee~~ department pursuant to subsection
13 ~~3~~ 2, the course shall not be eligible for future supplementary
14 weighting under [section 257.11](#). If the institution makes
15 changes to the course sufficient to cause the course to meet
16 the standards of the ~~committee~~ department, the ~~committee~~
17 department may reinstate the eligibility of the course for
18 future supplementary weighting under [section 257.11](#).

19 Sec. 290. Section 256.32, subsection 1, Code 2024, is
20 amended to read as follows:

21 1. An advisory council for agricultural education is
22 established, which consists of ~~nine~~ seven members appointed
23 by the governor. The ~~nine~~ seven members shall include ~~the~~
24 ~~following~~:

25 ~~a.~~ a. Five at least four persons representing all areas
26 of agriculture and diverse geographical areas and at least
27 one person involved in the field of education, including
28 but not limited to a secondary school program instructor, a
29 postsecondary school program instructor, or a teacher educator.

30 ~~b.~~ b. ~~An individual representing agriculture on a council~~
31 ~~created to advise the state on career and technical education~~
32 ~~matters.~~

33 ~~c.~~ c. ~~A secondary school program instructor, a postsecondary~~
34 ~~school program instructor, and a teacher educator.~~

35 Sec. 291. Section 256.33, subsection 1, Code 2024, is

1 amended to read as follows:

2 1. The department shall consort with school districts,
3 area education agencies, community colleges, and colleges
4 and universities to provide assistance to them in the use
5 of educational technology for instruction purposes. The
6 department shall consult with ~~the advisory committee on~~
7 ~~telecommunications, established in section 256.7, subsection 7,~~
8 ~~and other~~ users of educational technology on the development
9 and operation of programs under this section.

10 Sec. 292. Section 256.82, subsection 1, paragraph a, Code
11 2024, is amended to read as follows:

12 a. Four members shall be appointed by the governor so
13 ~~that the portion of the board membership appointed under this~~
14 ~~paragraph includes two male board members and two female board~~
15 ~~members at all times:~~

16 ~~(1) One member shall be appointed from the business~~
17 ~~community other than the television and telecommunications~~
18 ~~industry.~~

19 ~~(2) One member shall be appointed with experience in or~~
20 ~~knowledge about the television industry.~~

21 ~~(3) One member shall be appointed from the membership of~~
22 ~~a fundraising nonprofit organization financially assisting~~
23 ~~the Iowa public broadcasting division. At least one member~~
24 ~~shall have experience in or knowledge of the television and~~
25 ~~telecommunications industry, and at least one member shall~~
26 ~~have experience with or knowledge of fundraising nonprofit~~
27 ~~organizations.~~

28 ~~(4) One member shall represent the general public.~~

29 Sec. 293. Section 256.176, subsection 2, paragraphs a and d,
30 Code 2024, are amended to read as follows:

31 a. A member of the state board of regents to be named by the
32 state board of regents, or the executive director of the state
33 board of regents if so appointed by the state board of regents,
34 who shall serve for a four-year term or until the expiration
35 of the member's term of office, and who shall serve as an ex

1 officio, nonvoting member.

2 ~~d. Nine Seven additional members to be appointed by the~~
3 ~~governor as follows:~~

4 ~~(1) One member shall be selected to represent private~~
5 ~~colleges and universities located in the state of Iowa.~~
6 ~~When appointing this member, the governor shall give careful~~
7 ~~consideration to any person nominated or recommended by any~~
8 ~~organization or association of some or all private colleges and~~
9 ~~universities located in the state of Iowa.~~

10 ~~(2) One member shall be selected to represent Iowa's~~
11 ~~community colleges. When appointing this member, the governor~~
12 ~~shall give careful consideration to any person nominated~~
13 ~~or recommended by any organization or association of Iowa~~
14 ~~community colleges.~~

15 ~~(3) (1) One At least one member shall be enrolled as a~~
16 ~~student at an institution of higher learning governed by the~~
17 ~~board of regents, a community college, or an accredited private~~
18 ~~institution.~~

19 ~~(4) (2) One At least one member shall be a parent of a~~
20 ~~student enrolled at an institution of higher learning governed~~
21 ~~by the board of regents, a community college, or an accredited~~
22 ~~private institution.~~

23 ~~(5) (3) One At least one member shall represent~~
24 ~~practitioners licensed under chapter 256, subchapter VII,~~
25 ~~part 3. When appointing this member, the governor shall give~~
26 ~~careful consideration to any person nominated by an Iowa~~
27 ~~teacher association or other education stakeholder organization~~
28 ~~have knowledge and experience in financial or fiduciary~~
29 ~~matters.~~

30 ~~(6) Four members shall represent the general public,~~
31 ~~none of whom shall be officers, board members, or trustees~~
32 ~~of an institution of higher learning or of an association of~~
33 ~~institutions of higher learning.~~

34 ~~Sec. 294. Section 256.176, subsection 2, Code 2024, is~~
35 ~~amended by adding the following new paragraphs:~~

1 NEW PARAGRAPH. e. One member to represent private colleges
2 and universities located in the state of Iowa, who shall be
3 selected by an organization or association of some or all
4 private colleges and universities located in the state of Iowa,
5 and who shall serve as an ex officio, nonvoting member.

6 NEW PARAGRAPH. f. One member to represent Iowa's community
7 colleges, who shall be selected by an organization or
8 association of Iowa community colleges, and who shall serve as
9 an ex officio, nonvoting member.

10 Sec. 295. Section 256I.4, subsection 19, Code 2024, is
11 amended by striking the subsection and inserting in lieu
12 thereof the following:

13 19. Serve as the state advisory council required under the
14 federal Improving Head Start for School Readiness Act of 2007,
15 Pub. L. No. 110-134, as designated by the governor.

16 Sec. 296. Section 260C.36, subsection 4, Code 2024, is
17 amended to read as follows:

18 4. The department of education shall establish the
19 ~~following committees:~~

20 ~~a. An an ad hoc accreditation quality faculty plan protocol~~
21 ~~committee to advise the department in the development of~~
22 ~~protocols related to the quality faculty planning process to~~
23 ~~be used by the accreditation teams during site visits. The~~
24 ~~committee shall, at a minimum, determine what types of evidence~~
25 ~~need to be provided, develop interview procedures and visit~~
26 ~~goals, and propose accreditation protocol revisions.~~

27 ~~b. An ongoing quality faculty plan professional development~~
28 ~~committee. The committee shall, at a minimum, do the~~
29 ~~following:~~

30 ~~(1) Develop systemic, ongoing, and sustainable statewide~~
31 ~~professional development opportunities that support~~
32 ~~institutional development as well as individual development and~~
33 ~~support of the quality faculty plans. The opportunities may~~
34 ~~include internet-based systems to share promising practices.~~

35 ~~(2) Determine future professional development needs.~~

1 ~~(3) Develop or identify training and assistance relating to~~
2 ~~the quality faculty plan process and requirements.~~

3 ~~(4) Assist the department and community colleges in~~
4 ~~developing professional development consortia.~~

5 ~~(5) Review and identify best practices in each community~~
6 ~~college quality faculty plan, including best practices~~
7 ~~regarding adjunct faculty.~~

8 ~~c. A community college faculty advisory committee consisting~~
9 ~~of one member and one alternate from each community college,~~
10 ~~appointed by the committee established pursuant to subsection~~
11 ~~1. The committee membership shall be equally represented by~~
12 ~~individuals from the liberal arts and sciences faculty and~~
13 ~~the career and technical faculty. The committee shall, at a~~
14 ~~minimum, keep faculty informed of higher education issues,~~
15 ~~facilitate communication between the faculty and the department~~
16 ~~on an ongoing basis, and serve as an advisory committee to the~~
17 ~~department and community colleges on faculty issues.~~

18 Sec. 297. Section 260C.39, subsection 3, Code 2024, is
19 amended to read as follows:

20 3. The terms of employment of personnel, for the academic
21 year following the effective date of the agreement to combine
22 the merged areas shall not be affected by the combination of
23 the merged areas, except in accordance with the procedures
24 under [sections 279.15, 279.16, 279.18, and 279.24](#), to
25 the extent those procedures are applicable, or under the
26 terms of the base bargaining agreement. The authority and
27 responsibility to offer new contracts or to continue, modify,
28 or terminate existing contracts pursuant to any applicable
29 procedures under [chapter 279](#), shall be transferred to the
30 acting, and then to the new, board of the combined merged area
31 upon certification of a favorable vote to each of the merged
32 areas affected by the agreement. The collective bargaining
33 agreement of the merged area receiving the greatest amount of
34 general state aid shall serve as the base agreement for the
35 combined merged area and the employees of the merged areas

1 which combined to form the new combined merged area shall
2 automatically be accreted to the bargaining unit from that
3 former merged area for purposes of negotiating the contracts
4 for the following years without further action by the ~~public~~
5 employment relations appeal board. If only one collective
6 bargaining agreement is in effect among the merged areas which
7 are combining under [this section](#), then that agreement shall
8 serve as the base agreement, and the employees of the merged
9 areas which are combining to form the new combined merged
10 area shall automatically be accreted to the bargaining unit
11 of that former merged area for purposes of negotiating the
12 contracts for the following years without further action by the
13 ~~public~~ employment relations appeal board. The board of the
14 combined merged area, using the base agreement as its existing
15 contract, shall bargain with the combined employees of the
16 merged areas that have agreed to combine for the academic year
17 beginning with the effective date of the agreement to combine
18 merged areas. The bargaining shall be completed by March 15
19 prior to the academic year in which the agreement to combine
20 merged areas becomes effective or within one hundred eighty
21 days after the organization of the acting board of the new
22 combined merged area, whichever is later. If a bargaining
23 agreement was already concluded in the former merged area which
24 has the collective bargaining agreement that is serving as the
25 base agreement for the new combined merged area, between the
26 former merged area board and the employees of the former merged
27 area, that agreement is void, unless the agreement contained
28 multiyear provisions affecting academic years subsequent to the
29 effective date of the agreement to form a combined merged area.
30 If the base collective bargaining agreement contains multiyear
31 provisions, the duration and effect of the agreement shall
32 be controlled by the terms of the agreement. The provisions
33 of the base agreement shall apply to the offering of new
34 contracts, or the continuation, modification, or termination
35 of existing contracts between the acting or new board of the

1 combined merged area and the combined employees of the new
2 combined merged area.

3 Sec. 298. Section 261A.6, subsection 2, Code 2024, is
4 amended to read as follows:

5 2. a. The For members appointed prior to the effective date
6 of this division of this Act, members of the authority shall be
7 appointed by the governor for terms of six years beginning and
8 ending as provided in [section 69.19](#). A member of the authority
9 is eligible for reappointment.

10 b. For members appointed on or after the effective date of
11 this division of this Act, members of the authority shall be
12 appointed by the governor for terms of four years beginning and
13 ending as provided in section 69.19. A member of the authority
14 shall not serve more than two full terms.

15 c. The governor shall fill a vacancy for the remainder of
16 the unexpired term. A member of the authority may be removed
17 by the governor for misfeasance, malfeasance, or willful
18 neglect of duty or other cause after notice and a public
19 hearing unless the notice and hearing are waived by the member
20 in writing.

21 Sec. 299. Section 266.39, subsections 3 and 5, Code 2024,
22 are amended by striking the subsections.

23 Sec. 300. Section 272C.1, subsection 6, paragraph u, Code
24 2024, is amended by striking the paragraph.

25 Sec. 301. Section 273.22, subsection 2, paragraph a, Code
26 2024, is amended to read as follows:

27 a. The collective bargaining agreement of the area education
28 agency with the largest basic enrollment, as defined in section
29 257.6, for the year prior to the year the reorganization is
30 effective, shall serve as the base agreement in the new area
31 education agency and the employees of the other area education
32 agencies involved in the formation of the new area education
33 agency shall automatically be accreted to the bargaining
34 unit of that collective bargaining agreement for purposes of
35 negotiating the contracts for the following years without

1 further action by the ~~public employment relations~~ appeal
2 board. If only one collective bargaining agreement is in
3 effect among the area education agencies that are party to
4 the reorganization, that agreement shall serve as the base
5 agreement, and the employees of the other agencies involved
6 in the formation of the new area education agency shall
7 automatically be accreted to the bargaining unit of that
8 collective bargaining agreement for purposes of negotiating the
9 contracts for the following years without further action by the
10 ~~public employment relations~~ appeal board.

11 Sec. 302. Section 275.33, subsection 2, paragraph a, Code
12 2024, is amended to read as follows:

13 a. The collective bargaining agreement of the district
14 with the largest basic enrollment for the year prior to
15 the reorganization, as defined in [section 257.6](#), in the new
16 district shall serve as the base agreement and the employees
17 of the other districts involved in the formation of the new
18 district shall automatically be accreted to the bargaining
19 unit of that collective bargaining agreement for purposes of
20 negotiating the contracts for the following years without
21 further action by the ~~public employment relations~~ appeal board.
22 If only one collective bargaining agreement is in effect among
23 the districts which are party to the reorganization, then that
24 agreement shall serve as the base agreement, and the employees
25 of the other districts involved in the formation of the new
26 district shall automatically be accreted to the bargaining
27 unit of that collective bargaining agreement for purposes of
28 negotiating the contracts for the following years without
29 further action by the ~~public employment relations~~ appeal board.

30 Sec. 303. Section 284.11, subsection 2, paragraph c, Code
31 2024, is amended to read as follows:

32 c. Review the use and effectiveness of the funds distributed
33 to school districts for supplemental assistance in high-need
34 schools under [this section](#), ~~and consider the findings and~~
35 ~~recommendations of the commission on educator leadership~~

1 ~~and compensation submitted pursuant to section 284.15,~~
2 ~~subsection 13, relating to the use and effectiveness of the~~
3 ~~funds distributed to school districts under [this section](#).~~ The
4 department shall submit its findings and recommendations in a
5 report to the general assembly by January 15 annually.

6 Sec. 304. Section 284.15, subsection 12, Code 2024, is
7 amended by striking the subsection.

8 Sec. 305. Section 284.15, subsection 14, Code 2024, is
9 amended to read as follows:

10 14. The provisions of [this chapter](#) shall be subject to
11 legislative review at least every three years. ~~The review~~
12 ~~shall be based upon a status report from the commission~~
13 ~~on educator leadership and compensation, which shall be~~
14 ~~prepared with the assistance of the departments of education,~~
15 ~~management, and revenue.~~ The status report shall review and
16 report on the department's assignment and utilization of
17 full-time equivalent positions, and shall include information
18 on teacher retention, teacher compensation, academic quality
19 of beginning teachers, teacher evaluation results, student
20 achievement trend and comparative data, and recommendations
21 for changes to the teacher leadership supplement foundation
22 aid and the framework or comparable systems approved pursuant
23 to [this section](#). The first status report shall be submitted
24 to the general assembly by January 15, 2017, with subsequent
25 status reports prepared and submitted to the general assembly
26 by January 15 at least every third year thereafter.

27 Sec. 306. Section 312.3, subsection 1, Code 2024, is amended
28 to read as follows:

29 1. Apportion among the counties the road use tax funds
30 credited to the secondary road fund by using the distribution
31 methodology adopted pursuant to ~~[section 312.3C](#)~~ by the
32 commission by rule.

33 Sec. 307. Section 312.3B, subsection 2, Code 2024, is
34 amended to read as follows:

35 2. The Iowa county engineers association service

1 bureau shall annually compute the secondary road fund and
2 farm-to-market road fund distributions using the methodology
3 determined by the ~~secondary road fund distribution committee~~
4 ~~pursuant to section 312.3C~~ commission. The Iowa county
5 engineers association service bureau shall report the
6 computations to the ~~secondary road fund distribution committee,~~
7 the department, the treasurer of state, and the counties.

8 Sec. 308. Section 312.5, subsection 1, Code 2024, is amended
9 to read as follows:

10 1. ~~For the fiscal year ending June 30, 2006, the treasurer~~
11 ~~of state shall apportion among the counties the road use tax~~
12 ~~funds credited to the farm-to-market road fund by using the~~
13 ~~allocation method contained in section 312.5, subsection 1,~~
14 ~~Code 2005. For subsequent fiscal years~~ Each fiscal year, the
15 treasurer of state shall apportion among the counties the road
16 use tax funds credited to the farm-to-market road fund by using
17 the distribution methodology adopted ~~pursuant to section 312.3C~~
18 by the commission.

19 Sec. 309. Section 312.16, Code 2024, is amended by adding
20 the following new subsection:

21 NEW SUBSECTION. 01. "*Commission*" means the state
22 transportation commission.

23 Sec. 310. Section 312A.3, subsection 2, Code 2024, is
24 amended to read as follows:

25 2. Twenty percent for deposit in the secondary road fund,
26 for apportionment according to the methodology adopted ~~pursuant~~
27 ~~to section 312.3C~~ by the commission, to be used by counties
28 for construction and maintenance projects on secondary road
29 bridges and on highways in the farm-to-market road system. At
30 least ten percent of the moneys allocated to a county under
31 this subsection shall be used for bridge construction, repair,
32 and maintenance, with priority given to projects that aid and
33 support economic development and job creation.

34 Sec. 311. Section 314.1, subsection 2, Code 2024, is amended
35 to read as follows:

1 2. Notwithstanding any other provision of law to the
2 contrary, a public improvement that involves the construction,
3 reconstruction, or improvement of a highway, bridge, or culvert
4 and that has a cost in excess of the applicable threshold in
5 section 73A.18, 262.34, 297.7, 309.40, 310.14, or 313.10, as
6 modified by the ~~bid threshold subcommittee~~ director pursuant
7 to section 314.1B, shall be advertised and let for bid, except
8 such public improvements that involve emergency work pursuant
9 to section 309.40A, 313.10, or 384.103, subsection 2. For a
10 city having a population of fifty thousand or less, a public
11 improvement that involves the construction, reconstruction, or
12 improvement of a highway, bridge, or culvert that has a cost
13 in excess of twenty-five thousand dollars, as modified by the
14 ~~bid threshold subcommittee~~ director pursuant to section 314.1B,
15 shall be advertised and let for bid, excluding emergency work.
16 However, a public improvement that has an estimated total
17 cost to a city in excess of a threshold of fifty thousand
18 dollars, as modified by the ~~bid threshold subcommittee~~ director
19 pursuant to section 314.1B, and that involves the construction,
20 reconstruction, or improvement of a highway, bridge, or culvert
21 that is under the jurisdiction of a city with a population
22 of more than fifty thousand, shall be advertised and let for
23 bid. Cities required to competitively bid highway, bridge,
24 or culvert work shall do so in compliance with the contract
25 letting procedures of sections 26.3 through 26.12.

26 Sec. 312. Section 314.1B, subsection 1, paragraph a, Code
27 2024, is amended by striking the paragraph.

28 Sec. 313. Section 314.1B, subsection 1, paragraph b, Code
29 2024, is amended to read as follows:

30 *b.* The ~~subcommittee~~ director, in consultation with industry
31 and subject matter experts, shall review the competitive bid
32 thresholds applicable to city and county highway, bridge,
33 and culvert projects. The ~~subcommittee~~ director shall
34 review price adjustments for all types of city and county
35 highway, bridge, and culvert construction, reconstruction, and

1 improvement projects, based on changes in the construction
2 price index from the preceding year. Upon completion of the
3 review the ~~subcommittee~~ director may make adjustments in the
4 applicable bid thresholds for types of work based on the price
5 adjustments.

6 Sec. 314. Section 314.1B, subsection 2, paragraph a, Code
7 2024, is amended by striking the paragraph.

8 Sec. 315. Section 314.1B, subsection 2, paragraphs b, c, d,
9 and e, Code 2024, are amended to read as follows:

10 ~~b. The subcommittee appointed under this subsection~~
11 director, in consultation with industry and subject matter
12 experts, shall review the competitive bid thresholds applicable
13 to governmental entities under [chapter 26](#). The ~~subcommittee~~
14 director shall review price adjustments for all types of
15 construction, reconstruction, and public improvement projects
16 based on the changes in the construction price index, building
17 cost index, and material cost index from the preceding
18 adjustment. Upon completion of the review the ~~subcommittee~~
19 director may make adjustments in the applicable bid thresholds
20 for types of work based on the price adjustments.

21 ~~c. The subcommittee shall not make an initial adjustment to~~
22 ~~the competitive bid threshold in [section 26.3](#) to be effective~~
23 ~~prior to January 1, 2012. Thereafter, the subcommittee~~ The
24 director shall adjust the bid threshold amount in accordance
25 with [subsection 3](#) but shall not adjust the bid threshold to an
26 amount less than the bid threshold applicable to a governmental
27 entity on January 1, 2007.

28 ~~d. Beginning July 1, 2006~~ 2024, the ~~subcommittee~~ director
29 shall make adjustments to the competitive quotation threshold
30 amounts in [section 26.14](#) for vertical infrastructure in
31 accordance with the methodology of paragraph "b".

32 ~~e. After 2012, the subcommittee~~ The director shall adjust
33 the competitive quotation threshold amounts in [section 26.14](#)
34 at the same time and by the same percentage as adjustments are
35 made to the competitive bid threshold.

1 Sec. 316. Section 314.1B, subsection 3, Code 2024, is
2 amended to read as follows:

3 3. ~~Review — publication. Each subcommittee~~ The director
4 shall ~~meet to conduct the review and~~ make the adjustments
5 described in this section on or before August 1 of every
6 other year, or of every year if determined necessary by the
7 ~~subcommittee~~ director. By September 1 of each year in which
8 a ~~subcommittee~~ director makes adjustments in the bid or
9 quotation thresholds, the director shall cause an advisory
10 notice to be published in the Iowa administrative bulletin and
11 in a newspaper of general circulation in this state, stating
12 the adjusted bid and quotation thresholds to be in effect
13 on January 1 of the following year, as established by the
14 ~~subcommittees~~ director under this section.

15 Sec. 317. Section 314.13, subsection 2, Code 2024, is
16 amended by striking the subsection.

17 Sec. 318. Section 314.13, Code 2024, is amended by adding
18 the following new subsection:

19 NEW SUBSECTION. 4A. “*Director*” means the director of
20 transportation.

21 Sec. 319. Section 314.22, subsection 3, Code 2024, is
22 amended to read as follows:

23 3. ~~Integrated roadside vegetation management technical~~
24 ~~advisory committee Report.~~

25 ~~a. The director of the department shall appoint members~~
26 ~~to an integrated roadside vegetation management technical~~
27 ~~advisory committee which is created to provide advice on the~~
28 ~~development and implementation of a statewide integrated~~
29 ~~roadside vegetation management plan and program and related~~
30 ~~projects. The department shall report annually in January to~~
31 ~~the general assembly regarding its activities and those of the~~
32 ~~committee under this section. Activities of the committee may~~
33 ~~include but are not limited to providing advice and assistance~~
34 ~~in the following areas:~~

35 ~~(1) Research efforts.~~

1 ~~(2) Demonstration projects.~~
2 ~~(3) Education and orientation efforts for property owners,~~
3 ~~public officials, and the general public.~~
4 ~~(4) Activities of the integrated roadside vegetation~~
5 ~~management coordinator for integrated roadside vegetation~~
6 ~~management.~~
7 ~~(5) Reviewing applications for funding assistance.~~
8 ~~(6) Securing funding for research and demonstrations.~~
9 ~~(7) Determining needs for revising the state weed law and~~
10 ~~other applicable Code sections.~~
11 ~~(8) Liaison with the Iowa state association of counties, the~~
12 ~~Iowa league of cities, and other organizations for integrated~~
13 ~~roadside vegetation management purposes.~~
14 ~~b. The director may appoint any number of persons to the~~
15 ~~committee but, at a minimum, the committee shall consist of all~~
16 ~~of the following:~~
17 ~~(1) One member representing the utility industry.~~
18 ~~(2) One member from the Iowa academy of sciences.~~
19 ~~(3) One member representing county government.~~
20 ~~(4) One member representing city government.~~
21 ~~(5) Two members representing the private sector including~~
22 ~~community interest groups.~~
23 ~~(6) One member representing soil conservation interests.~~
24 ~~(7) One member representing the department of natural~~
25 ~~resources.~~
26 ~~(8) One member representing county conservation boards.~~
27 ~~c. Members of the committee shall serve without~~
28 ~~compensation, but may be reimbursed for allowable expenses from~~
29 ~~the living roadway trust fund created under [section 314.21](#). No~~
30 ~~more than a simple majority of the members of the committee~~
31 ~~shall be of the same gender as provided in [section 69.16A](#).~~
32 ~~The director of the department shall appoint the chair of the~~
33 ~~committee and shall establish a minimum schedule of meetings~~
34 ~~for the committee.~~

35 Sec. 320. Section 321.252, subsection 3, paragraph a, Code

1 2024, is amended to read as follows:

2 a. The department shall establish, by rule, ~~in cooperation~~
3 ~~with a tourist signing committee,~~ the standards for
4 tourist-oriented directional signs and shall annually review
5 the list of attractions for which signing is in place. The
6 rules shall conform to national standards for tourist-oriented
7 directional signs adopted under 23 U.S.C. §131(q) and to the
8 manual of uniform traffic-control devices.

9 ~~(1) The tourist signing committee shall be made up of~~
10 ~~the directors or the directors' designees of the departments~~
11 ~~of agriculture and land stewardship, natural resources, and~~
12 ~~transportation, the director or the director's designee of~~
13 ~~the economic development authority, the chairperson or the~~
14 ~~chairperson's designee of the Iowa travel council, and a~~
15 ~~member of the outdoor advertising association of Iowa. The~~
16 ~~director or the director's designee of the economic development~~
17 ~~authority shall be the chairperson of the committee.~~

18 ~~(2) The department of transportation shall be responsible~~
19 ~~for calling and setting the date of the meetings of the~~
20 ~~committee which meetings shall be based upon the amount of~~
21 ~~activity relating to signs. However, the committee shall meet~~
22 ~~at least once a month.~~

23 Sec. 321. Section 333A.2, subsection 1, paragraphs b and c,
24 Code 2024, are amended to read as follows:

25 b. Five elected county officials who are regularly involved
26 in budget preparation. ~~One county official shall be from~~
27 ~~a county with a population of less than eleven thousand~~
28 ~~five hundred, one from a county with a population of more~~
29 ~~than eleven thousand five hundred but not more than sixteen~~
30 ~~thousand, one from a county with a population of more than~~
31 ~~sixteen thousand but not more than twenty-two thousand five~~
32 ~~hundred, one from a county with a population of more than~~
33 ~~twenty-two thousand five hundred but not more than eighty~~
34 ~~thousand and one from a county with a population of more than~~
35 ~~eighty thousand. The governor director of the department of~~

1 management shall select and appoint the county officials,
2 ~~subject to the approval of two-thirds of the members of the~~
3 ~~senate.~~

4 c. A certified public accountant experienced in governmental
5 accounting selected and appointed by the ~~governor with the~~
6 ~~approval of two-thirds of the members of the senate~~ director of
7 the department of management.

8 Sec. 322. Section 333A.2, subsection 2, Code 2024, is
9 amended to read as follows:

10 2. The members of the committee appointed by the ~~governor~~
11 director of the department of management are appointed for
12 four-year terms except that of the initial appointments, two
13 county official members shall be appointed to two-year terms.
14 When a county official member no longer holds the office which
15 qualified the official for appointment, the official shall no
16 longer be a member of the committee. Any person appointed to
17 fill a vacancy shall be appointed to serve the unexpired term.
18 Any member is eligible for reappointment, but a member shall
19 not be appointed to serve more than two four-year terms.

20 Sec. 323. Section 357A.21, subsection 2, Code 2024, is
21 amended to read as follows:

22 2. If an agreement is not reached under [subsection 1](#),
23 the governing body of the city or water utility or the board
24 of directors or trustees of the district or association may
25 request mediation pursuant to [chapter 679C](#). The governing
26 body or board requesting mediation shall be responsible for
27 the costs of the mediation. A mediation committee shall be
28 established if a governing body or board requests mediation
29 pursuant to [this subsection](#). The mediation committee shall
30 consist of one member of the governing body of the city or the
31 governing body's designee, one member of the board of directors
32 or trustees of the district or association, as applicable, and
33 one disinterested member chosen by the other two members. A
34 list of qualified mediators may be obtained from the American
35 arbitration association, the public employment relations appeal

1 board established pursuant to [section 20.5 10A.601](#), or a
2 recognized mediation organization or association.

3 Sec. 324. Section 384.13, subsection 2, paragraphs c and d,
4 Code 2024, are amended to read as follows:

5 *c.* Five city officials who are regularly involved in
6 budget preparation. ~~One official must be from a city with a~~
7 ~~population of not over two thousand five hundred, one from a~~
8 ~~city with a population of over two thousand five hundred but~~
9 ~~not over fifteen thousand, one from a city with a population~~
10 ~~of over fifteen thousand but not over fifty thousand, one from~~
11 ~~a city with a population of over fifty thousand, and one from~~
12 ~~any size city.~~ The ~~governor~~ director of the department of
13 management shall select and appoint the city officials.

14 *d.* One certified public accountant experienced in city
15 accounting, to be selected and appointed by the ~~governor~~
16 director of the department of management.

17 Sec. 325. Section 455A.5, subsection 1, Code 2024, is
18 amended to read as follows:

19 1. *a.* A natural resource commission is created, which
20 consists of seven members appointed by the governor for
21 staggered terms of six years beginning and ending as provided
22 in [section 69.19](#), except as provided in paragraph "b". The
23 appointees are subject to senate confirmation. The members
24 shall be citizens of the state who have a substantial knowledge
25 of the subjects embraced by [chapter 456A](#). The appointments
26 shall be based upon the training, experience, and capacity of
27 the appointees, and not based upon political considerations,
28 other than as provided in [section 69.16](#). A member of the
29 commission shall not hold any other state or federal office.

30 *b.* For members appointed on or after the effective date
31 of this division of this Act, members shall serve staggered
32 terms of four years beginning and ending as provided in section
33 69.19.

34 Sec. 326. Section 455A.5, subsection 6, paragraph d, Code
35 2024, is amended to read as follows:

1 ~~d. Approve~~ Provide advice and recommendations regarding
2 the budget request prepared by the director for the programs
3 authorized by [chapters 321G, 321I, 456A, 456B, 457A, 461A,](#)
4 [462A, 462B, 464A, 481A, 481B, 483A, 484A,](#) and [484B](#). The
5 ~~commission may increase, decrease, or strike any item within~~
6 ~~the department budget request for the specified programs before~~
7 ~~granting approval.~~

8 Sec. 327. Section 455A.6, subsection 6, paragraph d, Code
9 2024, is amended to read as follows:

10 ~~d. Approve~~ Provide advice and make recommendations regarding
11 the budget request prepared by the director for the programs
12 authorized by [chapters 455B, 455C, 455E, 455F, 455H,](#) and [459,](#)
13 [subchapters II and III.](#) ~~The commission shall approve the~~
14 ~~budget request prepared by the director for programs subject to~~
15 ~~the rulemaking authority of the commission. The commission may~~
16 ~~increase, decrease, or strike any item within the department~~
17 ~~budget request for the specified programs before granting~~
18 ~~approval.~~

19 Sec. 328. Section 455A.19, subsection 1, unnumbered
20 paragraph 1, Code 2024, is amended to read as follows:

21 Upon receipt of any revenue, the director shall deposit the
22 moneys in the Iowa resources enhancement and protection fund
23 created pursuant to [section 455A.18](#). The first three hundred
24 fifty thousand dollars of the funds received for deposit in the
25 fund annually shall be allocated ~~to the conservation education~~
26 ~~program board~~ for the purposes specified in [section 455A.21](#).
27 One percent of the revenue receipts shall be deducted and
28 transferred to the administration fund provided for in section
29 456A.17. All of the remaining receipts shall be allocated to
30 the following accounts:

31 Sec. 329. Section 455A.21, Code 2024, is amended to read as
32 follows:

33 **455A.21 Conservation education program board.**

34 ~~1. A conservation education program board is created in~~
35 ~~the department. The board shall have five members appointed~~

1 ~~as follows:~~

2 ~~a. One member appointed by the director of the department~~
3 ~~of education.~~

4 ~~b. One member appointed by the director of the department of~~
5 ~~natural resources.~~

6 ~~c. One member appointed by the president of the Iowa~~
7 ~~association of county conservation boards.~~

8 ~~d. One member appointed by the president of the Iowa~~
9 ~~association of naturalists.~~

10 ~~e. One member appointed by the president of the Iowa~~
11 ~~conservation education council.~~

12 2. ~~Section 69.16 does not apply to appointments made~~
13 ~~pursuant to this section.~~

14 3. ~~The duties of the board are to~~ department shall revise
15 and produce conservation education materials and ~~to~~ specify
16 stipends to Iowa educators who participate in innovative
17 conservation education programs approved by the ~~board~~
18 department. The ~~board~~ department shall allocate the funds
19 provided for under section 455A.19, subsection 1, for the
20 educational materials and stipends.

21 4. ~~The department shall administer the funds allocated to~~
22 ~~the conservation education program as provided in this section.~~

23 Sec. 330. Section 455B.190A, subsection 1, paragraph h,
24 Code 2024, is amended by striking the paragraph.

25 Sec. 331. Section 455B.190A, subsection 2, paragraphs f and
26 g, Code 2024, are amended to read as follows:

27 *f.* The department shall develop continuing education
28 requirements for certification of a well contractor ~~in~~
29 ~~consultation with the well contractors' council.~~

30 *g.* The examination shall be developed by the department ~~in~~
31 ~~consultation with the well contractors' council~~ to determine
32 the applicant's qualifications to perform well drilling or
33 pump services or both. The examination shall be updated
34 as necessary to reflect current groundwater law and well
35 construction, maintenance, pump services, and abandonment

1 practices. The examination shall be administered by the
2 department or by a person designated by the department.

3 Sec. 332. Section 455B.190A, subsections 3 and 6, Code 2024,
4 are amended by striking the subsections.

5 Sec. 333. Section 455B.190A, subsection 4, Code 2024, is
6 amended to read as follows:

7 4. The department shall develop, ~~in consultation with the~~
8 ~~well contractors' council,~~ a consumer information pamphlet
9 regarding well construction, well maintenance, well plugging,
10 pump services, and Iowa groundwater laws. The department ~~and~~
11 ~~the council~~ shall review and revise the consumer information
12 pamphlet as necessary. The consumer information pamphlet shall
13 be supplied to well contractors, at cost, and well contractors
14 shall supply one copy at no cost to potential customers prior
15 to initiation of well services.

16 Sec. 334. Section 455B.190A, subsection 5, unnumbered
17 paragraph 1, Code 2024, is amended to read as follows:

18 The department shall establish by rule and collect, ~~in~~
19 ~~consultation with the well contractors' council,~~ the following
20 fees to be used to implement and administer the provisions of
21 this section:

22 Sec. 335. Section 455G.4, Code 2024, is amended by adding
23 the following new subsection:

24 NEW SUBSECTION. 7. *Repeal.* This section is repealed
25 December 31, 2028. On or before November 29, 2027, the
26 department of natural resources, in consultation with the
27 board, shall propose legislation to the general assembly to
28 strike or repeal provisions referencing the board and the Iowa
29 comprehensive petroleum underground storage tank fund created
30 in section 455G.3 throughout the Code. The remainder of the
31 moneys in the Iowa comprehensive petroleum underground storage
32 tank fund on December 31, 2028, shall be transferred to the
33 storage tank management account of the groundwater protection
34 fund created in section 455E.11.

35 Sec. 336. Section 461A.42, subsection 1, paragraph a, Code

1 2024, is amended to read as follows:

2 a. A firearm or other weapon authorized for hunting may be
3 used in preserves or parts of preserves designated by the ~~state~~
4 ~~advisory board on preserves~~ department at the request of the
5 commission.

6 Sec. 337. Section 465C.1, subsection 2, Code 2024, is
7 amended by striking the subsection.

8 Sec. 338. Section 465C.1, subsection 4, Code 2024, is
9 amended to read as follows:

10 4. "*Dedication*" means the allocation of an area as a
11 preserve by a public agency or by a private owner by written
12 stipulation in a form approved by the ~~state advisory board for~~
13 ~~preserves~~ department.

14 Sec. 339. Section 465C.2, Code 2024, is amended to read as
15 follows:

16 **465C.2 Advisory board.**

17 There is hereby created a state system of preserves and a
18 ~~state advisory board for preserves.~~

19 Sec. 340. Section 465C.8, unnumbered paragraph 1, Code
20 2024, is amended to read as follows:

21 The ~~board~~ department shall have the following powers and
22 duties with respect to this chapter:

23 Sec. 341. Section 465C.8, subsection 9, Code 2024, is
24 amended by striking the subsection.

25 Sec. 342. Section 465C.9, Code 2024, is amended to read as
26 follows:

27 **465C.9 Articles of dedication.**

28 1. The public agency or private owner shall complete
29 articles of dedication on forms approved by the ~~board~~
30 department. When the articles of dedication have been approved
31 by the governor, the ~~board~~ department shall record them with
32 the county recorder for the county or counties in which the
33 area is located.

34 2. The articles of dedication may contain restrictions
35 on development, sale, transfer, method of management, public

1 access, and commercial or other use, and may contain such other
2 provisions as may be necessary to further the purposes of this
3 chapter. They may define the respective jurisdictions of the
4 owner or operating agency and the ~~board~~ department. They may
5 provide procedures to be applied in case of violation of the
6 dedication. They may recognize reversionary rights. They may
7 vary in provisions from one preserve to another in accordance
8 with differences in relative conditions.

9 Sec. 343. Section 465C.10, Code 2024, is amended to read as
10 follows:

11 **465C.10 When dedicated as a preserve.**

12 An area shall become a preserve when it has been approved by
13 the ~~board~~ department for dedication as a preserve, whether in
14 public or private ownership, formally dedicated as a preserve
15 within the system by a public agency or private owner and
16 designated by the governor as a preserve.

17 Sec. 344. Section 465C.11, Code 2024, is amended to read as
18 follows:

19 **465C.11 Area held in trust.**

20 1. An area designated as a preserve within the system is
21 hereby declared put to its highest, best, and most important
22 use for public benefit. It shall be held in trust and shall not
23 be alienated except to another public use upon a finding by the
24 ~~board~~ department of imperative and unavoidable public necessity
25 and with the approval of the commission, the general assembly
26 by concurrent resolution, and the governor. The ~~board's~~
27 department's interest or interests in any area designated as a
28 preserve shall not be taken under the condemnation statutes of
29 this state without such a finding of imperative and unavoidable
30 public necessity by the ~~board~~ department, and with the
31 consent of the commission, the general assembly by concurrent
32 resolution, and the governor.

33 2. The ~~board~~ department, with the approval of the governor,
34 may enter into amendments to any articles of dedication upon
35 its finding that such amendment will not permit an impairment,

1 disturbance, or development of the area inconsistent with the
2 purposes of [this chapter](#).

3 3. Before the ~~board~~ department shall make a finding
4 of imperative and unavoidable public necessity, or shall
5 enter into any amendment to articles of dedication, the
6 ~~board~~ department shall provide notice of such proposal and
7 opportunity for any person to be heard. Such notice shall
8 be published at least once in a newspaper with a general
9 circulation in the county or counties wherein the area directly
10 affected is situated, and mailed within ten days of such
11 published notice to all persons who have requested notice of
12 all such proposed actions. Each notice shall set forth the
13 substance of the proposed action and describe, with or without
14 legal description, the area affected, and shall set forth a
15 place and time not less than sixty days thence for all persons
16 desiring to be heard to have reasonable opportunity to be heard
17 prior to the finding of the ~~board~~ department.

18 Sec. 345. Section 481C.2, subsection 3, Code 2024, is
19 amended to read as follows:

20 3. The criteria for issuing depredation licenses and
21 permits shall be established in administrative rules ~~in~~
22 ~~consultation with the farmer advisory committee created in~~
23 ~~section 481A.10A~~. The administrative rules adopted pursuant
24 to [this section](#) shall not require a producer to erect or
25 maintain fencing at a cost exceeding one thousand dollars as a
26 requisite for receiving a depredation license or permit or for
27 participation in a depredation plan.

28 Sec. 346. Section 524.223, subsection 2, unnumbered
29 paragraph 1, Code 2024, is amended to read as follows:

30 If the state bank, director, officer, employee, or
31 substantial shareholder fails to appear at the hearing it shall
32 be deemed to have consented to the issuance of a cease and
33 desist order. In the event of such consent, or if upon the
34 record made at such hearing, the superintendent shall find that
35 any violation or unsafe or unsound practice specified in the

1 notice has been established, the superintendent may issue and
2 serve upon the state bank, director, officer, employee, or
3 substantial shareholder an order to cease and desist from any
4 such violation or practice. Such order may require the state
5 bank and its directors, officers, employees, and shareholders
6 to cease and desist from any such violation or practice and,
7 further, to take affirmative action to correct the conditions
8 resulting from any such violation or practice. In addition,
9 if the violation or practice involves a failure to comply with
10 chapter 12C or any rules adopted pursuant to [chapter 12C](#), the
11 superintendent may recommend to the ~~committee established under~~
12 [section 12C.6](#) treasurer of state that the bank be removed from
13 the list of financial institutions eligible to accept public
14 funds under [section 12C.6A](#) and may require that during the
15 current calendar quarter and up to the next succeeding eight
16 calendar quarters that the bank do any one or more of the
17 following:

18 Sec. 347. Section 542.4, subsection 1, paragraphs a and b,
19 Code 2024, are amended to read as follows:

20 a. The board shall consist of ~~eight~~ five members, appointed
21 by the governor and subject to senate confirmation, all of whom
22 shall be residents of this state. ~~Five~~ Four of the ~~eight~~ five
23 members shall be holders of certificates issued under section
24 542.6, ~~one member shall be the holder of a license issued~~
25 ~~under [section 542.8](#)~~, and ~~two~~ one shall not be a certified
26 public accountants accountant or licensed public accountants
27 accountant and shall represent the general public. At least
28 three of the holders of certificates issued under section
29 542.6 shall also be qualified to supervise attest services as
30 provided in [section 542.7](#).

31 b. A certified or licensed member of the board shall be
32 actively engaged in practice as a certified public accountant
33 or as a licensed public accountant ~~and shall have been so~~
34 ~~engaged for five years preceding appointment, the last two of~~
35 ~~which shall have been in this state.~~

1 Sec. 348. Section 542B.15, Code 2024, is amended to read as
2 follows:

3 **542B.15 Examinations — report required.**

4 Examinations for licensure shall be given as often as deemed
5 necessary by the ~~board~~ department of inspections, appeals,
6 and licensing, but no less than one time per year. The scope
7 of the examinations and the methods of procedure shall be
8 prescribed by the board. ~~Any examination may be given by~~
9 ~~representatives of the board.~~ The identity of the person
10 taking the examination shall be concealed until after the
11 examination has been graded by the department of inspections,
12 appeals, and licensing. As soon as practicable after the
13 close of each examination, a report shall be filed in the
14 office of the secretary of the board by the ~~board~~ department
15 of inspections, appeals, and licensing. The report shall
16 show the action of the board upon each application and the
17 secretary of the board shall notify each applicant of the
18 result of the applicant's examination. Applicants who fail the
19 examination once shall be allowed to take the examination at
20 the next scheduled time. Thereafter, the applicant shall be
21 allowed to take the examination at the discretion of the board.
22 An applicant who has failed the examination may request in
23 writing information from the board concerning the applicant's
24 examination grade and subject areas or questions which the
25 applicant failed to answer correctly, except that if the board
26 administers a uniform, standardized examination, the board
27 shall only be required to provide the examination grade and
28 such other information concerning the applicant's examination
29 results which are available to the board.

30 Sec. 349. Section 543B.8, subsections 1 and 2, Code 2024,
31 are amended to read as follows:

32 1. A real estate commission is created within the department
33 of inspections, appeals, and licensing. The commission
34 consists of ~~five~~ four members licensed under this chapter and
35 ~~two members~~ one member not licensed under this chapter and who

1 shall represent the general public. Commission members shall
2 be appointed by the governor subject to confirmation by the
3 senate.

4 2. No more than one member shall be appointed from a
5 county. A commission member shall not hold any other elective
6 or appointive state or federal office. At least one of the
7 licensed members shall be a licensed real estate salesperson,
8 except that if the licensed real estate salesperson becomes
9 a licensed real estate broker during a term of office,
10 that person may complete the term, but is not eligible for
11 reappointment on the commission as a licensed real estate
12 salesperson. A licensed member shall be actively engaged
13 in the real estate business ~~and shall have been so engaged~~
14 ~~for five years preceding the appointment, the last two of~~
15 ~~which shall have been in Iowa.~~ Professional associations or
16 societies of real estate brokers or real estate salespersons
17 may recommend the names of potential commission members to
18 the governor. However, the governor is not bound by their
19 recommendations. A commission member shall not be required to
20 be a member of any professional association or society composed
21 of real estate brokers or salespersons.

22 Sec. 350. Section 543D.4, subsections 1 and 3, Code 2024,
23 are amended to read as follows:

24 1. A real estate appraiser examining board is established
25 within the department of inspections, appeals, and licensing.
26 The board consists of ~~seven~~ five members, ~~two~~ one of whom shall
27 be a public members member and ~~five~~ four of whom shall be
28 certified real estate appraisers.

29 3. A certified real estate appraiser member of the board
30 shall be actively engaged in practice as a certified real
31 estate appraiser ~~and shall have been so engaged for five years~~
32 ~~preceding appointment, the last two of which shall have been in~~
33 ~~this state.~~ The governor shall attempt to represent each class
34 of certified appraisers in making the appointments.

35 Sec. 351. Section 544A.1, subsection 2, Code 2024, is

1 amended to read as follows:

2 2. The architectural examining board is created within the
3 department of inspections, appeals, and licensing. The board
4 consists of ~~five~~ four members who possess a license issued
5 under [section 544A.9](#) ~~and who have been in active practice of~~
6 ~~architecture for not less than five years, the last two of~~
7 ~~which shall have been in Iowa, and two members~~ one member who
8 ~~do~~ does not possess a license issued under [section 544A.9](#)
9 and who shall represent the general public. Members shall
10 be appointed by the governor subject to confirmation by the
11 senate.

12 Sec. 352. Section 602.1401, subsection 3, paragraph b, Code
13 2024, is amended to read as follows:

14 b. For purposes of [chapter 20](#), the certified representative,
15 which on July 1, 1983, represents employees who become judicial
16 branch employees as a result of [1983 Iowa Acts, ch. 186](#), shall
17 remain the certified representative when the employees become
18 judicial branch employees and thereafter, unless the public
19 employee organization is not retained and recertified or is
20 decertified in an election held under [section 20.15](#) or amended
21 or absorbed into another certified organization pursuant to
22 chapter 20. Collective bargaining negotiations shall be
23 conducted on a statewide basis and the certified employee
24 organizations which engage in bargaining shall negotiate on a
25 statewide basis, although bargaining units shall be organized
26 by judicial district. The ~~public employment relations~~ appeal
27 board shall adopt rules pursuant to [chapter 17A](#) to implement
28 this subsection.

29 Sec. 353. Section 904.103, Code 2024, is amended by adding
30 the following new subsections:

31 NEW SUBSECTION. 5. Policies for the operation and conduct
32 of the department and the implementation of all department
33 programs.

34 NEW SUBSECTION. 6. Adoption of rules in accordance with
35 chapter 17A as necessary to transact its business and for the

1 administration and exercise of its powers and duties.

2 NEW SUBSECTION. 7. The approval of the locations for all
3 state institutions which are penal, reformatory, or corrective.
4 Sec. 354. Section 904.105, subsections 2, 5, 7, and 9, Code
5 2024, are amended to read as follows:

6 2. ~~Adopt and establish~~ Provide advice and recommendations
7 to the department regarding policies for the operation and
8 conduct of the department and the implementation of all
9 department programs.

10 5. ~~Approve~~ Provide advice and recommendations to the
11 department regarding the budget of the department prior to
12 submission to the governor.

13 7. ~~Adopt rules in accordance with chapter 17A as the board~~
14 ~~deems~~ Provide advice and recommendations to the department
15 regarding rules necessary to transact its business and for the
16 administration and exercise of its powers and duties.

17 9. ~~Approve~~ Provide advice and recommendations regarding
18 the locations for all state institutions which are penal,
19 reformatory, or corrective.

20 Sec. 355. Section 904.105, subsection 3, Code 2024, is
21 amended by striking the subsection.

22 Sec. 356. Section 904.802, subsection 1, Code 2024, is
23 amended by striking the subsection.

24 Sec. 357. Section 904.802, subsection 2, Code 2024, is
25 amended to read as follows:

26 2. "*Iowa state industries*" means prison industries that
27 are established and maintained by the Iowa department of
28 corrections, ~~in consultation with the industries board,~~ at or
29 adjacent to the state's adult correctional institutions, except
30 that an inmate work program established by the state director
31 under [section 904.703](#) is not restricted to industries at or
32 adjacent to the institutions.

33 Sec. 358. Section 904.804, Code 2024, is amended to read as
34 follows:

35 **904.804 Duties of ~~industries board~~ department — state**

1 industries.

2 The ~~industries board's principal duties~~ department shall be
3 ~~to promulgate and adopt rules and to advise the state director~~
4 ~~regarding the management of Iowa state industries so as to~~
5 further the intent stated by [section 904.801](#).

6 Sec. 359. Section 904.805, unnumbered paragraph 1, Code
7 2024, is amended to read as follows:

8 The state director, ~~with the advice of the industries board,~~
9 shall:

10 Sec. 360. Section 904.806, Code 2024, is amended to read as
11 follows:

12 **904.806 Authority of state director not impaired.**

13 Nothing in [this subchapter](#) shall be construed to impair the
14 authority of the state director over the adult correctional
15 institutions of this state, nor over the inmates thereof. ~~It~~
16 ~~is, however, the duty of the state director to obtain the~~
17 ~~advice of the industries board to further the intent stated by~~
18 ~~[section 904.801](#).~~

19 Sec. 361. Section 904.809, subsection 1, paragraph a, Code
20 2024, is amended to read as follows:

21 a. The state director ~~and the industries board~~ shall comply
22 with the intent of [section 904.801](#).

23 Sec. 362. Section 904.809, subsection 2, paragraph a, Code
24 2024, is amended to read as follows:

25 a. Any other provision of the Code to the contrary
26 notwithstanding, the state director may, ~~after obtaining the~~
27 ~~advice of the industries board,~~ lease one or more buildings or
28 portions thereof on the grounds of any state adult correctional
29 institution, together with the real estate needed for
30 reasonable access to and egress from the leased buildings, for
31 a term not to exceed twenty years, to a private corporation for
32 the purpose of establishing and operating a factory for the
33 manufacture and processing of products, or any other commercial
34 enterprise deemed by the state director to be consistent with
35 the intent stated in [section 904.801](#).

1 Sec. 363. Section 904.809, subsection 2, paragraph b,
2 subparagraph (1), Code 2024, is amended to read as follows:

3 (1) Persons working in the factory or other commercial
4 enterprise operated in the leased property, except the lessee's
5 supervisory employees and necessary support personnel approved
6 by the ~~industries board~~ state director, shall be inmates of
7 the institution where the leased property is located who are
8 approved for such work by the state director and the lessee.

9 Sec. 364. Section 904.809, subsection 3, Code 2024, is
10 amended to read as follows:

11 3. The state director ~~with the advice of the prison~~
12 ~~industries advisory board~~ may provide an inmate workforce to
13 private industry. Under the program inmates will be employees
14 of a private business.

15 Sec. 365. Section 904.813, subsection 2, paragraph a,
16 subparagraphs (1), (2), and (3), Code 2024, are amended to read
17 as follows:

18 (1) Establishment, maintenance, transfer, or closure of
19 industrial operations, or vocational, technical, and related
20 training facilities and services for inmates as authorized by
21 the state director ~~in consultation with the industries board~~.

22 ~~(2) Payment of all costs incurred by the industries board,~~
23 ~~including but not limited to per diem and expenses of its~~
24 ~~members, and of salaries, allowances, support, and maintenance~~
25 ~~of Iowa state industries.~~

26 ~~(3)~~ (2) Direct purchases from vendors of raw materials
27 and capital items used for the manufacturing processes of Iowa
28 state industries, in accordance with rules which meet state
29 bidding requirements. The rules shall be adopted by the state
30 director ~~in consultation with the industries board~~.

31 Sec. 366. Section 904.814, Code 2024, is amended to read as
32 follows:

33 **904.814 Inmate allowance supplement revolving fund.**

34 There is established in the treasury of the state a permanent
35 adult correctional institutions inmate allowance supplement

1 revolving fund, consisting solely of money paid as board and
2 maintenance by inmates working in Iowa state industries, or
3 working pursuant to [section 904.809](#). The fund established
4 by [this section](#) may be used to supplement the allowances
5 of inmates who perform other institutional work within and
6 about the adult correctional institutions including those
7 who are working in Iowa state industries. Payments made
8 from the fund shall supplement and not replace all or any
9 part of the allowances otherwise received by, and shall be
10 equably distributed among such inmates. The work of inmates
11 in other institutional or industry work shall, to the greatest
12 extent feasible, be in accord with the intent stated in
13 section 904.801. The fund may also be used to supplement
14 other rehabilitation activities within the adult correctional
15 institutions. Determination of the use of the funds is the
16 responsibility of the state director ~~who shall first seek the~~
17 ~~advice of the prison industries advisory board.~~

18 Sec. 367. Section 904.909, Code 2024, is amended to read as
19 follows:

20 **904.909 Work release and OWI violators — reimbursement to**
21 **department for transportation costs.**

22 The department of corrections shall arrange for the return
23 of a work release client, or offender convicted of violating
24 chapter 321J, who escapes from the facility to which the
25 client is assigned or violates the conditions of supervision.
26 The client or offender shall reimburse the department of
27 corrections for the cost of transportation incurred because
28 of the escape or violation. The amount of reimbursement
29 shall be the actual cost incurred by the department and shall
30 be credited to the support account from which the billing
31 occurred. The director of the department of corrections
32 shall ~~recommend~~ adopt rules pursuant to [chapter 17A](#), ~~subject~~
33 ~~to approval by the board of corrections pursuant to section~~
34 ~~904.105, subsection 7,~~ to implement [this section](#).

35 Sec. 368. Section 915.82, subsection 2, Code 2024, is

1 amended to read as follows:

2 2. The ~~board~~ department shall adopt rules pursuant to
3 chapter 17A relating to program policies and procedures.

4 Sec. 369. 2023 Iowa Acts, chapter 19, section 2795,
5 subsection 3, paragraphs b and c, are amended to read as
6 follows:

7 b. The following are range 4 positions: chairperson and
8 members of the employment appeal board of the department of
9 inspections, appeals, and licensing, director of the Iowa
10 state office of civil rights commission, director of the
11 department for the blind, executive director of the ethics
12 and campaign disclosure board, executive director of the Iowa
13 public information board, and chairperson, vice chairperson,
14 and members of the board of parole.

15 c. The following are range 5 positions: state public
16 defender, labor commissioner, workers' compensation
17 commissioner, and director of the law enforcement academy, ~~and~~
18 ~~executive director of the public employment relations board.~~

19 Sec. 370. REPEAL. Chapters 28B and 473A, Code 2024, are
20 repealed.

21 Sec. 371. REPEAL. Sections 7D.15, 8A.616, 15.117, 15.480,
22 15F.102, 20.5, 80E.2, 100C.10, 135.109, 135.173A, 147.16,
23 153.33A, 154A.7, 155A.2A, 170.2, 190C.2, 190C.2A, 203.11B,
24 206.23A, 206.23B, 237A.23, 252B.22, 256.15, 256.31, 256I.12,
25 273.15, 312.3C, 312.3D, 328.13, 423.9A, 455B.150, 455B.151,
26 461A.79, 461A.80, 465C.3, 465C.4, 465C.5, 465C.6, 465C.7,
27 466B.31, 475A.7, 481A.10A, 691.6B, 904.803, and 907B.3, Code
28 2024, are repealed.

29 Sec. 372. CODE EDITOR DIRECTIVE — TERMINOLOGY CHANGES.

30 1. The Code editor is directed to change all references to
31 the "board of directors of the Iowa lottery" created in section
32 99G.8 to the "Iowa lottery commission" and all references to
33 "board" when referring to the board of directors of the Iowa
34 lottery created in section 99G.8 to "commission" wherever they
35 appear in the Code.

1 2. The Code editor is directed to change all references
2 to the "Iowa utilities board" created in section 474.1 to the
3 "Iowa utilities commission", all references to "utilities
4 board" when referring to the Iowa utilities board created in
5 section 474.1 to "utilities commission", and all references to
6 "board" when referring to the Iowa utilities board created in
7 section 474.1 to "commission" wherever they appear in the Code.

8 3. The Code editor is directed to make changes in any Code
9 sections or other noncodified enactments amended or enacted
10 by any other Act to correspond with the changes made in this
11 Act if there appears to be no doubt as to the proper method of
12 making the changes and the changes would not be contrary to or
13 inconsistent with the purposes of this Act or any other Act.

14 Sec. 373. CERTIFICATE OF NEED PROCESS — STUDY. The
15 department of health and human services, in consultation with
16 the department of inspections, appeals, and licensing, and with
17 the assistance of other interested parties, shall conduct a
18 study of the effectiveness of the existing certificate of need
19 process and shall make findings and recommendations related to
20 the continuation of the process or the implementation of a less
21 restrictive alternative. The department of health and human
22 services shall submit a report, including its findings and
23 recommendations, to the governor and the general assembly by
24 December 31, 2025.

25 DIVISION X

26 PUBLIC OFFICERS AND EMPLOYEES

27 Sec. 374. Section 69.15, subsection 1, unnumbered paragraph
28 1, Code 2024, is amended to read as follows:

29 Any person who has been appointed by the governor to any
30 board under the laws of this state shall be deemed to have
31 submitted a resignation from such office if ~~either~~ any of the
32 following events occurs:

33 Sec. 375. Section 69.15, subsection 1, Code 2024, is amended
34 by adding the following new paragraph:

35 NEW PARAGRAPH. c. Sufficient grounds exist that would

1 otherwise subject the person to removal by the executive
2 council pursuant to section 66.26.

3 Sec. 376. Section 69.15, subsection 2, Code 2024, is amended
4 to read as follows:

5 2. ~~If~~ With respect to subsection 1, paragraphs "a" and "b",
6 if such person received no notice and had no knowledge of a
7 regular meeting and gives the governor a sworn statement to
8 that effect within ten days after the person learns of the
9 meeting, such meeting shall not be counted for the purposes of
10 this section.

11 DIVISION XI

12 COUNCIL ON HEALTH AND HUMAN SERVICES

13 Sec. 377. Section 125.7, Code 2024, is amended to read as
14 follows:

15 **125.7 Duties of the council.**

16 The council shall:

17 1. ~~Approve~~ Make recommendations to the department regarding
18 the comprehensive substance use disorder program, developed by
19 the department pursuant to sections 125.1 through 125.3, this
20 section, and sections 125.9, 125.10, 125.12 through 125.21,
21 125.25, 125.32 through 125.34, and 125.37 through 125.43.

22 2. Advise the department on policies governing the
23 performance of the department in the discharge of any duties
24 imposed on the department by law.

25 3. Advise or make recommendations to the governor and the
26 general assembly relative to substance use disorder treatment,
27 intervention, education, and prevention programs in this state.

28 ~~4. Adopt rules for subsections 1 and 6 and review other~~
29 ~~rules necessary to carry out the provisions of this chapter,~~
30 ~~subject to review in accordance with chapter 17A.~~

31 ~~5.~~ 4. Investigate the work of the department relating to
32 substance use disorder, and for this purpose the council shall
33 have access at any time to all books, papers, documents, and
34 records of the department.

35 ~~6.~~ 5. Consider and ~~approve or disapprove~~ make

1 recommendations to the department regarding the approval or
2 disapproval of all applications for a license and all cases
3 involving the renewal, denial, suspension, or revocation of a
4 license.

5 ~~7. Act as the appeal board regarding funding decisions made~~
6 ~~by the department.~~

7 Sec. 378. Section 125.10, subsections 1 and 11, Code 2024,
8 are amended to read as follows:

9 1. Prepare and submit a state plan ~~subject to approval~~
10 ~~by the council and~~ in accordance with 42 U.S.C. §300x-21 et
11 seq. The state plan shall designate the department as the sole
12 agency for supervising the administration of the plan.

13 11. Develop and implement, with the ~~counsel and approval~~
14 advice of the council, the comprehensive plan for treatment of
15 persons with a substance use disorder in accordance with this
16 chapter.

17 Sec. 379. Section 125.12, subsection 1, Code 2024, is
18 amended to read as follows:

19 1. The council shall review the comprehensive substance
20 use disorder program implemented by the department for
21 the treatment of persons with a substance use disorder and
22 concerned family members. ~~Subject to~~ Based on the review
23 of the council, the council shall make recommendations to
24 the director, and the director shall divide the state into
25 appropriate regions for the conduct of the program and
26 establish standards for the development of the program on the
27 regional level. In establishing the regions, consideration
28 shall be given to city and county lines, population
29 concentrations, and existing substance use disorder treatment
30 services.

31 Sec. 380. Section 125.13, subsection 2, paragraphs a, b, i,
32 and j, Code 2024, are amended to read as follows:

33 a. A hospital providing care or treatment to persons with
34 a substance use disorder licensed under [chapter 135B](#) which is
35 accredited by the joint commission on the accreditation of

1 health care organizations, the commission on accreditation
2 of rehabilitation facilities, the American osteopathic
3 association, or another recognized organization approved by the
4 ~~council~~ department. All survey reports from the accrediting or
5 licensing body must be sent to the department.

6 *b.* Any practitioner of medicine and surgery or osteopathic
7 medicine and surgery, in the practitioner's private practice.
8 However, a program shall not be exempted from licensing by the
9 ~~council~~ department by virtue of its utilization of the services
10 of a medical practitioner in its operation.

11 *i.* A substance use disorder treatment program not funded
12 by the department which is accredited or licensed by the joint
13 commission on the accreditation of health care organizations,
14 the commission on the accreditation of rehabilitation
15 facilities, the American osteopathic association, or another
16 recognized organization approved by the ~~council~~ department.
17 All survey reports from the accrediting or licensing body must
18 be sent to the department.

19 *j.* A hospital substance use disorder treatment program
20 that is accredited or licensed by the joint commission on the
21 accreditation of health care organizations, the commission on
22 the accreditation of rehabilitation facilities, the American
23 osteopathic association, or another recognized organization
24 approved by the ~~council~~ department. All survey reports for
25 the hospital substance use disorder treatment program from the
26 accrediting or licensing body shall be sent to the department.

27 Sec. 381. Section 125.14, Code 2024, is amended to read as
28 follows:

29 **125.14 Licenses — renewal — fees.**

30 The ~~council~~ department shall consider all cases involving
31 initial issuance, and renewal, denial, suspension, or
32 revocation of a license. The department shall issue a license
33 to an applicant whom the ~~council~~ department determines meets
34 the licensing requirements of **this chapter**. Licenses shall
35 expire no later than three years from the date of issuance

1 and shall be renewed upon timely application made in the same
2 manner as for initial issuance of a license unless notice of
3 nonrenewal is given to the licensee at least thirty days prior
4 to the expiration of the license. The department shall not
5 charge a fee for licensing or renewal of programs contracting
6 with the department for provision of treatment services. A fee
7 may be charged to other licensees.

8 Sec. 382. Section 125.15A, subsection 1, paragraph b, Code
9 2024, is amended to read as follows:

10 *b.* The ~~council~~ department has suspended, revoked, or refused
11 to renew the existing license of the program.

12 Sec. 383. Section 125.16, Code 2024, is amended to read as
13 follows:

14 **125.16 Transfer of license or change of location prohibited.**

15 A license issued under [this chapter](#) may not be transferred,
16 and the location of the physical facilities occupied or
17 utilized by any program licensed under [this chapter](#) shall not
18 be changed without the prior written consent of the ~~council~~
19 department.

20 Sec. 384. Section 125.17, Code 2024, is amended to read as
21 follows:

22 **125.17 License suspension or revocation.**

23 Violation of any of the requirements or restrictions
24 of [this chapter](#) or of any of the rules adopted pursuant to
25 this chapter is cause for suspension, revocation, or refusal
26 to renew a license. The director shall at the earliest
27 time feasible notify a licensee whose license the ~~council~~
28 department is considering suspending or revoking and shall
29 inform the licensee what changes must be made in the licensee's
30 operation to avoid such action. The licensee shall be
31 given a reasonable time for compliance, as determined by the
32 director, after receiving such notice or a notice that the
33 ~~council~~ department does not intend to renew the license. When
34 the licensee believes compliance has been achieved, or if
35 the licensee considers the proposed suspension, revocation,

1 or refusal to renew unjustified, the licensee may submit
2 pertinent information to the ~~council~~ department and the ~~council~~
3 department shall expeditiously make a decision in the matter
4 and notify the licensee of the decision.

5 Sec. 385. Section 125.18, Code 2024, is amended to read as
6 follows:

7 **125.18 Hearing before ~~council~~ department.**

8 If a licensee under **this chapter** makes a written request
9 for a hearing within thirty days of suspension, revocation,
10 or refusal to renew a license, a hearing before the ~~council~~
11 department shall be expeditiously arranged by the department of
12 inspections, appeals, and licensing whose decision is subject
13 to review by the ~~council~~ department. The ~~council~~ department
14 shall issue a written statement of the ~~council's~~ department's
15 findings within thirty days after conclusion of the hearing
16 upholding or reversing the proposed suspension, revocation,
17 or refusal to renew a license. ~~Action involving suspension,~~
18 ~~revocation, or refusal to renew a license shall not be taken~~
19 ~~by the council unless a quorum is present at the meeting.~~ A
20 copy of the ~~council's~~ department's decision shall be promptly
21 transmitted to the affected licensee who may, if aggrieved
22 by the decision, seek judicial review of the actions of the
23 ~~council~~ department in accordance with the terms of **chapter 17A**.

24 Sec. 386. Section 125.19, Code 2024, is amended to read as
25 follows:

26 **125.19 Reissuance or reinstatement.**

27 After suspension, revocation, or refusal to renew a license
28 pursuant to **this chapter**, the affected licensee shall not have
29 the license reissued or reinstated within one year of the
30 effective date of the suspension, revocation, or expiration
31 upon refusal to renew, unless the ~~council~~ department orders
32 otherwise. After that time, proof of compliance with the
33 requirements and restrictions of **this chapter** and the rules
34 adopted pursuant to **this chapter** must be presented to the
35 ~~council~~ department prior to reinstatement or reissuance of a

1 license.

2 Sec. 387. Section 125.21, subsection 1, Code 2024, is
3 amended to read as follows:

4 1. The ~~council~~ department has exclusive power in this state
5 to approve and license chemical substitutes and antagonists
6 programs, and to monitor chemical substitutes and antagonists
7 programs to ensure that the programs are operating within the
8 rules adopted pursuant to [this chapter](#). The ~~council~~ department
9 shall grant approval and license if the requirements of the
10 rules are met and state funding is not requested. The chemical
11 substitutes and antagonists programs conducted by persons
12 exempt from the licensing requirements of [this chapter](#) pursuant
13 to [section 125.13, subsection 2](#), are subject to approval and
14 licensure under [this section](#).

15 Sec. 388. Section 125.43A, Code 2024, is amended to read as
16 follows:

17 **125.43A Prescreening — exception.**

18 Except in cases of medical emergency or court-ordered
19 admissions, a person shall be admitted to a state mental health
20 institute for treatment of a substance use disorder only after
21 a preliminary intake and assessment by a department-licensed
22 treatment facility or a hospital providing care or treatment
23 for persons with a substance use disorder licensed under
24 chapter 135B and accredited by the joint commission on the
25 accreditation of health care organizations, the commission
26 on accreditation of rehabilitation facilities, the American
27 osteopathic association, or another recognized organization
28 approved by the ~~council~~ department, or by a designee of a
29 department-licensed treatment facility or a hospital other
30 than a state mental health institute, which confirms that the
31 admission is appropriate to the person's substance use disorder
32 service needs. A county board of supervisors may seek an
33 admission of a patient to a state mental health institute who
34 has not been confirmed for appropriate admission and the county
35 shall be responsible for one hundred percent of the cost of

1 treatment and services of the patient.

2 Sec. 389. Section 125.58, subsection 1, Code 2024, is
3 amended to read as follows:

4 1. If the department has probable cause to believe that
5 an institution, place, building, or agency not licensed
6 as a substance use disorder treatment and rehabilitation
7 facility is in fact a substance use disorder treatment and
8 rehabilitation facility as defined by [this chapter](#), and
9 is not exempt from licensing by section 125.13, subsection
10 2, the ~~council~~ department may order an inspection of the
11 institution, place, building, or agency. If the inspector
12 upon presenting proper identification is denied entry for the
13 purpose of making the inspection, the inspector may, with
14 the assistance of the county attorney of the county in which
15 the premises are located, apply to the district court for an
16 order requiring the owner or occupant to permit entry and
17 inspection of the premises to determine whether there have been
18 violations of [this chapter](#). The investigation may include
19 review of records, reports, and documents maintained by the
20 facility and interviews with staff members consistent with the
21 confidentiality safeguards of state and federal law.

22 Sec. 390. Section 135.141, subsection 2, paragraph i, Code
23 2024, is amended to read as follows:

24 *i.* Adopt rules pursuant to [chapter 17A](#) for the
25 administration of [this subchapter](#) including rules adopted in
26 cooperation with the Iowa pharmacy association and the Iowa
27 hospital association for the development of a surveillance
28 system to monitor supplies of drugs, antidotes, and vaccines to
29 assist in detecting a potential public health disaster. Prior
30 to adoption, the rules shall be approved by the ~~council on~~
31 ~~health and human services and the director of the department of~~
32 homeland security and emergency management.

33 Sec. 391. Section 135A.8, subsection 4, Code 2024, is
34 amended to read as follows:

35 4. A local board of health seeking matching funds or grants

1 under [this section](#) shall apply to the department. The ~~council~~
2 ~~on health and human services~~ department shall adopt rules
3 concerning the application and award process for the allocation
4 of moneys in the fund and shall establish the criteria for the
5 allocation of moneys in the fund if the moneys are insufficient
6 to meet the needs of local boards of health.

7 Sec. 392. Section 135A.9, unnumbered paragraph 1, Code
8 2024, is amended to read as follows:

9 The ~~council on health and human services~~ department shall
10 adopt rules pursuant to [chapter 17A](#) to implement [this chapter](#)
11 which shall include but are not limited to the following:

12 Sec. 393. Section 135B.7, subsection 1, paragraph a, Code
13 2024, is amended to read as follows:

14 a. The department, ~~with the approval of the council on~~
15 ~~health and human services~~, shall adopt rules setting out the
16 standards for the different types of hospitals and for rural
17 emergency hospitals to be licensed under [this chapter](#). The
18 department shall enforce the rules.

19 Sec. 394. Section 135C.14, unnumbered paragraph 1, Code
20 2024, is amended to read as follows:

21 The department shall, in accordance with [chapter 17A](#) and
22 ~~with the approval of the council on health and human services~~,
23 adopt and enforce rules setting minimum standards for health
24 care facilities. In so doing, the department, ~~with the~~
25 ~~approval of the council on health and human services~~, may
26 adopt by reference, with or without amendment, nationally
27 recognized standards and rules, which shall be specified by
28 title and edition, date of publication, or similar information.
29 The rules and standards required by [this section](#) shall be
30 formulated in consultation with the director of health and
31 human services or the director of health and human services'
32 designee, with the director, and with affected industry,
33 professional, and consumer groups, and shall be designed to
34 further the accomplishment of the purposes of [this chapter](#) and
35 shall relate to:

1 Sec. 395. Section 135J.7, Code 2024, is amended to read as
2 follows:

3 **135J.7 Rules.**

4 Except as otherwise provided in **this chapter**, the department
5 shall adopt rules pursuant to **chapter 17A** necessary to
6 implement **this chapter**, ~~subject to approval of the council~~
7 ~~on health and human services~~. Formulation of the rules
8 shall include consultation with Iowa hospice organization
9 representatives and other persons affected by **this chapter**.

10 Sec. 396. Section 135R.4, subsection 1, Code 2024, is
11 amended to read as follows:

12 1. The department, with the advice ~~and approval~~ of the
13 council on health and human services, shall adopt rules
14 specifying the standards for ambulatory surgical centers to be
15 licensed under **this chapter**. The rules shall be consistent
16 with and shall not exceed the requirements of **this chapter** and
17 the conditions for coverage in the federal Medicare program for
18 ambulatory surgical centers under **42 C.F.R. pt. 416**.

19 Sec. 397. Section 137.104, subsection 1, paragraph b,
20 unnumbered paragraph 1, Code 2024, is amended to read as
21 follows:

22 Make and enforce such reasonable rules and regulations not
23 inconsistent with law and the rules of the ~~council~~ department
24 as may be necessary for the protection and improvement of the
25 public health.

26 Sec. 398. Section 137.105, subsection 1, paragraph f, Code
27 2024, is amended to read as follows:

28 *f.* A local board of health member shall serve without
29 compensation, but may be reimbursed for necessary expenses in
30 accordance with rules established by the ~~council~~ department or
31 the applicable jurisdiction.

32 Sec. 399. Section 137.107, Code 2024, is amended to read as
33 follows:

34 **137.107 Request reviewed by state department.**

35 The state department shall review requests submitted

1 pursuant to [section 137.106](#). The state department, upon
2 finding that all required elements are present, ~~shall present~~
3 ~~findings to the council.~~ The council may approve the formation
4 of a district board and if the formation is approved, shall
5 notify the county boards from whom the request was received.

6 Sec. 400. Section 137.114, Code 2024, is amended to read as
7 follows:

8 **137.114 Withdrawal from district.**

9 A county may withdraw from an existing district board upon
10 submission of a request for withdrawal to and approval by
11 the state department. The request shall include a plan to
12 reform its county board or join a different district board,
13 information specified in [section 137.106](#), and approval of the
14 request by the district board ~~and, at the recommendation of~~
15 ~~the state department, the council.~~ Any county choosing to
16 withdraw from the district board shall commit to the continuity
17 of services in its county by reestablishing its county
18 board or joining a different district board. The remaining
19 counties in the district shall submit an application including
20 the information specified in [section 137.106](#) to the state
21 department for review as provided in [section 137.107](#).

22 Sec. 401. Section 137.119, Code 2024, is amended to read as
23 follows:

24 **137.119 Adoption of rules.**

25 The ~~council~~ department shall adopt rules to implement this
26 chapter. The department is vested with discretionary authority
27 to interpret the provisions of [this chapter](#).

28 Sec. 402. Section 139A.8, subsection 3, Code 2024, is
29 amended to read as follows:

30 3. Subject to the provision of [subsection 4](#), the ~~council on~~
31 ~~health and human services~~ department may modify or delete any
32 of the immunizations in [subsection 2](#).

33 Sec. 403. Section 139A.8, subsection 4, paragraph b, Code
34 2024, is amended to read as follows:

35 *b.* The exemptions under [this subsection](#) do not apply in

1 times of emergency or epidemic as determined ~~by the council on~~
2 ~~health and human services~~ and as declared by the director of
3 ~~health and human services~~.

4 Sec. 404. Section 139A.9, Code 2024, is amended to read as
5 follows:

6 **139A.9 Forcible removal — isolation — quarantine.**

7 The forcible removal and isolation or quarantine of any
8 infected person shall be accomplished according to the rules
9 and regulations of the local board or the rules of the ~~council~~
10 ~~on health and human services~~ department.

11 Sec. 405. Section 141A.2, subsection 6, Code 2024, is
12 amended to read as follows:

13 6. ~~The department, with the approval of the council~~
14 ~~on health and human services,~~ may conduct epidemiological
15 blinded and nonblinded studies to determine the incidence
16 and prevalence of HIV infection. Initiation of any new
17 epidemiological studies shall be contingent upon the receipt
18 of funding sufficient to cover all the costs associated with
19 the studies. The informed consent, reporting, and counseling
20 requirements of **this chapter** shall not apply to blinded
21 studies.

22 Sec. 406. Section 217.2, subsection 1, paragraph a, Code
23 2024, is amended to read as follows:

24 a. There is created within the department a council on
25 health and human services which shall act in ~~a policymaking and~~
26 an advisory capacity on matters within the jurisdiction of the
27 department. The council shall consist of nine voting members
28 appointed by the governor subject to confirmation by the
29 senate. Appointments shall be made on the basis of interest
30 in public affairs, good judgment, and knowledge and ability in
31 the field of health and human services. Appointments shall
32 be made to provide a diversity of interest and point of view
33 in the membership and without regard to religious opinions or
34 affiliations. The voting members of the council shall serve
35 for six-year staggered terms.

1 Sec. 407. Section 217.3, Code 2024, is amended to read as
2 follows:

3 **217.3 Duties of council.**

4 The council shall:

5 1. Organize annually and select a chairperson and vice
6 chairperson.

7 2. ~~Adopt and establish policy for the operation and~~ Advise
8 the department on conduct of the department, ~~subject to any~~
9 ~~guidelines which may be adopted by the general assembly,~~ and
10 the implementation of all services and programs administered
11 by the department.

12 3. Report immediately to the governor any failure by
13 the department to carry out any of the policy decisions or
14 directives of the ~~council~~ department.

15 4. ~~Approve~~ Advise and make recommendations to the
16 department on the budget of the department prior to submission
17 to the governor. Prior to ~~approval of~~ making recommendations
18 on the budget, the council shall publicize and hold a public
19 hearing to provide explanations and hear questions, opinions,
20 and suggestions regarding the budget. Invitations to the
21 hearing shall be extended to the governor, the governor-elect,
22 the director of the department of management, and other persons
23 deemed by the council as integral to the budget process. The
24 budget materials submitted to the governor shall include a
25 ~~review of options~~ recommendations for revising the medical
26 assistance program made available by federal action or by
27 actions implemented by other states as identified by the
28 department, the medical assistance advisory council created in
29 section 249A.4B, and by county representatives. The review
30 shall address what potential revisions could be made in this
31 state and how the changes would be beneficial to Iowans.

32 5. ~~Insure~~ Make recommendations to the department to ensure
33 that all programs administered or services rendered by the
34 department directly to any citizen or through a local agency
35 to any citizen are coordinated and integrated so that any

1 citizen does not receive a duplication of services from various
2 departments or local agencies that could be rendered by one
3 department or local agency. ~~If the council finds that such~~
4 ~~is not the case, it shall hear and determine which department~~
5 ~~or local agency shall provide the needed service or services~~
6 ~~and enter an order of their determination by resolution of~~
7 ~~the council which must be concurred in by at least a majority~~
8 ~~of the members. Thereafter such order or resolution of the~~
9 ~~council shall be obeyed by all state departments and local~~
10 ~~agencies to which it is directed.~~

11 ~~6. Adopt all necessary rules recommended by the department~~
12 ~~prior to their promulgation pursuant to [chapter 17A](#).~~

13 ~~7. 6. Recommend to the governor the names of individuals~~
14 ~~qualified for the position of director when a vacancy exists~~
15 ~~in the office.~~

16 Sec. 408. Section 217.3A, Code 2024, is amended to read as
17 follows:

18 **217.3A Advisory committees.**

19 The council may establish and utilize other ad hoc
20 advisory committees as determined necessary to advise the
21 council related to the subject matter under the purview
22 of the department, including but not limited to child and
23 family services, behavioral health, public health, and the
24 department's interactions with the juvenile justice system.
25 The council shall establish appointment provisions, membership
26 terms, operating guidelines, and other operational requirements
27 for committees established pursuant to [this section](#).

28 Sec. 409. Section 217.6, Code 2024, is amended to read as
29 follows:

30 **217.6 Rules and regulations — organization of department.**

31 1. The director may ~~recommend~~ submit to the council for
32 ~~adoption~~ review and recommendation, rules and regulations
33 necessary to administer the duties, functions, and programs
34 of the department. ~~Any action taken, decision made, or~~
35 ~~administrative rule adopted may be reviewed by the director.~~

1 The director, ~~upon~~ may consider such review, may affirm,
2 ~~modify, or reverse any such action, decision, or rule~~
3 recommendations in adopting rules for the department.

4 2. The rules ~~and regulations~~ adopted for the public benefits
5 and programs administered by the department shall apply the
6 residency eligibility restrictions required by federal and
7 state law.

8 3. The director shall organize the department into subunits
9 as necessary to most efficiently carry out the intent of this
10 chapter and any other chapter the department is responsible for
11 administering.

12 4. If the department requires or requests a service
13 consumer, service provider, or other person to maintain
14 required documentation in electronic form, the department shall
15 accept such documentation submitted by electronic means and
16 shall not require a physical copy of the documentation unless
17 required by state or federal law.

18 Sec. 410. Section 218.4, subsections 1 and 2, Code 2024, are
19 amended to read as follows:

20 1. The department shall ~~recommend to the council for~~
21 ~~adoption~~ adopt rules not inconsistent with law as necessary
22 for the management of the institutions and the admission,
23 treatment, care, custody, education and discharge of residents.
24 It is the duty of the department to establish rules by which
25 danger to life and property from fire will be minimized. The
26 department may require any appointees to perform duties in
27 addition to those required by statute.

28 2. Rules adopted by the ~~council~~ department pursuant
29 to [chapter 17A](#) shall be uniform and shall apply to all
30 institutions under the department's jurisdiction. The primary
31 rules for use in institutions where persons with mental illness
32 are served shall, unless otherwise indicated, uniformly apply
33 to county or private hospitals in which persons with mental
34 illness are served, but the rules shall not interfere with
35 proper medical treatment administered to such persons by

1 competent physicians. Annually, signed copies of the rules
2 shall be sent to the superintendent of each institution.
3 Copies shall also be sent to the clerk of each district court,
4 the chairperson of the board of supervisors of each county and,
5 as appropriate, to the officer in charge of institutions or
6 hospitals caring for persons with mental illness in each county
7 who shall be responsible for seeing that the rules are posted
8 in each institution or hospital in a prominent place. The
9 rules shall be kept current to meet the public need and shall
10 be revised and published annually.

11 Sec. 411. Section 222.1, subsection 2, Code 2024, is amended
12 to read as follows:

13 2. The Glenwood state resource center and the Woodward
14 state resource center are established and shall be maintained
15 as the state's regional resource centers for the purpose of
16 providing treatment, training, instruction, care, habilitation,
17 and support of persons with an intellectual disability or other
18 disabilities in this state, and providing facilities, services,
19 and other support to the communities located in the region
20 being served by a state resource center. In addition, the
21 state resource centers are encouraged to serve as a training
22 resource for community-based program staff, medical students,
23 and other participants in professional education programs.
24 A resource center may request the approval of the ~~council~~
25 department to change the name of the resource center for use in
26 communication with the public, in signage, and in other forms
27 of communication.

28 Sec. 412. Section 222.2, Code 2024, is amended to read as
29 follows:

30 **222.2 Definitions.**

31 When used in **this chapter**, unless the context otherwise
32 requires:

33 1. "Auditor" means the county auditor or the auditor's
34 designee.

35 2. ~~"Council" means the council on health and human services.~~

1 The department shall provide coordination of the programs
2 administered by the department which serve individuals with a
3 disability and the individuals' families, including but not
4 limited to the following juvenile justice and child welfare
5 services: family-centered services described under section
6 232.102, decategorization of child welfare funding provided
7 for under [section 232.188](#), and foster care services paid under
8 section 234.35, subsection 3. The department shall regularly
9 review administrative rules associated with such programs and
10 make recommendations to the ~~council~~, governor, and general
11 assembly for revisions to remove barriers to the programs for
12 individuals with a disability and the individuals' families
13 including the following:

14 Sec. 415. Section 226.1, subsections 3 and 4, Code 2024, are
15 amended to read as follows:

16 3. A mental health institute may request the approval of the
17 ~~council~~ department to change the name of the institution for
18 use in communication with the public, in signage, and in other
19 forms of communication.

20 4. For the purposes of [this chapter](#), unless the context
21 otherwise requires:

22 ~~a. "Council" means the council on health and human services.~~

23 ~~b. a.~~ a. "Department" means the department of health and human
24 services.

25 ~~c. b.~~ b. "Director" means the director of health and human
26 services.

27 ~~d. c.~~ c. "Mental health and disability services region" means
28 a mental health and disability services region formed in
29 accordance with [section 225C.56](#).

30 ~~e. d.~~ d. "Mental health institute" or "state mental health
31 institute" means a state hospital for persons with mental
32 illness as designated in [this chapter](#).

33 ~~f. e.~~ e. "Regional administrator" means the same as defined
34 in [section 225C.55](#).

35 Sec. 416. Section 234.1, Code 2024, is amended to read as

1 follows:

2 **234.1 Definitions.**

3 As used in [this chapter](#), unless the context otherwise
4 requires:

5 1. "*Child*" means either a person less than eighteen years of
6 age or a person eighteen, nineteen, or twenty years of age who
7 meets all of the following conditions:

8 a. The person was placed by court order issued pursuant
9 to [chapter 232](#) in foster care or in an institution listed in
10 section 218.1 and either of the following situations apply to
11 the person:

12 (1) After reaching eighteen years of age, the person
13 has remained continuously and voluntarily under the care
14 of an individual, as defined in [section 237.1](#), licensed to
15 provide foster care pursuant to [chapter 237](#) or in a supervised
16 apartment living arrangement, in this state.

17 (2) The person aged out of foster care after reaching
18 eighteen years of age and subsequently voluntarily applied for
19 placement with an individual, as defined in [section 237.1](#),
20 licensed to provide foster care pursuant to [chapter 237](#) or for
21 placement in a supervised apartment living arrangement, in this
22 state.

23 b. The person has demonstrated a willingness to participate
24 in case planning and to complete the responsibilities
25 prescribed in the person's case permanency plan.

26 c. The department has made an application for the person
27 for adult services upon a determination that it is likely the
28 person will need or be eligible for services or other support
29 from the adult services system.

30 ~~2. "*Council*" means the council on health and human services.~~

31 ~~3.~~ 2. "*Department*" means the department of health and human
32 services.

33 ~~4.~~ 3. "*Director*" means the director of health and human
34 services.

35 ~~5.~~ 4. "*Food programs*" means the supplemental nutrition

1 assistance program and donated foods programs authorized by
2 federal law under the United States department of agriculture.
3 ~~6.~~ 5. *"Supplemental nutrition assistance program"* or *"SNAP"*
4 means benefits provided by the federal program administered
5 through 7 C.F.R. pts. 270 - 283, as amended.

6 Sec. 417. Section 234.6, subsection 1, unnumbered paragraph
7 1, Code 2024, is amended to read as follows:

8 The director shall administer the family investment program,
9 state supplementary assistance, food programs, child welfare,
10 and emergency relief, family and adult service programs, and
11 any other form of public assistance and institutions that are
12 placed under the director's administration. The director shall
13 perform duties, formulate and adopt rules as necessary, and
14 outline policies, dictate procedure, and delegate powers as
15 necessary for competent and efficient administration. ~~Subject~~
16 ~~to restrictions that may be imposed by the council, the~~ The
17 director may abolish, alter, consolidate, or establish subunits
18 and abolish or change existing subunits. The director may
19 employ necessary personnel and determine their compensation;
20 may allocate or reallocate functions and duties among subunits;
21 and may adopt rules relating to the employment of personnel
22 and the allocation of their functions and duties among the
23 various subunits as required for competent and efficient
24 administration. The director shall do all of the following:

25 Sec. 418. Section 234.6, subsection 1, paragraphs d and h,
26 Code 2024, are amended to read as follows:

27 *d.* Notwithstanding any provisions to the contrary in chapter
28 239B relating to the consideration of income and resources of
29 claimants for assistance, ~~and with the consent and approval of~~
30 ~~the council,~~ adopt rules necessary to qualify for federal aid
31 in the assistance programs administered by the director.

32 *h.* ~~Recommend~~ Adopt rules ~~for their adoption by the council~~
33 for before and after school child care programs, conducted
34 within and by or contracted for by school districts, that are
35 appropriate for the ages of the children who receive services

1 under the programs.

2 Sec. 419. Section 237.1, Code 2024, is amended to read as
3 follows:

4 **237.1 Definitions.**

5 As used in [this chapter](#):

6 1. "Agency" means a person which provides child foster care
7 and which does not meet the definition of an individual as
8 defined under [this section](#).

9 2. "Child" means child as defined in [section 234.1](#).

10 3. "Child foster care" means the provision of parental
11 nurturing, including but not limited to the furnishing of
12 food, lodging, training, education, supervision, treatment,
13 or other care, to a child on a full-time basis by a person,
14 including a relative of the child if the relative is licensed
15 under [this chapter](#), but not including a guardian of the child.
16 "Child foster care" does not include any of the following care
17 situations:

18 a. Care furnished by an individual person who receives the
19 child of a personal friend as an occasional and personal guest
20 in the individual person's home, free of charge and not as a
21 business.

22 b. Care furnished by an individual person with whom a child
23 has been placed for lawful adoption, unless that adoption is
24 not completed within two years after placement.

25 c. Care furnished by a private boarding school subject to
26 approval by the state board of education pursuant to section
27 256.11.

28 d. Child care furnished by a child care center, a child
29 development home, or a child care home as defined in section
30 237A.1.

31 e. Care furnished in a hospital licensed under [chapter 135B](#)
32 or care furnished in a nursing facility licensed under chapter
33 135C.

34 f. Care furnished by a relative of a child or an individual
35 person with a meaningful relationship with the child where the

1 child is not under the placement, care, or supervision of the
2 department.

3 ~~4. "Council" means the council on health and human services.~~

4 ~~5.~~ 4. "Department" means the department of health and human
5 services.

6 ~~6.~~ 5. "Director" means the director of health and human
7 services.

8 ~~7.~~ 6. "Facility" means the personnel, program, physical
9 plant, and equipment of a licensee.

10 ~~8.~~ 7. "Individual" means an individual person or a married
11 couple who provides child foster care in a single-family home
12 environment and which does not meet the definition of an agency
13 under [this section](#).

14 ~~9.~~ 8. "Licensee" means an individual or an agency licensed
15 under [this chapter](#).

16 ~~10.~~ 9. "Reasonable and prudent parent standard" means
17 the standard characterized by careful and sensible parenting
18 decisions that maintain the health, safety, and best interests
19 of a child, while at the same time encouraging the emotional
20 and developmental growth of a child, that a caregiver shall
21 use when determining whether to allow a child in foster care
22 under the placement, care, or supervision of the department to
23 participate in extracurricular, enrichment, cultural, or social
24 activities. For the purposes of [this subsection](#), "caregiver"
25 means an individual or an agency licensed under [this chapter](#)
26 with which a child in foster care has been placed or a juvenile
27 shelter care home approved under [chapter 232](#) in which a child
28 in foster care has been placed.

29 Sec. 420. Section 237.3, subsection 1, Code 2024, is amended
30 to read as follows:

31 1. Except as otherwise provided by [subsections 3 and 4](#),
32 the department shall ~~promulgate, after their adoption by the~~
33 ~~council,~~ adopt and enforce in accordance with [chapter 17A](#),
34 administrative rules necessary to implement [this chapter](#).
35 Formulation of the rules shall include consultation with

1 representatives of child foster care providers and other
2 persons affected by [this chapter](#). The rules shall encourage
3 the provision of child foster care in a single-family, home
4 environment, exempting the single-family, home facility from
5 inappropriate rules.

6 Sec. 421. Section 237A.1, Code 2024, is amended to read as
7 follows:

8 **237A.1 Definitions.**

9 As used in [this chapter](#) unless the context otherwise
10 requires:

11 1. "*Child*" means either of the following:

12 a. A person twelve years of age or younger.

13 b. A person thirteen years of age or older but younger than
14 nineteen years of age who has a developmental disability as
15 defined under the federal Developmental Disabilities Assistance
16 and Bill of Rights Act of 2000, Pub. L. No. 106-402, as
17 codified in 42 U.S.C. §15002(8).

18 2. "*Child care*" means the care, supervision, and guidance of
19 a child by a person other than the child's parent, guardian,
20 or custodian for periods of less than twenty-four hours per
21 day per child on a regular basis, but does not include care,
22 supervision, and guidance of a child by any of the following:

23 a. An instructional program for children who are attending
24 prekindergarten as defined by the state board of education
25 under [section 256.11](#) or a higher grade level and are at least
26 four years of age, or are at least three years of age and
27 eligible for special education under [chapter 256B](#), administered
28 by any of the following:

29 (1) A public or nonpublic school system accredited by the
30 department of education or the state board of regents.

31 (2) A nonpublic school system which is not accredited by the
32 department of education or the state board of regents.

33 b. Any of the following church-related programs:

34 (1) An instructional program.

35 (2) A youth program other than a preschool, before or after

1 school child care program, or other child care program.

2 (3) A program providing care to children on church premises
3 while the children's parents are attending church-related or
4 church-sponsored activities on the church premises.

5 *c.* Short-term classes of less than two weeks' duration held
6 between school terms or during a break within a school term.

7 *d.* A child care center for sick children operated as part of
8 a pediatrics unit in a hospital licensed by the department of
9 inspections, appeals, and licensing pursuant to [chapter 135B](#).

10 *e.* A program operated not more than one day per week by
11 volunteers which meets all of the following conditions:

12 (1) Not more than eleven children are served per volunteer.

13 (2) The program operates for less than four hours during any
14 twenty-four-hour period.

15 (3) The program is provided at no cost to the children's
16 parent, guardian, or custodian.

17 *f.* A program administered by a political subdivision of the
18 state which is primarily for recreational or social purposes
19 and is limited to children who are five years of age or older
20 and attending school.

21 *g.* An after school program continuously offered throughout
22 the school year calendar to children who are at least five
23 years of age and are enrolled in school, and attend the program
24 intermittently or a summer-only program for such children. The
25 program must be provided through a nominal membership fee or
26 at no cost.

27 *h.* A special activity program which meets less than four
28 hours per day for the sole purpose of the special activity.
29 Special activity programs include but are not limited to music
30 or dance classes, organized athletic or sports programs,
31 recreational classes, scouting programs, and hobby or craft
32 clubs or classes.

33 *i.* A nationally accredited camp.

34 *j.* A structured program for the purpose of providing
35 therapeutic, rehabilitative, or supervisory services to

1 children under any of the following:

2 (1) A purchase of service or managed care contract with the
3 department.

4 (2) A contract approved by a governance board of a
5 decategorization of child welfare and juvenile justice funding
6 project created under [section 232.188](#).

7 (3) An arrangement approved by a juvenile court order.

8 *k.* Care provided on-site to children of parents residing in
9 an emergency, homeless, or domestic violence shelter.

10 *l.* A child care facility providing respite care to a
11 licensed foster family home for a period of twenty-four hours
12 or more to a child who is placed with that licensed foster
13 family home.

14 *m.* A program offered to a child whose parent, guardian,
15 or custodian is engaged solely in a recreational or social
16 activity, remains immediately available and accessible on the
17 physical premises on which the child's care is provided, and
18 does not engage in employment while the care is provided.
19 However, if the recreational or social activity is provided
20 in a fitness center or on the premises of a nonprofit
21 organization, the parent, guardian, or custodian of the child
22 may be employed to teach or lead the activity.

23 3. "*Child care center*" or "*center*" means a facility
24 providing child care or preschool services for seven or more
25 children, except when the facility is registered as a child
26 development home.

27 4. "*Child care facility*" or "*facility*" means a child care
28 center, preschool, or a registered child development home.

29 5. "*Child care home*" means a person or program providing
30 child care to any of the following children at any one time
31 that is not registered to provide child care under this
32 chapter, as authorized under [section 237A.3](#):

33 *a.* Five or fewer children.

34 *b.* Six or fewer children, if at least one of the children
35 is school-aged.

1 6. *"Child development home"* means a person or program
2 registered under [section 237A.3A](#) that may provide child care to
3 seven or more children at any one time.

4 7. *"Children needing special needs care"* or *"special needs*
5 *child"* means a child or children with one or more of the
6 following conditions:

7 a. The child has been diagnosed by a physician or by a
8 person endorsed for service as a school psychologist by the
9 department of education to have a developmental disability
10 which substantially limits one or more major life activities,
11 and the child requires professional treatment, assistance in
12 self-care, or the purchase of special adaptive equipment.

13 b. The child has been determined by a qualified intellectual
14 disability professional to have a condition which impairs the
15 child's intellectual and social functioning.

16 c. The child has been diagnosed by a mental health
17 professional to have a behavioral or emotional disorder
18 characterized by situationally inappropriate behavior which
19 deviates substantially from behavior appropriate to the
20 child's age, or which significantly interferes with the child's
21 intellectual, social, or personal development.

22 ~~8. "Council" means the council on health and human services.~~

23 ~~9.~~ 8. *"Department"* means the department of health and human
24 services.

25 ~~10.~~ 9. *"Director"* means the director of health and human
26 services.

27 ~~11.~~ 10. *"Infant"* means a child who is less than twenty-four
28 months of age.

29 ~~12.~~ 11. *"Involvement with child care"* means licensed
30 or registered under [this chapter](#), employed in a child care
31 facility, residing in a child care facility, receiving public
32 funding for providing child care, or providing child care as a
33 child care home provider, or residing in a child care home.

34 ~~13.~~ 12. *"Licensed center"* means a center issued a full
35 or provisional license by the department under the provisions

1 of [this chapter](#) or a center for which a license is being
2 processed.

3 ~~14.~~ 13. "*Poverty level*" means the poverty level defined by
4 the most recently revised poverty income guidelines published
5 by the United States department of health and human services.

6 ~~15.~~ 14. "*Preschool*" means a child care facility which
7 provides to children ages three through five, for periods of
8 time not exceeding three hours per day, programs designed
9 to help the children to develop intellectual skills, social
10 skills, and motor skills, and to extend their interest and
11 understanding of the world about them.

12 ~~16.~~ 15. "*School*" means kindergarten or a higher grade
13 level.

14 ~~17.~~ ~~"State child care advisory committee"~~ means the state
15 ~~child care advisory committee established pursuant to section~~
16 ~~135.173A.~~

17 Sec. 422. Section 238.1, Code 2024, is amended to read as
18 follows:

19 **238.1 Definitions.**

20 For the purpose of [this chapter](#) unless the context otherwise
21 requires:

22 1. "*Child*" means the same as defined in [section 234.1](#).

23 2. "*Child-placing agency*" or "*agency*" means any agency,
24 whether public, semipublic, or private, which represents that
25 the agency places children permanently or temporarily in
26 private family homes or receives children for placement in
27 private family homes, or which actually engages for gain or
28 otherwise in the placement of children in private family homes.
29 "*Agency*" includes individuals, institutions, partnerships,
30 voluntary associations, and corporations, other than
31 institutions under the management or control of the department.

32 ~~3.~~ ~~"Council"~~ means the council on health and human services.

33 ~~4.~~ 3. "*Department*" means the department of health and human
34 services.

35 ~~5.~~ 4. "*Director*" means the director of health and human

1 services.

2 Sec. 423. Section 238.12, Code 2024, is amended to read as
3 follows:

4 **238.12 Appeal — judicial review.**

5 1. A licensee aggrieved by a decision of the department
6 revoking the licensee's license may appeal to the ~~council~~
7 department in the manner prescribed by the ~~council~~ department.
8 The ~~council~~ department shall, upon receipt of such an appeal,
9 give the licensee reasonable notice and opportunity for a fair
10 hearing before the ~~council or its duly~~ department's authorized
11 representative. Following the hearing, the ~~council~~ department
12 shall take final action and notify the licensee in writing.

13 2. Judicial review of the actions of the ~~council~~ department
14 may be sought in accordance with ~~the terms of~~ chapter 17A.

15 Sec. 424. Section 249.1, Code 2024, is amended to read as
16 follows:

17 **249.1 Definitions.**

18 As used in this chapter:

19 ~~1. "Council" means the council on health and human services.~~

20 ~~2. 1. "Department" means the department of health and human~~
21 ~~services.~~

22 ~~3. 2. "Director" means the director of health and human~~
23 ~~services.~~

24 ~~4. 3. "Federal supplemental security income" means cash~~
25 ~~payments made to individuals by the United States government~~
26 ~~under Tit. XVI of the Social Security Act as amended by Pub. L.~~
27 ~~No. 92-603, or any other amendments thereto.~~

28 ~~5. 4. "Previous categorical assistance programs" means the~~
29 ~~aid to the blind program authorized by~~ chapter 241, ~~the aid to~~
30 ~~the disabled program authorized by~~ chapter 241A ~~and the old-age~~
31 ~~assistance program authorized by~~ chapter 249, Code 1973.

32 ~~6. 5. "State supplementary assistance" means cash payments~~
33 ~~made to individuals:~~

34 ~~a. By the United States government on behalf of the state of~~
35 ~~Iowa pursuant to~~ section 249.2.

1 *b.* By the state of Iowa directly pursuant to sections 249.3
2 through 249.5.

3 Sec. 425. Section 249.4, subsection 1, Code 2024, is amended
4 to read as follows:

5 1. Applications for state supplementary assistance shall
6 be made in the form and manner prescribed by the director or
7 the director's designee, ~~with the approval of the council,~~
8 pursuant to [chapter 17A](#). Each person who applies and is found
9 eligible under [section 249.3](#) shall, so long as the person's
10 eligibility continues, receive state supplementary assistance
11 on a monthly basis, from funds appropriated to the department
12 for the purpose.

13 Sec. 426. Section 249A.4B, subsections 1 and 7, Code 2024,
14 are amended to read as follows:

15 1. A medical assistance advisory council is created to
16 comply with [42 C.F.R. §431.12](#) based on section 1902(a)(4) of
17 the federal Social Security Act and to advise the director
18 about health and medical care services under the medical
19 assistance program. The council shall meet ~~no more than~~
20 quarterly as necessary. The director's designee responsible
21 for public health or their designee and a public member of the
22 council selected by the public members of the council shall
23 serve as co-chairpersons of the council.

24 7. The director shall consider the recommendations offered
25 by the council in the director's preparation of the medical
26 assistance budget ~~recommendations to the council on health and~~
27 ~~human services pursuant to [section 217.3](#)~~ and in implementation
28 of medical assistance program policies.

29 Sec. 427. Section 331.304, subsection 9, Code 2024, is
30 amended to read as follows:

31 9. A county shall not adopt or enforce any ordinance
32 imposing any registration or licensing system or registration
33 or license fees for or relating to owner-occupied manufactured
34 or mobile homes including the lots, lands, or manufactured
35 home community or mobile home park upon or in which they are

1 Sec. 429. Section 135.22A, Code 2024, is amended to read as
2 follows:

3 ~~135.22A Advisory council on brain~~ Brain injuries — policy
4 — department as lead agency.

5 1. For purposes of this section, unless the context
6 otherwise requires:

7 a. "*Brain injury*" means a brain injury as defined in section
8 135.22.

9 b. "*Council*" means the advisory council on ~~brain injuries~~
10 health and human services.

11 ~~2. The advisory council on brain injuries is established.~~
12 ~~The following persons or their designees shall serve as ex~~
13 ~~officio, nonvoting members of the council:~~

14 a. ~~The director of health and human services or the~~
15 ~~director's designee.~~

16 b. ~~The director of the department of education.~~

17 c. ~~The chief of the special education bureau of the~~
18 ~~department of education.~~

19 d. ~~The administrator of the division of vocational~~
20 ~~rehabilitation services of the department of workforce~~
21 ~~development.~~

22 e. ~~The director of the department for the blind.~~

23 3. ~~The council shall be composed of a minimum of nine~~
24 ~~members appointed by the governor in addition to the ex officio~~
25 ~~members, and the governor may appoint additional members.~~

26 ~~Insofar as practicable, the council shall include persons with~~
27 ~~brain injuries, family members of persons with brain injuries,~~
28 ~~representatives of industry, labor, business, and agriculture,~~
29 ~~representatives of federal, state, and local government, and~~
30 ~~representatives of religious, charitable, fraternal, civic,~~
31 ~~educational, medical, legal, veteran, welfare, and other~~
32 ~~professional groups and organizations. Members shall be~~
33 ~~appointed representing every geographic and employment area~~
34 ~~of the state and shall include members of both sexes. A~~
35 ~~simple majority of the members appointed by the governor shall~~

1 ~~constitute a quorum.~~

2 ~~4. Members of the council appointed by the governor shall~~
3 ~~be appointed for terms of two years. Vacancies on the council~~
4 ~~shall be filled for the remainder of the term of the original~~
5 ~~appointment. Members whose terms expire may be reappointed.~~

6 ~~5. The voting members of the council shall appoint a~~
7 ~~chairperson and a vice chairperson and other officers as the~~
8 ~~council deems necessary. The officers shall serve until their~~
9 ~~successors are appointed and qualified. Members of the council~~
10 ~~shall receive actual expenses for their services. Members may~~
11 ~~also be eligible to receive compensation as provided in section~~
12 ~~7E.6. The council shall adopt rules pursuant to [chapter 17A](#).~~

13 ~~6. 2.~~ The council shall do all of the following:

14 *a.* Promote meetings and programs for the discussion of
15 methods to reduce the debilitating effects of brain injuries,
16 and disseminate information in cooperation with any other
17 department, agency, or entity on the prevention, evaluation,
18 care, treatment, and rehabilitation of persons affected by
19 brain injuries.

20 *b.* Study and review current prevention, evaluation, care,
21 treatment, and rehabilitation technologies and recommend
22 appropriate preparation, training, retraining, and distribution
23 of personnel and resources in the provision of services
24 to persons with brain injuries through private and public
25 residential facilities, day programs, and other specialized
26 services.

27 *c.* Participate in developing and disseminating criteria and
28 standards which may be required for future funding or licensing
29 of facilities, day programs, and other specialized services for
30 persons with brain injuries in this state.

31 *d.* Make recommendations to the governor for developing and
32 administering a state plan to provide services for persons with
33 brain injuries.

34 *e.* ~~Meet at least quarterly as necessary.~~

35 ~~7. 3.~~ The department is designated as Iowa's lead agency

1 for brain injury. For the purposes of [this section](#), the
2 designation of lead agency authorizes the department to
3 perform or oversee the performance of those functions specified
4 in [subsection 6](#), paragraphs "a" through "c". ~~The council~~
5 ~~is assigned to the department for administrative purposes.~~
6 ~~The director shall be responsible for budgeting, program~~
7 ~~coordination, and related management functions.~~

8 ~~8. The council may receive gifts, grants, or donations~~
9 ~~made for any of the purposes of its programs and disburse and~~
10 ~~administer them in accordance with their terms and under the~~
11 ~~direction of the director.~~

12 Sec. 430. Section 135.22B, subsection 2, paragraph c, Code
13 2024, is amended to read as follows:

14 c. The department shall consult with the advisory council
15 ~~on brain injuries, established pursuant to [section 135.22A](#),~~
16 regarding the program and shall report to the council
17 concerning the program at least quarterly. The council shall
18 make recommendations to the department concerning the program's
19 operation.

20 DIVISION XIII

21 ELIMINATION OF CHILDREN'S BEHAVIORAL HEALTH SYSTEM STATE BOARD

22 Sec. 431. Section 225C.52, Code 2024, is amended to read as
23 follows:

24 ~~225C.52 Children's behavioral health system state board —~~
25 Council duties.

26 The council shall provide guidance on the implementation
27 and management of a children's behavioral health system for
28 the provision of services to children with a serious emotional
29 disturbance. To the extent funding is available, the state
30 ~~board~~ council shall perform the following duties:

31 1. Advise the director on the administration of the
32 children's behavioral health system.

33 2. Provide ~~consultation services~~ support to agencies
34 regarding the development of administrative rules for the
35 children's behavioral health system.

1 3. Identify behavioral health outcomes and indicators for
2 eligible children with a serious emotional disturbance to
3 promote children living with their own families and in the
4 community.

5 4. Submit a written report on or before December 1 of each
6 year to the governor and the general assembly. At a minimum,
7 the report shall include a summary of all activities undertaken
8 by the ~~state board~~ council relating to the children's
9 behavioral health system and results from identified behavioral
10 health outcomes and indicators for the children's behavioral
11 health system.

12 Sec. 432. Section 225C.55, Code 2024, is amended to read as
13 follows:

14 **225C.55 Definitions.**

15 As used in [this subchapter](#), unless the context otherwise
16 requires:

17 1. "*Children's behavioral health services*" means the same as
18 defined in [section 225C.2](#).

19 2. "Council" means the council on health and human services.

20 ~~2.~~ 3. "Department" means the department of health and human
21 services.

22 ~~3.~~ 4. "Director" means the director of health and human
23 services.

24 ~~4.~~ 5. "Disability services" means the same as defined in
25 section 225C.2.

26 ~~5.~~ 6. "Population" means, as of July 1 of the fiscal year
27 preceding the fiscal year in which the population figure is
28 applied, the population shown by the latest preceding certified
29 federal census or the latest applicable population estimate
30 issued by the United States census bureau, whichever is most
31 recent.

32 ~~6.~~ 7. "Regional administrator" means the administrative
33 office, organization, or entity formed by agreement of the
34 counties participating in a region to function on behalf of
35 those counties in accordance with [this subchapter](#).

1 3. "Council" means the council on health and human services.

2 4. "Department" means the department of health and human
3 services.

4 5. "Disorder" means a congenital or inherited disorder.

5 6. "Genetics" means the study of inheritance and how genes
6 contribute to health conditions and the potential for disease.

7 7. "Genomics" means the functions and interactions of all
8 human genes and their variation within human populations,
9 including their interaction with environmental factors, and
10 their contribution to health.

11 8. "Inherited disorder" means a condition caused by an
12 abnormal change in a gene or genes passed from a parent or
13 parents to their child. Onset of the disorder may be prior to
14 or at birth, during childhood, or in adulthood.

15 9. "Stillbirth" means an unintended fetal death occurring
16 after a gestation period of twenty completed weeks, or an
17 unintended fetal death of a fetus with a weight of three
18 hundred fifty or more grams.

19 Sec. 436. Section 136A.3A, Code 2024, is amended to read as
20 follows:

21 **136A.3A ~~Congenital and inherited disorders advisory committee~~**
22 **~~established~~ — ~~process~~ Process for addition of conditions to**
23 **newborn screening.**

24 1. ~~A congenital and inherited disorders advisory committee~~
25 ~~is established to~~ The council shall assist the department in
26 the development of programs that ensure the availability and
27 access to quality genetic and genomic health care services for
28 all Iowans.

29 2. ~~The members of the advisory committee shall be appointed~~
30 ~~by the director and shall include persons with relevant~~
31 ~~expertise and interest including parent representatives.~~

32 3. ~~2.~~ The advisory committee council shall assist the
33 department in designating the conditions to be included in the
34 newborn screening and in regularly evaluating the effectiveness
35 and appropriateness of the newborn screening.

1 ~~4.~~ 3. *a.* Beginning July 1, 2022, the ~~advisory committee~~
2 council shall ensure that all conditions included in the
3 federal recommended uniform screening panel as of January 1,
4 2022, are included in the newborn screening.

5 *b.* Within twelve months of the addition of a new
6 condition to the federal recommended uniform screening panel,
7 the ~~advisory committee~~ council shall consider and make a
8 recommendation to the department regarding inclusion of the
9 new condition in the newborn screening, including the current
10 newborn screening capacity to screen for the new condition
11 and the resources necessary to screen for the new condition
12 going forward. If the ~~advisory committee~~ council recommends
13 inclusion of a new condition, the department shall include the
14 new condition in the newborn screening within eighteen months
15 of receipt of the recommendation.

16 ~~5.~~ 4. The department shall submit a status report to the
17 general assembly, annually, by December 31, regarding all of
18 the following:

19 *a.* The current conditions included in the newborn screening.

20 *b.* Any new conditions currently under consideration or
21 recommended by the ~~advisory committee~~ council for inclusion in
22 the newborn screening.

23 *c.* Any new conditions considered but not recommended by the
24 ~~advisory committee~~ council in the prior twelve-month period and
25 the reason for not recommending any such conditions.

26 *d.* Any departmental request for additional program capacity
27 or resources necessitated by the inclusion of a recommended new
28 condition in the newborn screening.

29 *e.* Any delay and the reason for the delay by the ~~advisory~~
30 ~~committee~~ council in complying with the specified twelve-month
31 time frame in considering or recommending the inclusion of a
32 new condition in the newborn screening to the department.

33 *f.* Any delay and the reason for the delay by the department
34 in complying with the specified eighteen-month time frame in
35 including a new condition in the newborn screening following

1 receipt of a recommendation from the ~~advisory committee~~ council
2 recommending the inclusion of such condition.

3 ~~6.~~ 5. The state hygienic laboratory shall establish
4 the newborn screening fee schedule in a manner sufficient
5 to support the newborn screening system of care including
6 laboratory screening costs, short-term and long-term follow-up
7 program costs, the newborn screening developmental fund, and
8 the cost of the department's newborn screening data system.

9 DIVISION XV

10 ELIMINATION OF EMERGENCY MEDICAL SERVICES ADVISORY COUNCIL

11 Sec. 437. Section 147A.2, Code 2024, is amended to read as
12 follows:

13 **147A.2 Council established — terms of office on health and**
14 **human services — advisory duties.**

15 ~~1. An EMS advisory council shall be appointed by the~~
16 ~~director. Membership of the council shall be comprised of~~
17 ~~individuals nominated from, but not limited to, the following~~
18 ~~state or national organizations: Iowa osteopathic medical~~
19 ~~association, Iowa medical society, American college of~~
20 ~~emergency physicians, Iowa physician assistant society, Iowa~~
21 ~~academy of family physicians, university of Iowa hospitals~~
22 ~~and clinics, American academy of emergency medicine, American~~
23 ~~academy of pediatrics, Iowa EMS association, Iowa firefighters~~
24 ~~association, Iowa professional fire fighters, EMS education~~
25 ~~programs committee, Iowa nurses association, Iowa hospital~~
26 ~~association, and the Iowa state association of counties. The~~
27 ~~council shall also include at least two at-large members~~
28 ~~who are volunteer emergency medical care providers and a~~
29 ~~representative of a private service program.~~

30 ~~2. The EMS advisory council on health and human services~~
31 ~~shall advise the director and develop policy recommendations~~
32 ~~concerning the regulation, administration, and coordination of~~
33 ~~emergency medical services in the state.~~

34 Sec. 438. REPEAL. Section 147A.3, Code 2024, is repealed.

35 DIVISION XVI

1 ELIMINATION OF TRAUMA SYSTEM ADVISORY COUNCIL

2 Sec. 439. Section 147A.23, Code 2024, is amended to read as
3 follows:

4 **147A.23 Trauma care system development.**

5 1. The department is designated as a lead agency in this
6 state responsible for the development of a statewide trauma
7 care system.

8 2. The department, ~~in consultation with the trauma system~~
9 ~~advisory council~~, shall develop, coordinate, and monitor a
10 statewide trauma care system. This system shall include, but
11 not be limited to, the following:

12 a. (1) Development of criteria for the categorization
13 of all hospitals and emergency care facilities according to
14 their trauma care capabilities. These categories shall be for
15 levels I, II, III, and IV, based on the most current guidelines
16 published by the American college of surgeons committee on
17 trauma, the American college of emergency physicians, and
18 the model trauma care plan of the United States department
19 of health and human services' health resources and services
20 administration.

21 (2) The categorization of all hospitals and emergency
22 care facilities by the department as to their capacity to
23 provide trauma care services. The categorization shall be
24 determined by the department from self-reported information
25 provided to the department by the hospital or emergency care
26 facility. This categorization shall not be construed to imply
27 any guarantee on the part of the department as to the level of
28 trauma care services available at the hospital or emergency
29 care facility.

30 b. (1) Development of a process for the verification of
31 the trauma care capacity of each facility and the issuance of a
32 certificate of verification. The standards and verification
33 process shall be established by rule and may vary as
34 appropriate by level of trauma care capability. To the extent
35 possible, the standards and verification process shall be

1 coordinated with other applicable accreditation and licensing
2 standards.

3 (2) The issuance of a certificate of verification of all
4 categorized hospitals and emergency care facilities from the
5 department at the level preferred by the hospital or emergency
6 care facility. ~~The standards and verification process shall~~
7 ~~be established by rule and may vary as appropriate by level of~~
8 ~~trauma care capability. To the extent possible, the standards~~
9 ~~and verification process shall be coordinated with other~~
10 ~~applicable accreditation and licensing standards.~~

11 c. Upon verification and the issuance of a certificate
12 of verification, agreement by a hospital or emergency care
13 facility ~~agrees~~ to maintain a level of commitment and resources
14 sufficient to meet responsibilities and standards as required
15 by the trauma care criteria established by rule under this
16 subchapter. Verifications are valid for a period of three
17 years or as determined by the department and are renewable. As
18 part of the verification and renewal process, the department
19 may conduct periodic on-site reviews of the services and
20 facilities of the hospital or emergency care facility.

21 d. Implementation of an Iowa trauma care plan.

22 e. Development of standards for medical direction, trauma
23 care, triage and transfer protocols, and trauma registries.

24 f. Promotion of public information and education activities
25 for injury prevention.

26 g. The development of strategies and the review of rules
27 adopted under this subchapter to promote optimal trauma care
28 delivery throughout the state.

29 h. Development, implementation, and conducting of trauma
30 care system evaluation, quality assessment, and quality
31 improvement.

32 ~~d.~~ 3. The department is responsible for the funding of the
33 administrative costs of this subchapter. Any funds received
34 by the department for this purpose shall be deposited in the
35 emergency medical services fund established in section 135.25.

1 ~~e.~~ 4. This section shall not be construed to limit the
2 number and distribution of level I, II, III, and IV categorized
3 and verified trauma care facilities in a community or region.

4 5. Proceedings, records, and reports developed pursuant
5 to this section constitute peer review records under section
6 147.135, and are not subject to discovery by subpoena or
7 admissible as evidence. All information and documents
8 received from a hospital or emergency care facility under this
9 subchapter shall be confidential pursuant to section 272C.6,
10 subsection 4.

11 Sec. 440. Section 147A.26, subsection 1, Code 2024, is
12 amended to read as follows:

13 1. The department shall maintain a statewide trauma
14 reporting system by which ~~the trauma system advisory council~~
15 ~~and~~ the department may monitor the effectiveness of the
16 statewide trauma care system.

17 Sec. 441. REPEAL. Section 147A.24, Code 2024, is repealed.

18 DIVISION XVII

19 ELIMINATION OF JUSTICE ADVISORY BOARD

20 Sec. 442. Section 216A.131, Code 2024, is amended to read
21 as follows:

22 **216A.131 Definitions.**

23 For the purpose of this subchapter, unless the context
24 otherwise requires:

25 1. ~~"Board" means the justice advisory board.~~

26 2. ~~"Department", "department"~~ means the department of health
27 and human services.

28 Sec. 443. Section 216A.133, Code 2024, is amended to read
29 as follows:

30 **216A.133 ~~Purpose and~~ Department duties.**

31 1. ~~The purpose of the board~~ department shall be do all of
32 the following:

33 a. Develop short-term and long-term goals to improve the
34 criminal and juvenile justice systems.

35 b. Identify and analyze justice system issues, including

1 the impact of present criminal and juvenile justice policy, and
2 make recommendations for policy change.

3 *c.* Develop and assist others in implementing recommendations
4 and plans for justice system improvement.

5 *d.* Provide the general assembly with an analysis of current
6 and proposed criminal code provisions.

7 *e.* Provide for a clearinghouse of justice system information
8 to coordinate with data resource agencies and assist others in
9 the use of justice system data.

10 ~~2. The board shall advise the department on its~~
11 ~~administration of state and federal grants and appropriations~~
12 ~~and shall carry out other functions consistent with this~~
13 ~~subchapter.~~

14 ~~3. The duties of the board shall consist of the following:~~

15 ~~*a.* Identifying issues and analyzing the operation and impact~~
16 ~~of present criminal and juvenile justice policy and making~~
17 ~~recommendations for policy changes.~~

18 ~~*b.* f. Coordinating Coordinate with data resource agencies~~
19 ~~to provide data and analytical information to federal, state,~~
20 ~~and local governments, and assisting assist agencies in the use~~
21 ~~of criminal and juvenile justice data.~~

22 ~~*c.* g. Reporting Report criminal justice system needs to the~~
23 ~~governor, the general assembly, and other decision makers to~~
24 ~~improve the criminal justice system.~~

25 ~~*d.* h. Reporting Report juvenile justice system needs to~~
26 ~~the governor, the general assembly, and other decision makers~~
27 ~~to address issues specifically affecting the juvenile justice~~
28 ~~system, including evidence-based programs for group foster~~
29 ~~care placements and the state training school, diversion, and~~
30 ~~community-based services for juvenile offenders.~~

31 ~~*e.* i. Providing Provide technical assistance upon request~~
32 ~~to state and local agencies.~~

33 ~~*f.* j. Administering Administer federal funds and funds~~
34 ~~appropriated by the state or that are otherwise available~~
35 ~~in compliance with applicable laws, regulations, and other~~

1 requirements for purposes of study, research, investigation,
2 planning, and implementation in the areas of criminal and
3 juvenile justice.

4 ~~g.~~ k. ~~Making~~ Make grants to cities, counties, and other
5 entities pursuant to applicable law.

6 ~~h.~~ l. ~~Maintaining~~ Maintain an Iowa correctional policy
7 project as provided in [section 216A.137](#).

8 ~~i.~~ m. ~~Providing~~ Provide input and make recommendations
9 to the director including in the development of a budget
10 ~~recommendations~~ for the department.

11 ~~j.~~ ~~Developing and making recommendations to the director.~~

12 ~~k.~~ n. ~~Serving as a liaison between the department and~~
13 ~~the public, sharing~~ Share information and ~~gathering~~ gather
14 constituency input.

15 ~~l.~~ ~~Recommending to the department the adoption of rules~~
16 ~~pursuant to~~ [chapter 17A](#) ~~as it deems necessary for the board and~~
17 ~~department.~~

18 ~~m.~~ o. ~~Recommending~~ Recommend legislative and executive
19 action to the governor and general assembly.

20 ~~n.~~ p. ~~Establishing~~ Establish advisory committees, work
21 groups, or other coalitions as appropriate.

22 ~~o.~~ q. ~~Providing~~ Provide the general assembly with
23 an analysis and recommendations of current criminal code
24 provisions and proposed legislation which include but are not
25 limited to all of the following:

26 (1) Potential disparity in sentencing.

27 (2) Truth in sentencing.

28 (3) Victims.

29 (4) The proportionality of specific sentences.

30 (5) Sentencing procedures.

31 (6) Costs associated with the implementation of criminal
32 code provisions, including costs to the judicial branch,
33 department of corrections, and judicial district departments
34 of correctional services, costs for representing indigent
35 defendants, and costs incurred by political subdivisions of the

1 state.

2 (7) Best practices related to the department of corrections
3 including recidivism rates, safety and the efficient use of
4 correctional staff, and compliance with correctional standards
5 set by the federal government and other jurisdictions.

6 (8) Best practices related to the ~~Iowa child death state~~
7 ~~mortality review team committee~~ established in [section 135.43](#)
8 ~~and the Iowa domestic abuse death review team established in~~
9 ~~[section 135.109](#)~~.

10 ~~p. r.~~ Studying Study and making make recommendations for
11 treating and supervising adult and juvenile sex offenders in
12 institutions, community-based programs, and in the community,
13 in areas which include but are not limited to all of the
14 following:

15 (1) The effectiveness of electronically monitoring sex
16 offenders.

17 (2) The cost and effectiveness of special sentences
18 pursuant to [chapter 903B](#).

19 (3) Risk assessment models created for sex offenders.

20 (4) Determining the best treatment programs available for
21 sex offenders and the efforts of Iowa and other states to
22 implement treatment programs.

23 (5) The efforts of Iowa and other states to prevent sex
24 abuse-related crimes including child sex abuse.

25 (6) Any other related issues the board deems necessary,
26 including but not limited to computer and internet sex-related
27 crimes, sex offender case management, best practices for sex
28 offender supervision, the sex offender registry, and the
29 effectiveness of safety zones.

30 ~~q. s.~~ Providing Provide expertise and advice to the
31 legislative services agency, the department of corrections, the
32 judicial branch, and others charged with formulating fiscal,
33 correctional, or minority impact statements.

34 ~~r. t.~~ Reviewing Review data supplied by the department, the
35 department of management, the legislative services agency, the

1 Iowa supreme court, and other departments or agencies for the
2 purpose of determining the effectiveness and efficiency of the
3 collection of such data.

4 ~~4.~~ 2. The ~~board~~ department shall submit reports, in
5 accordance with [section 216A.135](#), to the governor and general
6 assembly regarding actions taken, issues studied, and ~~board~~
7 council recommendations.

8 Sec. 444. Section 216A.135, subsection 1, Code 2024, is
9 amended to read as follows:

10 1. The ~~board~~ department shall submit a three-year criminal
11 and juvenile justice plan for the state, beginning December 1,
12 2020, and every three years thereafter, by December 1. The
13 three-year plan shall be updated annually. Each three-year
14 plan and annual updates of the three-year plan shall be
15 submitted to the governor and the general assembly by December
16 1.

17 Sec. 445. Section 216A.137, subsection 1, Code 2024, is
18 amended to read as follows:

19 1. The department shall maintain an Iowa correctional
20 policy project for the purpose of conducting analyses of
21 major correctional issues affecting the criminal and juvenile
22 justice system. The ~~board~~ department shall identify and
23 prioritize the issues and studies to be addressed ~~by the~~
24 ~~department~~ through this project and shall report project
25 plans and findings annually along with the report required
26 in [section 216A.135](#). Issues and studies to be considered ~~by~~
27 ~~the board~~ shall include but are not limited to a review of the
28 information systems available to assess corrections trends
29 and program effectiveness, the development of an evaluation
30 plan for assessing the impact of corrections expenditures,
31 and a study of the desirability and feasibility of changing
32 the state's sentencing practices, which includes a prison
33 population forecast.

34 Sec. 446. REPEAL. Section 216A.132, Code 2024, is repealed.

35

DIVISION XVIII

1 ELIMINATION OF IOWA COLLABORATION FOR YOUTH DEVELOPMENT COUNCIL

2 Sec. 447. Section 216A.140, Code 2024, is amended to read
3 as follows:

4 ~~216A.140 Iowa collaboration for youth development council —~~
5 **state State of Iowa youth advisory council.**

6 1. *Definitions.* For the purposes of **this section**, unless
7 the context otherwise requires:

8 a. “*Youth*” means children and young persons who are ages six
9 through twenty-one years.

10 b. “*Youth advisory council*” means the state of Iowa youth
11 advisory council created by **this section**.

12 ~~c. “*Youth development council*” means the Iowa collaboration~~
13 ~~for youth development council created by **this section**.~~

14 ~~2. *Collaboration council created.* An Iowa collaboration for~~
15 ~~youth development council is created as an alliance of state~~
16 ~~agencies that address the needs of youth in Iowa.~~

17 ~~3. *Purpose.* The purpose of the youth development council is~~
18 ~~to improve the lives and futures of Iowa’s youth by doing all~~
19 ~~of the following:~~

20 ~~a. Adopting and applying positive youth development~~
21 ~~principles and practices at the state and local levels.~~

22 ~~b. Increasing the quality, efficiency, and effectiveness of~~
23 ~~opportunities and services and other supports for youth.~~

24 ~~c. Improving and coordinating state youth policy and~~
25 ~~programs across state agencies.~~

26 ~~4. *Vision statement.* All youth development activities~~
27 ~~addressed by the youth development council shall be aligned~~
28 ~~around the following vision statement:~~

29 ~~“All Iowa youth will be safe, healthy, successful, and prepared~~
30 ~~for adulthood.”~~

31 ~~5. *Membership.* The youth development council membership~~
32 ~~shall be determined by the council itself and shall include the~~
33 ~~directors or chief administrators, or their designees, from the~~
34 ~~following state agencies and programs:~~

35 ~~a. Child advocacy board.~~

- 1 ~~b. Department of education.~~
- 2 ~~c. Department of health and human services.~~
- 3 ~~d. Department of workforce development.~~
- 4 ~~e. Office of drug control policy.~~
- 5 ~~f. Iowa cooperative extension service in agriculture and~~
- 6 ~~home economics.~~

7 ~~6. Procedure.~~ Except as otherwise provided by law, the
8 youth development council shall determine its own rules of
9 procedure and operating policies, including but not limited
10 to terms of members. The youth development council may form
11 committees or subgroups as necessary to achieve its purpose.

12 ~~7. Duties.~~ The youth development council's duties shall
13 include but are not limited to all of the following:

14 ~~a. Study, explore, and plan for the best approach to~~
15 ~~structure and formalize the functions and activities of the~~
16 ~~youth development council to meet its purpose, and make formal~~
17 ~~recommendations for improvement to the governor and general~~
18 ~~assembly.~~

19 ~~b. Review indicator data and identify barriers to youth~~
20 ~~success and develop strategies to address the barriers.~~

21 ~~c. Coordinate across agencies the state policy priorities~~
22 ~~for youth.~~

23 ~~d. Strengthen partnerships with the nonprofit and private~~
24 ~~sectors to gather input, build consensus, and maximize use of~~
25 ~~existing resources and leverage new resources to improve the~~
26 ~~lives of youth and their families.~~

27 ~~e. Oversee the activities of the youth advisory council.~~

28 ~~f. Seek input from and engage the youth advisory council~~
29 ~~in the development of more effective policies, practices, and~~
30 ~~programs to improve the lives and futures of youth.~~

31 ~~g. Report annually by February 1 to the governor and general~~
32 ~~assembly.~~

33 ~~8. 2. State of Iowa youth advisory council.~~ A state of
34 Iowa youth advisory council is created to provide input to the
35 governor, general assembly, and state and local policymakers on

1 youth issues.

2 *a.* The purpose of the youth advisory council is to foster
3 communication among a group of engaged youth and the governor,
4 general assembly, and state and local policymakers regarding
5 programs, policies, and practices affecting youth and families;
6 ~~and~~ to advocate for youth on important issues affecting youth;
7 and to improve the lives and futures of Iowa's youth.

8 *b.* The youth advisory council shall consist of no more than
9 twenty-one youth ages fourteen through twenty years who reside
10 in Iowa. Membership shall be for two-year staggered terms.
11 The director or the director's designee shall select council
12 members using an application process. The director or the
13 director's designee shall strive to maintain a diverse council
14 membership and shall take into consideration race, ethnicity,
15 disabilities, gender, and geographic location of residence of
16 the applicants.

17 *c.* Except as otherwise provided by law, the youth advisory
18 council shall determine its own rules of procedure and
19 operating policies, subject to approval by the director or the
20 director's designee.

21 *d.* The youth advisory council shall ~~meet at least quarterly.~~
22 do all of the following:

23 (1) Adopt and apply positive youth development principles
24 and practices at the state and local levels.

25 (2) Increase the quality, efficiency, and effectiveness of
26 opportunities and services and other supports for youth.

27 (3) Improve, coordinate, and prioritize state youth policy
28 and programs across state agencies.

29 (4) Align all policies around the vision that all Iowa youth
30 will be safe, healthy, successful, and prepared for adulthood.

31 (5) Review indicator data, identify barriers to youth
32 success, and develop strategies to address the barriers.

33 (6) Strengthen partnerships with the nonprofit and private
34 sectors to gather input, build consensus, and maximize the use
35 of existing resources and leverage new resources to improve the

1 lives of youth and their families.

2 (7) Report annually by February 1 to the governor and the
3 general assembly.

4 ~~9. 3. *Lead agency.* The lead agency for support of the Iowa~~
5 ~~collaboration for youth development council and the state of~~
6 ~~Iowa youth advisory council is the department. The department~~
7 ~~shall coordinate activities and, with funding made available~~
8 ~~to it for such purposes, provide staff support for the youth~~
9 ~~development council and the youth advisory council.~~

10

DIVISION XIX

11

ELIMINATION OF COMMISSIONS UNDER HUMAN RIGHTS BOARD

12 Sec. 448. Section 216A.1, subsection 1, paragraph a, Code
13 2024, is amended by striking the paragraph and inserting in
14 lieu thereof the following:

15 a. Community advocacy and services on behalf of
16 underrepresented populations in the state.

17 Sec. 449. Section 216A.3, Code 2024, is amended to read as
18 follows:

19 **216A.3 Human rights board.**

20 1. A human rights board is created within the department.

21 2. The board shall consist of ~~sixteen~~ twelve members,
22 including ~~eleven~~ seven voting members and five nonvoting
23 members, ~~and~~ determined as follows:

24 a. The voting members shall consist of ~~nine~~ seven voting
25 members ~~selected by each of the permanent commissions within~~
26 ~~the department, and two voting members, appointed by the~~
27 ~~governor. For purposes of this paragraph "a", "permanent~~
28 ~~commissions" means the commission of Latino affairs,~~
29 ~~commission on the status of women, commission of persons~~
30 ~~with disabilities, commission on community action agencies,~~
31 ~~commission of deaf services, justice advisory board, commission~~
32 ~~on the status of African Americans, commission of Asian and~~
33 ~~Pacific Islander affairs, and commission of Native American~~
34 ~~affairs~~ who shall be appointed by the governor, subject to
35 confirmation by the senate pursuant to section 2.32, and shall

1 represent underrepresented populations in the state. All
2 voting members shall reside in the state. The term of office
3 for voting members is four years.

4 *b.* The nonvoting members shall consist of the department
5 director, two state representatives, one appointed by the
6 speaker of the house of representatives and one by the minority
7 leader of the house of representatives, and two state senators,
8 one appointed by the majority leader of the senate and one by
9 the minority leader of the senate.

10 3. A majority of the voting members of the board shall
11 constitute a quorum, and the affirmative vote of two-thirds of
12 the voting members present is necessary for any substantive
13 action taken by the board. The board shall select a
14 chairperson from the voting members of the board. ~~The board~~
15 ~~shall meet not less than four times a year.~~

16 4. The board shall ~~develop~~ do all of the following:

17 *a.* Develop and monitor implementation of a comprehensive
18 strategic plan to remove barriers for underrepresented
19 populations or groups and, in doing so, to increase Iowa's
20 productivity and inclusivity, including performance measures
21 and benchmarks.

22 *b.* Study the opportunities for and changing needs of the
23 underrepresented populations or groups in the state.

24 *c.* Serve as a liaison between the department and the public,
25 sharing information and gathering constituency input.

26 *d.* Recommend to the department the adoption of rules
27 pursuant to chapter 17A as the board deems necessary.

28 *e.* Recommend legislative and executive action to the
29 governor and general assembly to advance the interests of
30 underrepresented populations or groups and to improve the
31 status of low-income persons in the state.

32 *f.* Establish advisory committees, work groups, or other
33 coalitions as appropriate.

34 *g.* Advance the interests of underrepresented populations
35 or groups in the areas of human rights, access to justice,

1 economic equality, and the elimination of discrimination.

2 Sec. 450. Section 216A.4, Code 2024, is amended to read as
3 follows:

4 **216A.4 Definitions.**

5 For purposes of **this chapter**, unless the context otherwise
6 requires:

7 1. "Asian or Pacific Islander" means an individual from any
8 of the countries of Asia or islands of the Pacific.

9 ~~1.~~ 2. "Board" means the human rights board.

10 ~~2.~~ 3. "Department" means the department of health and human
11 services.

12 ~~3.~~ 4. "Director" means the director of health and human
13 services.

14 5. "Tribal government" means the governing body of a
15 federally recognized Indian tribe.

16 ~~4.~~ 6. "Underrepresented" means the historical
17 marginalization of populations or groups in the United States
18 and Iowa, including but not limited to African Americans, Asian
19 and Pacific Islanders, persons who are deaf or hard of hearing,
20 persons with disabilities, Latinos, Native Americans, women,
21 persons who have low socioeconomic status, at-risk youth, and
22 adults or juveniles with a criminal history.

23 COMMISSION AND OFFICE OF LATINO AFFAIRS ELIMINATION

24 Sec. 451. REPEAL. Sections 216A.11, 216A.12, 216A.13,
25 216A.14, and 216A.15, Code 2024, are repealed.

26 COMMISSION AND OFFICE ON THE STATUS OF WOMEN ELIMINATION

27 Sec. 452. Section 241.3, subsection 2, Code 2024, is amended
28 to read as follows:

29 2. The department shall consult and cooperate with the
30 department of workforce development, the United States
31 commissioner of social security administration, ~~the office~~
32 ~~on the status of women of the department,~~ the department of
33 education, and other persons in the executive branch of the
34 state government as the department considers appropriate to
35 facilitate the coordination of multipurpose service programs

1 established under **this chapter** with existing programs of a
2 similar nature.

3 Sec. 453. REPEAL. Sections 216A.51, 216A.52, 216A.53, and
4 216A.54, Code 2024, are repealed.

5 COMMISSION AND OFFICE ON PERSONS WITH DISABILITIES ELIMINATION

6 Sec. 454. REPEAL. Sections 216A.71, 216A.72, 216A.74, and
7 216A.75, Code 2024, are repealed.

8 COMBINING OF DEAF SERVICES COMMISSION AND DUAL PARTY RELAY
9 COUNCIL

10 Sec. 455. Section 216A.111, subsection 2, Code 2024, is
11 amended by striking the subsection.

12 Sec. 456. Section 216A.113, Code 2024, is amended to read
13 as follows:

14 **216A.113 Deaf services commission established.**

15 1. The commission of deaf services is established, and shall
16 consist of seven voting members appointed by the governor,
17 ~~subject to confirmation by the senate pursuant to section~~
18 ~~2.32~~. Membership of the commission shall include at least four
19 members who are deaf and ~~at least one member who is~~ or hard of
20 hearing, and three members who are representatives of telephone
21 companies. The commission shall also include the director, or
22 the director's designee, as a nonvoting member. All members
23 shall reside in Iowa.

24 2. ~~Members~~ Voting members of the commission shall serve
25 four-year staggered terms which shall begin and end pursuant to
26 section 69.19. ~~Members~~ Voting members whose terms expire may
27 be reappointed. Vacancies on the commission may be filled for
28 the remainder of the term in the same manner as the original
29 appointment. ~~Members~~ Voting members shall receive actual
30 expenses incurred while serving in their official capacity,
31 subject to statutory limits. ~~Members~~ Voting members may also
32 be eligible to receive compensation as provided in section
33 7E.6.

34 3. ~~Members~~ The voting members of the commission shall
35 appoint a chairperson and vice chairperson and other officers

1 as the commission deems necessary. ~~The commission shall~~
2 ~~meet at least quarterly during each fiscal year.~~ A majority
3 of the voting members currently appointed to the commission
4 shall constitute a quorum. A quorum shall be required for the
5 conduct of business of the commission, and the affirmative vote
6 of a majority of the currently appointed voting members is
7 necessary for any substantive action taken by the commission.
8 A voting member shall not vote on any action if the voting
9 member has a conflict of interest on the matter, and a
10 statement by the voting member of a conflict of interest shall
11 be conclusive for this purpose.

12 Sec. 457. Section 216A.114, Code 2024, is amended to read
13 as follows:

14 **216A.114 Commission powers and duties.**

15 The commission shall have the following powers and duties:

16 1. Study the changing needs and opportunities for the deaf
17 and hard-of-hearing people in this state.

18 2. Serve as a liaison between the ~~office~~ department and the
19 public, sharing information and gathering constituency input.

20 3. Recommend to the board for adoption rules pursuant
21 to [chapter 17A](#) as it deems necessary for the commission and
22 office.

23 4. Recommend legislative and executive action to the
24 governor and general assembly.

25 5. Establish advisory committees, work groups, or other
26 coalitions as appropriate.

27 6. Advise the utilities board on the planning,
28 establishment, administration, and promotion of a statewide
29 program to provide dual party relay service and to secure,
30 finance, and distribute telecommunications devices for the deaf
31 and hard of hearing pursuant to chapter 477C.

32 Sec. 458. Section 477C.2, Code 2024, is amended to read as
33 follows:

34 **477C.2 Definitions.**

35 As used in [this chapter](#), unless the context otherwise

1 requires:

2 1. *"Board"* means the utilities board created in section
3 474.1.

4 2. *"Commission"* means the commission on deaf services
5 created in section 216A.113.

6 ~~2.~~ 3. *"Communication disorder"* means the inability to use
7 the telephone for communication without a telecommunications
8 device for the deaf and hard of hearing.

9 ~~3.~~ *"Council"* means the dual party relay council established
10 in ~~section 477C.5.~~

11 4. *"Dual party relay service"* or *"relay service"* means a
12 communication service which provides persons with communication
13 disorders access to the telephone system functionally
14 equivalent to the access available to persons without
15 communication disorders.

16 5. *"Telecommunications device for the deaf and hard of
17 hearing"* means any specialized or supplemental telephone
18 equipment used by persons with communication disorders to
19 provide access to the telephone system.

20 Sec. 459. Section 477C.3, unnumbered paragraph 1, Code
21 2024, is amended to read as follows:

22 With the advice of the ~~council~~ commission, the board shall
23 plan, establish, administer, and promote a statewide program to
24 provide dual party relay service as follows:

25 Sec. 460. Section 477C.4, Code 2024, is amended to read as
26 follows:

27 **477C.4 Telecommunications devices for the deaf and hard of
28 hearing.**

29 With the advice of the ~~council~~ commission, the board may
30 plan, establish, administer, and promote a program to secure,
31 finance, and distribute telecommunications devices for the
32 deaf and hard of hearing. The board may establish eligibility
33 criteria for persons to receive telecommunications devices
34 for the deaf and hard of hearing, including but not limited
35 to requiring certification that the recipient cannot use the

1 telephone for communication without a telecommunications device
2 for the deaf and hard of hearing.

3 Sec. 461. Section 477C.5, subsection 2, paragraph c, Code
4 2024, is amended by striking the paragraph.

5 Sec. 462. Section 622B.4, Code 2024, is amended to read as
6 follows:

7 **622B.4 List.**

8 ~~The office of deaf services of the~~ department of health and
9 human services shall prepare and continually update a listing
10 of qualified and available sign language interpreters. The
11 courts and administrative agencies shall maintain a directory
12 of qualified interpreters for deaf and hard-of-hearing
13 persons as furnished by the department of health and human
14 services. ~~The office of deaf services of the~~ department
15 of health and human services shall maintain a list of sign
16 language interpreters which shall be made available to a court,
17 administrative agency, or interested parties to an action using
18 the services of a sign language interpreter.

19 Sec. 463. REPEAL. Sections 216A.112 and 477C.5, Code 2024,
20 are repealed.

21 COMMISSION AND OFFICE ON STATUS OF AFRICAN AMERICANS
22 ELIMINATION

23 Sec. 464. REPEAL. Sections 216A.141, 216A.142, 216A.143,
24 and 216A.146, Code 2024, are repealed.

25 COMMISSION AND OFFICE ON ASIAN AND PACIFIC ISLANDERS
26 ELIMINATION

27 Sec. 465. REPEAL. Sections 216A.151, 216A.152, 216A.153,
28 and 216A.154, Code 2024, are repealed.

29 COMMISSION AND OFFICE OF NATIVE AMERICAN AFFAIRS ELIMINATION

30 Sec. 466. Section 216A.167, Code 2024, is amended to read
31 as follows:

32 **216A.167 Limitations on authority.**

33 1. The ~~commission~~ board and ~~office~~ department shall not have
34 the authority to do any of the following:

35 a. Implement or administer the duties of the state of Iowa

1 by a community action agency which includes projects to provide
2 a range of services to improve the conditions of poverty in the
3 area served by the community action agency.

4 Sec. 469. Section 216A.93, Code 2024, is amended to read as
5 follows:

6 **216A.93 Establishment of community action agencies.**

7 The department shall recognize and assist in the designation
8 of certain community action agencies to assist in the delivery
9 of community action programs. These programs shall include but
10 not be limited to outreach, community services block grant,
11 low-income energy assistance, and weatherization programs. If
12 a community action agency is in effect and currently serving an
13 area, that community action agency shall become the designated
14 community action agency for that area. If any geographic area
15 of the state ceases to be served by a designated community
16 action agency, the department may solicit applications and
17 assist the governor in designating a community action agency
18 for that area in accordance with current community services
19 block grant requirements. The department shall supervise the
20 collection of data regarding the scope of services provided by
21 the community action agencies.

22 Sec. 470. Section 541A.1, Code 2024, is amended to read as
23 follows:

24 **541A.1 Definitions.**

25 For the purposes of [this chapter](#), unless the context
26 otherwise requires:

27 1. "Account holder" means an individual who is the owner of
28 an individual development account.

29 2. "Charitable contributor" means a nonprofit association
30 described in section 501(c)(3) of the Internal Revenue Code
31 which makes a deposit to an individual development account
32 and which is exempt from taxation under section 501(a) of the
33 Internal Revenue Code.

34 3. ~~"Commission" means the commission on community action~~
35 ~~agencies created in [section 216A.92A](#).~~

1 ~~4.~~ 3. "Department" means the department of health and human
2 services.

3 ~~5.~~ 4. "Director" means the director of health and human
4 services.

5 ~~6.~~ 5. "Federal poverty level" means the first poverty
6 income guidelines published in the calendar year by the United
7 States department of health and human services.

8 ~~7.~~ 6. "Financial institution" means a financial institution
9 approved by the director as an investment mechanism for
10 individual development accounts.

11 ~~8.~~ 7. "Household income" means the annual household
12 income of an account holder or prospective account holder, as
13 determined in accordance with rules adopted by the director.

14 ~~9.~~ 8. "Individual contributor" means an individual who
15 makes a deposit to an individual development account and is not
16 the account holder or a charitable contributor.

17 ~~10.~~ 9. "Individual development account" means either of the
18 following:

19 a. A financial instrument that is certified to have the
20 characteristics described in [section 541A.2](#) by the operating
21 organization.

22 b. A financial instrument that is certified by the
23 operating organization to have the characteristics described
24 in and funded by a federal individual development account
25 program under which federal and state funding contributed to
26 match account holder deposits is deposited by an operating
27 organization in accordance with federal law and regulations,
28 and which includes but is not limited to any of the programs
29 implemented under the following federal laws:

30 (1) The federal Personal Responsibility and Work
31 Opportunity Act of 1996, 42 U.S.C. §604(h).

32 (2) The federal Assets for Independence Act, Pub. L. No.
33 105-285, Tit. IV.

34 ~~11.~~ 10. "Operating organization" means an agency selected
35 by the department for involvement in operating individual

1 development accounts directed to a specific target population.

2 ~~12.~~ 11. "Source of principal" means any of the sources of
3 a deposit to an individual development account under section
4 541A.2, subsection 2.

5 Sec. 471. Section 541A.5, subsections 1 and 2, Code 2024,
6 are amended to read as follows:

7 1. The ~~commission~~ department, in consultation with
8 the department of administrative services, shall adopt
9 administrative rules to administer [this chapter](#).

10 2. *a.* The rules adopted by the ~~commission~~ department
11 shall include but are not limited to provision for transfer
12 of an individual development account to a different financial
13 institution than originally approved by the department, if
14 the different financial institution has an agreement with the
15 account's operating organization.

16 *b.* The rules for determining household income may provide
17 categorical eligibility for prospective account holders who are
18 enrolled in programs with income eligibility restrictions that
19 are equal to or less than the maximum household income allowed
20 for payment of a state match under [section 541A.3](#).

21 *c.* Subject to the availability of funding, the ~~commission~~
22 department may adopt rules implementing an individual
23 development account program for refugees. Rules shall identify
24 purposes authorized for withdrawals to meet the special needs
25 of refugee families.

26 Sec. 472. Section 541A.6, Code 2024, is amended to read as
27 follows:

28 **541A.6 Compliance with federal requirements.**

29 The ~~commission~~ department shall adopt rules for compliance
30 with federal individual development account requirements under
31 the federal Personal Responsibility and Work Opportunity
32 Reconciliation Act of 1996, §103, as codified in 42 U.S.C.
33 §604(h), under the federal Assets for Independence Act, Pub.
34 L. No. 105-285, Tit. IV, or with any other federal individual
35 development account program requirements for drawing federal

1 funding. Any rules adopted under **this section** shall not apply
2 the federal individual development account program requirements
3 to an operating organization which does not utilize federal
4 funding for the accounts with which it is connected or to an
5 account holder who does not receive temporary assistance for
6 needy families block grant or other federal funding.

7 Sec. 473. REPEAL. Sections 216A.92A and 216A.92B, Code
8 2024, are repealed.

9 ELIMINATION OF FAMILY DEVELOPMENT AND SELF-SUFFICIENCY COUNCIL

10 Sec. 474. Section 216A.107, Code 2024, is amended to read
11 as follows:

12 **216A.107 Family development and self-sufficiency — council**
13 **and grant program.**

14 ~~1. A family development and self-sufficiency council is~~
15 ~~established within the department. The council shall consist~~
16 ~~of the following persons:~~

17 ~~a. The director of the department or the director's~~
18 ~~designee.~~

19 ~~b. The director of the school of social work at the~~
20 ~~university of Iowa or the director's designee.~~

21 ~~c. The dean of the college of human sciences at Iowa state~~
22 ~~university or the dean's designee.~~

23 ~~d. Two recipients or former recipients of the family~~
24 ~~investment program, selected by the other members of the~~
25 ~~council.~~

26 ~~e. One recipient or former recipient of the family~~
27 ~~investment program who is a member of a racial or ethnic~~
28 ~~minority, selected by the other members of the council.~~

29 ~~f. One member representing providers of services to victims~~
30 ~~of domestic violence, selected by the other members of the~~
31 ~~council.~~

32 ~~g. The head of the department of design, textiles,~~
33 ~~gerontology, and family studies at the university of northern~~
34 ~~Iowa or that person's designee.~~

35 ~~h. The director of the department of education or the~~

1 ~~director's designee.~~

2 ~~i. The director of the department of workforce development~~
3 ~~or the director's designee.~~

4 ~~j. Two persons representing the business community, selected~~
5 ~~by the other members of the council.~~

6 ~~k. Two members from each chamber of the general assembly~~
7 ~~serving as ex officio, nonvoting members. The two members~~
8 ~~of the senate shall be appointed one each by the majority~~
9 ~~leader and the minority leader of the senate. The two~~
10 ~~members of the house of representatives shall be appointed one~~
11 ~~each by the speaker and the minority leader of the house of~~
12 ~~representatives.~~

13 ~~2. Unless otherwise provided by law, terms of members,~~
14 ~~election of officers, and other procedural matters shall be~~
15 ~~as determined by the council. A quorum shall be required for~~
16 ~~the conduct of business of the council, and the affirmative~~
17 ~~vote of a majority of the currently appointed voting members~~
18 ~~is necessary for any substantive action taken by the council.~~
19 ~~A member shall not vote on any action if the member has a~~
20 ~~conflict of interest on the matter, and a statement by the~~
21 ~~member of a conflict of interest shall be conclusive for this~~
22 ~~purpose.~~

23 ~~3. 1. The family development and self-sufficiency council~~
24 ~~on health and human services shall do all of the following:~~

25 ~~a. Identify the factors and conditions that place Iowa~~
26 ~~families at risk of dependency upon the family investment~~
27 ~~program. The council shall seek to use relevant research~~
28 ~~findings and national and Iowa-specific data on the family~~
29 ~~investment program.~~

30 ~~b. Identify the factors and conditions that place Iowa~~
31 ~~families at risk of family instability. The council shall~~
32 ~~seek to use relevant research findings and national and~~
33 ~~Iowa-specific data on family stability issues.~~

34 ~~c. Subject to the availability of funds for this~~
35 ~~purpose, award grants to public or private organizations~~

1 for provision of family development services to families at
2 risk of dependency on the family investment program or of
3 family instability. Not more than five percent of any funds
4 appropriated by the general assembly for the purposes of this
5 lettered paragraph may be used for staffing and administration
6 of the grants. Grant proposals for the family development and
7 self-sufficiency grant program shall include the following
8 elements:

9 (1) Designation of families to be served that meet one or
10 more criteria for being at risk of dependency on the family
11 investment program or of family instability, and agreement
12 to serve clients that are referred by the department from
13 the family investment program which meet the criteria. The
14 criteria may include but are not limited to factors such as
15 educational level, work history, family structure, age of the
16 youngest child in the family, previous length of stay on the
17 family investment program, and participation in the family
18 investment program or the foster care program while the head of
19 a household was a child. Grant proposals shall also establish
20 the number of families to be served under the grant.

21 (2) Designation of the services to be provided for
22 the families served, including assistance regarding
23 job-seeking skills, family budgeting, nutrition, self-esteem,
24 methamphetamine education, health and hygiene, child rearing,
25 child education preparation, and goal setting. Grant proposals
26 shall indicate the support groups and support systems to be
27 developed for the families served during the transition between
28 the need for assistance and self-sufficiency.

29 (3) Designation of the manner in which other needs of the
30 families will be provided for, including but not limited to
31 child care assistance, transportation, substance use disorder
32 treatment, support group counseling, food, clothing, and
33 housing.

34 (4) Designation of the process for training of the staff
35 which provides services, and the appropriateness of the

1 training for the purposes of meeting family development and
2 self-sufficiency goals of the families being served.

3 (5) Designation of the support available within the
4 community for the program and for meeting subsequent needs of
5 the clients, and the manner in which community resources will
6 be made available to the families being served.

7 (6) Designation of the manner in which the program will be
8 subject to audit and to evaluation.

9 (7) Designation of agreement provisions for tracking and
10 reporting performance measures developed pursuant to paragraph
11 "d".

12 d. Develop appropriate performance measures for the grant
13 program to demonstrate how the program helps families achieve
14 self-sufficiency.

15 e. Seek to enlist research support from the Iowa research
16 community in meeting the duties outlined in paragraphs "a"
17 through "d".

18 f. Seek additional support for the funding of grants under
19 the program, including but not limited to funds available
20 through the federal government in serving families at risk of
21 long-term welfare dependency, and private foundation grants.

22 g. Make recommendations to the governor and the general
23 assembly on the effectiveness of programs in Iowa and
24 throughout the country that provide family development services
25 that lead to self-sufficiency for families at risk of welfare
26 dependency.

27 ~~4.~~ 2. a. The department shall administer the family
28 development and self-sufficiency grant program.

29 b. To the extent that the family development and
30 self-sufficiency grant program is funded by the federal
31 temporary assistance for needy families block grant and by the
32 state maintenance of efforts funds appropriated in connection
33 with the block grant, the department shall comply with all
34 federal requirements for the block grant. The department is
35 responsible for payment of any federal penalty imposed that is

1 attributable to the grant program and shall receive any federal
2 bonus payment attributable to the grant program.

3 c. The department shall ensure that expenditures of moneys
4 appropriated to the department from the general fund of the
5 state for the family development and self-sufficiency grant
6 program are eligible to be considered as state maintenance of
7 effort expenditures under federal temporary assistance for
8 needy families block grant requirements.

9 d. The department shall consider the recommendations of
10 the council on health and human services in adopting rules
11 pertaining to the grant program.

12 e. The department shall submit to the governor and general
13 assembly on or before November 30 following the end of each
14 state fiscal year, a report detailing performance measure
15 and outcome data evaluating the family development and
16 self-sufficiency grant program for the fiscal year that just
17 ended.

18 DIVISION XX

19 HAWKI BOARD AND ADVISORY COMMITTEE FOR CHILDREN WITH SPECIAL
20 HEALTH CARE NEEDS ELIMINATION

21 Sec. 475. Section 249A.4B, subsection 2, paragraph b, Code
22 2024, is amended to read as follows:

23 b. The council shall include all of the following nonvoting
24 members:

- 25 (1) The director's designee responsible for public health
26 or their designee.
- 27 (2) The long-term care ombudsman, or the long-term care
28 ombudsman's designee.
- 29 (3) The dean of Des Moines university college of osteopathic
30 medicine, or the dean's designee.
- 31 (4) The dean of the university of Iowa college of medicine,
32 or the dean's designee.
- 33 ~~(5) A member of the Hawki board created in [section 514I.5](#),~~
34 ~~selected by the members of the Hawki board.~~
- 35 ~~(6)~~ (5) The following members of the general assembly, each

1 for a term of two years as provided in [section 69.16B](#):

2 (a) Two members of the house of representatives, one
3 appointed by the speaker of the house of representatives
4 and one appointed by the minority leader of the house of
5 representatives from their respective parties.

6 (b) Two members of the senate, one appointed by the
7 president of the senate after consultation with the majority
8 leader of the senate and one appointed by the minority leader
9 of the senate.

10 Sec. 476. Section 514I.1, subsection 2, Code 2024, is
11 amended to read as follows:

12 2. It is the intent of the general assembly that the program
13 be implemented and administered in compliance with Tit. XXI
14 of the federal Social Security Act. If, as a condition of
15 receiving federal funds for the program, federal law requires
16 implementation and administration of the program in a manner
17 not provided in [this chapter](#), during a period when the general
18 assembly is not in session, the department, with the approval
19 of the ~~Hawki board~~ medical assistance advisory council, shall
20 proceed to implement and administer those provisions, subject
21 to review by the next regular session of the general assembly.

22 Sec. 477. Section 514I.2, Code 2024, is amended to read as
23 follows:

24 **514I.2 Definitions.**

25 As used in [this chapter](#), unless the context otherwise
26 requires:

27 1. *“Benchmark benefit package”* means any of the following:

28 a. The standard blue cross/blue shield preferred provider
29 option service benefit plan, described in and offered under 5
30 U.S.C. §8903(1).

31 b. A health benefits coverage plan that is offered and
32 generally available to state employees in this state.

33 c. The plan of a health maintenance organization as defined
34 in 42 U.S.C. §300e, with the largest insured commercial,
35 nonmedical assistance enrollment of covered lives in the state.

1 2. *“Cost sharing”* means the payment of a premium or
2 copayment as provided for by Tit. XXI of the federal Social
3 Security Act and [section 514I.10](#).

4 3. *“Department”* means the department of health and human
5 services.

6 4. *“Director”* means the director of health and human
7 services.

8 5. *“Eligible child”* means an individual who meets the
9 criteria for participation in the program under [section 514I.8](#).

10 ~~6. *“Hawki board”* or *“board”* means the entity which adopts~~
11 ~~rules and establishes policy for, and directs the department~~
12 ~~regarding, the Hawki program.~~

13 ~~7.~~ 6. *“Hawki program”* or *“program”* means the healthy and
14 well kids in Iowa program created in [this chapter](#) to provide
15 health insurance coverage to eligible children.

16 ~~8.~~ 7. *“Health insurance coverage”* means health insurance
17 coverage as defined in 42 U.S.C. §300gg-91.

18 8. *“Medical assistance advisory council”* or *“advisory*
19 *council”* means the medical assistance advisory council created
20 in section 249A.4B.

21 9. *“Participating insurer”* means any of the following:

22 a. An entity licensed by the division of insurance
23 of the department of insurance and financial services to
24 provide health insurance in Iowa that has contracted with the
25 department to provide health insurance coverage to eligible
26 children under [this chapter](#).

27 b. A managed care organization acting pursuant to a contract
28 with the department to administer the Hawki program.

29 10. *“Qualified child health plan”* or *“plan”* means health
30 insurance coverage provided by a participating insurer under
31 this chapter.

32 Sec. 478. Section 514I.4, Code 2024, is amended to read as
33 follows:

34 **514I.4 Director and department — duties — powers.**

35 1. The director, with the approval of the ~~Hawki board~~

1 medical assistance advisory council, shall implement this
2 chapter. The director shall do all of the following:

3 *a.* At least every six months, evaluate the scope of the
4 program currently being provided under this chapter, project
5 the probable cost of continuing the program, and compare
6 the probable cost with the remaining balance of the state
7 appropriation made for payment of assistance under this chapter
8 during the current appropriation period. The director shall
9 report the findings of the evaluation to the ~~board~~ advisory
10 council and shall annually report findings to the governor and
11 the general assembly by January 1.

12 *b.* Establish premiums to be paid to participating insurers
13 for provision of health insurance coverage.

14 *c.* Contract with participating insurers to provide health
15 insurance coverage under this chapter.

16 *d.* Recommend to the ~~board~~ advisory council proposed rules
17 necessary to implement the program.

18 *e.* Recommend to the board individuals to serve as members of
19 the clinical advisory committee.

20 2. *a.* The director, with the approval of the ~~board~~ advisory
21 council, may contract with participating insurers to provide
22 dental-only services.

23 *b.* The director, with the approval of the ~~board~~ advisory
24 council, may contract with participating insurers to provide
25 the supplemental dental-only coverage to otherwise eligible
26 children who have private health care coverage as specified in
27 the federal Children's Health Insurance Program Reauthorization
28 Act of 2009, Pub. L. No. 111-3.

29 3. The department may enter into contracts with other
30 persons whereby the other person provides some or all of the
31 functions, pursuant to rules adopted by the ~~board~~ advisory
32 council, which are required of the director or the department
33 under this section. All contracts entered into pursuant to
34 this section shall be made available to the public.

35 4. The department shall do or shall provide for all of the

1 following:

2 *a.* Determine eligibility for program enrollment as
3 prescribed by federal law and regulation, using policies and
4 procedures adopted by rule of the department pursuant to
5 chapter 17A. The department shall not enroll a child who has
6 group health coverage unless expressly authorized by such
7 rules.

8 *b.* Enroll qualifying children in the program with
9 maintenance of a supporting eligibility file or database.

10 *c.* Utilize the department's eligibility system to maintain
11 eligibility files with pertinent eligibility determination and
12 ongoing enrollment information including but not limited to
13 data regarding beneficiaries, enrollment dates, disenrollments,
14 and annual financial redeterminations.

15 *d.* Provide for administrative oversight and monitoring of
16 federal requirements.

17 *e.* Perform annual financial reviews of eligibility for each
18 beneficiary.

19 *f.* Collect and track monthly family premiums to assure that
20 payments are current.

21 *g.* Notify each participating insurer of new program
22 enrollees who are enrolled by the department in that
23 participating insurer's plan.

24 *h.* Verify the number of program enrollees with each
25 participating insurer for determination of the amount of
26 premiums to be paid to each participating insurer.

27 *i.* Maintain data for the purpose of quality assurance
28 reports as required by rule of the ~~board~~ advisory council.

29 *j.* (1) Establish the family cost sharing amounts for
30 children of families with incomes of one hundred fifty percent
31 or more but not exceeding two hundred percent of the federal
32 poverty level, of not less than ten dollars per individual
33 and twenty dollars per family, if not otherwise prohibited by
34 federal law, with the approval of the ~~board~~ advisory council.

35 (2) Establish for children of families with incomes

1 exceeding two hundred percent but not exceeding three hundred
2 percent of the federal poverty level, family cost sharing
3 amounts, and graduated premiums based on a rationally developed
4 sliding fee schedule, in accordance with federal law, with the
5 approval of the ~~board~~ advisory council.

6 *k.* Perform annual, random reviews of enrollee applications
7 to ensure compliance with program eligibility and enrollment
8 policies. Quality assurance reports shall be made to the
9 ~~board~~ advisory council based upon the data maintained by the
10 department.

11 *l.* Perform other duties as determined by the ~~board~~ advisory
12 council.

13 Sec. 479. Section 514I.5, Code 2024, is amended to read as
14 follows:

15 **514I.5 ~~Hawki board~~ Medical assistance advisory council —**
16 **duties.**

17 ~~1. A Hawki board for the Hawki program is established. The~~
18 ~~board shall meet not less than six and not more than twelve~~
19 ~~times annually, for the purposes of establishing medical~~
20 ~~assistance advisory council shall establish policy for,~~
21 ~~directing direct the department on, and adopting adopt rules~~
22 ~~for the Hawki program. The board shall consist of seven voting~~
23 ~~members and four ex officio, nonvoting members, including all~~
24 ~~of the following:~~

25 ~~*a.* The commissioner of insurance, or the commissioner's~~
26 ~~designee.~~

27 ~~*b.* The director of the department of education, or the~~
28 ~~director's designee.~~

29 ~~*c.* The director of health and human services, or the~~
30 ~~director's designee.~~

31 ~~*d.* Four public members appointed by the governor and~~
32 ~~subject to confirmation by the senate. The public members~~
33 ~~shall be members of the general public who have experience,~~
34 ~~knowledge, or expertise in the subject matter embraced within~~
35 ~~this chapter.~~

1 ~~e. Two members of the senate and two members of the house of~~
2 ~~representatives, serving as ex officio, nonvoting members. The~~
3 ~~legislative members of the board shall be appointed one each~~
4 ~~by the majority leader of the senate, after consultation with~~
5 ~~the president of the senate, and by the minority leader of the~~
6 ~~senate, and by the speaker of the house of representatives,~~
7 ~~after consultation with the majority leader of the house of~~
8 ~~representatives, and by the minority leader of the house~~
9 ~~of representatives. Legislative members shall receive~~
10 ~~compensation pursuant to [section 2.12](#).~~

11 ~~2. Members appointed by the governor shall serve two-year~~
12 ~~staggered terms as designated by the governor, and legislative~~
13 ~~members of the board shall serve two-year terms. The filling~~
14 ~~of positions reserved for the public representatives,~~
15 ~~vacancies, membership terms, payment of compensation and~~
16 ~~expenses, and removal of the members are governed by chapter~~
17 ~~69. Members of the board are entitled to receive reimbursement~~
18 ~~of actual expenses incurred in the discharge of their duties.~~
19 ~~Public members of the board are also eligible to receive~~
20 ~~compensation as provided in [section 7E.6](#). A majority of the~~
21 ~~voting members constitutes a quorum and the affirmative vote~~
22 ~~of a majority of the voting members is necessary for any~~
23 ~~substantive action to be taken by the board. The members~~
24 ~~shall select a chairperson on an annual basis from among the~~
25 ~~membership of the board.~~

26 ~~3. 2. The board advisory council shall approve any contract~~
27 ~~entered into pursuant to [this chapter](#). All contracts entered~~
28 ~~into pursuant to [this chapter](#) shall be made available to the~~
29 ~~public.~~

30 ~~4. The department shall act as support staff to the board.~~

31 ~~5. The board may receive and accept grants, loans, or~~
32 ~~advances of funds from any person and may receive and accept~~
33 ~~from any source contributions of money, property, labor, or any~~
34 ~~other thing of value, to be held, used, and applied for the~~
35 ~~purposes of the program.~~

1 of the department, and submit a report to the governor, the
2 general assembly, and the council on health and human services,
3 concerning the ~~board's~~ advisory council's activities, findings,
4 and recommendations.

5 *g.* Solicit input from the public regarding the program and
6 related issues and services.

7 *h.* Establish and consult with a clinical advisory committee
8 to make recommendations to the board regarding the clinical
9 aspects of the Hawki program.

10 *i.* Prescribe the elements to be included in a health
11 improvement program plan required to be developed by a
12 participating insurer. The elements shall include but are not
13 limited to health maintenance and prevention and health risk
14 assessment.

15 *j.* ~~Establish an advisory committee to make~~ Make
16 recommendations ~~to the board and~~ to the general assembly
17 by January 1 annually concerning the provision of health
18 insurance coverage to children with special health care needs.
19 ~~The committee shall include individuals with experience in,~~
20 ~~knowledge of, or expertise in this area.~~ The recommendations
21 shall address, but are not limited to, all of the following:

22 (1) The definition of the target population of children
23 with special health care needs for the purposes of determining
24 eligibility under the program.

25 (2) Eligibility options for and assessment of children with
26 special health care needs for eligibility.

27 (3) Benefit options for children with special health care
28 needs.

29 (4) Options for enrollment of children with special health
30 care needs in and disenrollment of children with special health
31 care needs from qualified child health plans utilizing a
32 capitated fee form of payment.

33 (5) The appropriateness and quality of care for children
34 with special health care needs.

35 (6) The coordination of health services provided for

1 children with special health care needs under the program with
2 services provided by other publicly funded programs.

3 *k.* Develop options and recommendations to allow children
4 eligible for the Hawki program to participate in qualified
5 employer-sponsored health plans through a premium assistance
6 program. The options and recommendations shall ensure
7 reasonable alignment between the benefits and costs of
8 the Hawki program and the employer-sponsored health plans
9 consistent with federal law. In addition, the ~~board~~ advisory
10 council shall implement the premium assistance program options
11 described under the federal Children's Health Insurance Program
12 Reauthorization Act of 2009, Pub. L. No. 111-3, for the Hawki
13 program.

14 ~~7.~~ 4. The ~~Hawki board~~ medical assistance advisory council,
15 in consultation with the department, shall adopt rules
16 which address, but are not limited to addressing, all of the
17 following:

18 *a.* Implementation and administration of the program.

19 *b.* Qualifying standards for selecting participating insurers
20 for the program.

21 *c.* The benefits to be included in a qualified child health
22 plan which are those included in a benchmark or benchmark
23 equivalent plan and which comply with Tit. XXI of the federal
24 Social Security Act. Benefits covered shall include but are
25 not limited to all of the following:

26 (1) Inpatient hospital services including medical,
27 surgical, intensive care unit, mental health, and substance use
28 disorder services.

29 (2) Nursing care services including skilled nursing
30 facility services.

31 (3) Outpatient hospital services including emergency room,
32 surgery, lab, and x-ray services and other services.

33 (4) Physician services, including surgical and medical, and
34 including office visits, newborn care, well-baby and well-child
35 care, immunizations, urgent care, specialist care, allergy

1 testing and treatment, mental health visits, and substance use
2 disorder visits.

3 (5) Ambulance services.

4 (6) Physical therapy.

5 (7) Speech therapy.

6 (8) Durable medical equipment.

7 (9) Home health care.

8 (10) Hospice services.

9 (11) Prescription drugs.

10 (12) Dental services including preventive services.

11 (13) Medically necessary hearing services.

12 (14) Vision services including corrective lenses.

13 (15) Translation and interpreter services as specified
14 pursuant to the federal Children's Health Insurance Program
15 Reauthorization Act of 2009, Pub. L. No. 111-3.

16 (16) Chiropractic services.

17 (17) Occupational therapy.

18 *d.* Presumptive eligibility criteria for the program.

19 ~~Beginning January 1, 2010, presumptive~~ Presumptive eligibility
20 shall be provided for eligible children.

21 *e.* The amount of any cost sharing under the program which
22 shall be assessed based on family income and which complies
23 with federal law.

24 *f.* The reasons for disenrollment including, but not limited
25 to, nonpayment of premiums, eligibility for medical assistance
26 or other insurance coverage, admission to a public institution,
27 relocation from the area, and change in income.

28 *g.* Conflict of interest provisions applicable to
29 participating insurers and between ~~public~~ members of the ~~board~~
30 advisory council and participating insurers.

31 *h.* Penalties for breach of contract or other violations of
32 requirements or provisions under the program.

33 *i.* A mechanism for participating insurers to report any
34 rebates received to the department.

35 *j.* The data to be maintained by the department including

1 data to be collected for the purposes of quality assurance
2 reports.

3 k. The use of provider guidelines in assessing the
4 well-being of children, which may include the use of the bright
5 futures for infants, children, and adolescents program as
6 developed by the federal maternal and child health bureau and
7 the American academy of pediatrics guidelines for well-child
8 care.

9 ~~8.~~ 5. a. The ~~Hawki board~~ medical assistance advisory
10 council may provide approval to the director to contract with
11 participating insurers to provide dental-only services. In
12 determining whether to provide such approval to the director,
13 the ~~board~~ advisory council shall take into consideration the
14 impact on the overall program of single source contracting for
15 dental services.

16 b. The ~~Hawki board~~ medical assistance advisory council may
17 provide approval to the director to contract with participating
18 insurers to provide the supplemental dental-only coverage
19 to otherwise eligible children who have private health
20 care coverage as specified in the federal Children's Health
21 Insurance Program Reauthorization Act of 2009, Pub. L. No.
22 111-3.

23 ~~9.~~ 6. The ~~Hawki board~~ medical assistance advisory
24 council shall monitor the capacity of Medicaid managed
25 care organizations acting pursuant to a contract with the
26 department to administer the Hawki program to specifically
27 and appropriately address the unique needs of children and
28 children's health delivery.

29 Sec. 480. Section 514I.6, subsection 4, paragraph d, Code
30 2024, is amended to read as follows:

31 d. Other information as directed by the ~~board~~ advisory
32 council.

33 Sec. 481. Section 514I.6, subsection 5, Code 2024, is
34 amended to read as follows:

35 5. Submit a plan for a health improvement program to the

1 department, for approval by the ~~board~~ advisory council.

2 Sec. 482. Section 514I.8, subsection 2, paragraph e, Code
3 2024, is amended to read as follows:

4 e. Is not currently covered under a group health plan as
5 defined in 42 U.S.C. §300gg-91(a)(1) unless allowed by rule of
6 the ~~board~~ advisory council.

7 Sec. 483. Section 514I.8, subsection 3, Code 2024, is
8 amended to read as follows:

9 3. In accordance with the rules adopted by the ~~board~~
10 advisory council, a child may be determined to be presumptively
11 eligible for the program pending a final eligibility
12 determination. Following final determination of eligibility,
13 a child shall be eligible for a twelve-month period. At the
14 end of the twelve-month period, a review of the circumstances
15 of the child's family shall be conducted to establish
16 eligibility and cost sharing for the subsequent twelve-month
17 period. Pending such review of the circumstances of the
18 child's family, the child shall continue to be eligible for
19 and remain enrolled in the same plan if the family complies
20 with requirements to provide information and verification of
21 income, otherwise cooperates in the annual review process,
22 and submits the completed review form and any information
23 necessary to establish continued eligibility in a timely manner
24 in accordance with administrative rules.

25 Sec. 484. Section 514I.9, subsection 1, Code 2024, is
26 amended to read as follows:

27 1. The ~~Hawki-board~~ advisory council shall review the
28 benefits package annually and shall determine additions to
29 or deletions from the benefits package offered. The ~~Hawki~~
30 ~~board~~ advisory council shall submit the recommendations to the
31 general assembly for any amendment to the benefits package.

32 DIVISION XXI

33 AUTISM COUNCIL ELIMINATION AND CREATION OF IOWA SPECIAL
34 EDUCATION COUNCIL

35 Sec. 485. NEW SECTION. 256.35B Iowa special education

1 **council.**

2 1. An Iowa special education council is created to act in an
3 advisory capacity to the department in promoting, directing,
4 and supervising education for children requiring special
5 education in the schools under the supervision and control of
6 the department.

7 2. The council shall consist of seven voting members
8 appointed by the governor and confirmed by the senate. Each of
9 the following shall be represented among the voting members:

10 a. One member who is a parent or guardian of a student who
11 has a disability in obtaining an education because of autism.

12 b. One member who is a parent or guardian of a student
13 who has a disability in obtaining an education because of a
14 behavioral disorder.

15 c. One member who is a parent or guardian of a student who
16 has a disability in obtaining an education because of physical
17 disability.

18 d. One member who is a parent or guardian of a student who
19 has a disability in obtaining an education because of mental
20 learning disability or head injury.

21 e. One member who is a parent or guardian of a student
22 who has a disability in obtaining an education because of a
23 communication learning disability.

24 f. One member who is a parent or guardian of a student who
25 has a disability in obtaining an education because of dyslexia.

26 g. One member who is a special education teacher.

27 3. Voting members shall serve three-year terms beginning
28 and ending as provided in section 69.19, and appointments shall
29 comply with section 69.16. Vacancies on the council shall
30 be filled in the same manner as the original appointment. A
31 person appointed to fill a vacancy shall serve only for the
32 unexpired portion of the term. Public members shall receive
33 reimbursement for actual expenses incurred while serving in
34 their official capacity and may also be eligible to receive
35 compensation as provided in section 7E.6.

1 4. The council shall elect a chairperson from its voting
2 members annually. A majority of the voting members of the
3 council shall constitute a quorum.

4 5. The department shall convene and provide administrative
5 support to the council.

6 Sec. 486. REPEAL. Section 256.35A, Code 2024, is repealed.

7 Sec. 487. EFFECTIVE DATE. This division of this Act takes
8 effect July 1, 2025.

9

DIVISION XXII

10

TRANSITION PROVISIONS

11

Sec. 488. TRANSITION PROVISIONS.

12

1. A rule adopted by a government body eliminated in this
13 Act that is in force and effect immediately prior to the
14 effective date of this division of this Act shall continue in
15 full force and effect until the earlier of the following:

16

a. The rule is amended, rescinded, or supplemented by the
17 affirmative action of the board of pharmacy, state historical
18 society board of trustees, board of education, employment
19 appeal board, economic development authority board, human
20 rights board, or the government body under which the former
21 government body was organized.

22

b. The rule expires by its own terms.

23

2. Any license or permit issued by a government body
24 eliminated in this Act in effect on the effective date of this
25 division of this Act shall continue in full force and effect
26 until expiration or renewal.

27

3. a. Any moneys in any account or fund of, and all client
28 and organizational files in the possession of, the prescription
29 monitoring program advisory council shall be transferred to the
30 control of the board of pharmacy.

31

b. Any moneys in any account or fund of, and all client and
32 organizational files in the possession of, the secondary road
33 fund distribution committee shall be transferred to the control
34 of the state transportation commission.

35

c. Any moneys in any account or fund of, and all client and

1 organizational files in the possession of, the state historical
2 records advisory board shall be transferred to the control of
3 the board of trustees of the state historical society.

4 d. Any moneys in any account or fund of, and all client and
5 organizational files in the possession of, the state board of
6 preserves or farmer advisory committee shall be transferred to
7 the control of the natural resource commission.

8 e. Any moneys in any account or fund of, and all client
9 and organizational files in the possession of, the community
10 college council or nonpublic school advisory committee shall be
11 transferred to the control of the board of education.

12 f. Any moneys in any account or fund of, and all client
13 and organizational files in the possession of, the public
14 employment relations board shall be transferred to the control
15 of the employment appeal board.

16 g. Any moneys in any account or fund of, and all client
17 and organizational files in the possession of, the enhance
18 Iowa board shall be transferred to the control of the economic
19 development authority board.

20 h. Any moneys in any account or fund of, and all client and
21 organizational files in the possession of, the advisory council
22 on brain injuries, children's behavioral health system state
23 board, congenital and inherited disorders advisory committee,
24 emergency medical services advisory council, family development
25 and self-sufficiency council, justice advisory board, trauma
26 system advisory council, or Iowa collaboration for youth
27 development council shall be transferred to the control of the
28 council on health and human services.

29 i. Any moneys in any account or fund of, and all client
30 and organizational files in the possession of, the commissions
31 on the status of African Americans or the status of women,
32 the commissions of Asian and Pacific Islanders, persons with
33 disabilities, or Native Americans, or the Latino affairs
34 commission shall be transferred to the control of the human
35 rights board.

1 j. Any moneys in any account or fund of, and all client and
2 organizational files in the possession of, the healthy and well
3 kids in Iowa board or advisory committee shall be transferred
4 to the control of the medical assistance advisory council.

5 k. Any moneys in any account or fund of, and all client and
6 organizational files in the possession of, the dual party relay
7 council shall be transferred to the control of the commission
8 of deaf services.

9 l. Any moneys in any account or fund of, and all client and
10 organizational files in the possession of, any other board,
11 council, committee, or commission eliminated in this Act shall
12 be transferred to the control of the state agency or department
13 under which the board, council, committee, or commission was
14 organized.

15 4. a. Any cause of action, statute of limitation,
16 or administrative action relating to or initiated by the
17 prescription monitoring program advisory council shall not be
18 affected as a result of this Act and shall apply to the board
19 of pharmacy.

20 b. Any cause of action, statute of limitation, or
21 administrative action relating to or initiated by the secondary
22 road fund distribution committee shall not be affected as a
23 result of this Act and shall apply to the state transportation
24 commission.

25 c. Any cause of action, statute of limitation, or
26 administrative action relating to or initiated by the state
27 historical records advisory board shall not be affected as a
28 result of this Act and shall apply to the board of trustees of
29 the state historical society.

30 d. Any cause of action, statute of limitation, or
31 administrative action relating to or initiated by the state
32 board of preserves or farmer advisory committee shall not be
33 affected as a result of this Act and shall apply to the natural
34 resource commission.

35 e. Any cause of action, statute of limitation, or

1 administrative action relating to or initiated by the community
2 college council or nonpublic school advisory committee shall
3 not be affected as a result of this Act and shall apply to the
4 board of education.

5 f. Any cause of action, statute of limitation, or
6 administrative action relating to or initiated by the public
7 employment relations board shall not be affected as a result of
8 this Act and shall apply to the employment appeal board.

9 g. Any cause of action, statute of limitation, or
10 administrative action relating to or initiated by the enhance
11 Iowa board shall not be affected as a result of this Act and
12 shall apply to the economic development authority board.

13 h. Any cause of action, statute of limitation, or
14 administrative action relating to or initiated by the advisory
15 council on brain injuries, children's behavioral health system
16 state board, congenital and inherited disorders advisory
17 committee, emergency medical services advisory council, family
18 development and self-sufficiency council, justice advisory
19 board, trauma system advisory council, or Iowa collaboration
20 for youth development council shall not be affected as a result
21 of this Act and shall apply to the council on health and human
22 services.

23 i. Any cause of action, statute of limitation, or
24 administrative action relating to or initiated by the
25 commissions on the status of African Americans or the status of
26 women, the commissions of Asian and Pacific Islanders, persons
27 with disabilities, or Native Americans, or the Latino affairs
28 commission shall not be affected as a result of this Act and
29 shall apply to the human rights board.

30 j. Any cause of action, statute of limitation, or
31 administrative action relating to or initiated by the healthy
32 and well kids in Iowa board or advisory committee shall not be
33 affected as a result of this Act and shall apply to the medical
34 assistance advisory council.

35 k. Any cause of action, statute of limitation, or

1 administrative action relating to or initiated by the dual
2 party relay council shall not be affected as a result of this
3 Act and shall apply to the commission of deaf services.

4 1. Any cause of action, statute of limitation, or
5 administrative action relating to or initiated by any other
6 board, council, committee, or commission eliminated in this Act
7 shall not be affected as a result of this Act and shall apply to
8 the state agency or department under which the board, council,
9 committee, or commission was organized.

10 5. Any personnel in the state merit system of employment
11 who are mandatorily transferred due to the effect of this Act
12 shall be so transferred without any loss in salary, benefits,
13 or accrued years of service.

14 6. a. Except as otherwise provided, nothing in this Act
15 shall affect the appointment or any term of office of a member
16 of any board, council, commission, committee, or other similar
17 entity of the state established by the Code prior to the
18 effective date of this division of this Act.

19 b. Notwithstanding any other provision to the contrary
20 in this Act, the terms of all members serving on any board,
21 council, commission, committee, or other similar entity merged,
22 consolidated, or eliminated by this Act, or any such entity
23 with fewer members or reduced term lengths for current members
24 resulting from the provisions of this Act, shall terminate on
25 the effective date of this division of this Act.

26 c. Except for those boards, councils, commissions,
27 committees, or other similar entities eliminated by this Act,
28 the governor or other appointing or designating authority shall
29 appoint or designate new members to the boards, councils,
30 commissions, committees, or other similar entities provided
31 for in this subsection on or before the effective date of this
32 division of this Act. The governor or other appointing or
33 designating authority shall determine the length of the initial
34 terms of office for each respective position, but in any event
35 shall stagger such terms, beginning and ending as otherwise

1 provided by law.>

BLOOMINGDALE of Worth