

Senate Amendment to
House File 2694

H-8438

1 Amend House File 2694, as amended, passed, and reprinted by
2 the House, as follows:

3 1. Page 1, before line 1 by inserting:

4 <Section 1. NEW SECTION. 2.12C Continuing appropriations.

5 1. *Annual appropriations not enacted.*

6 a. (1) This section applies to any fiscal year for
7 which one or more line item appropriations, standing limited
8 appropriations, or standing unlimited appropriations otherwise
9 limited by law for the immediately preceding fiscal year have
10 been passed by the general assembly and presented to the
11 governor but have not been enacted in an identical provision
12 for the fiscal year to which this section applies on or before
13 July 1 of the fiscal year.

14 (2) If, on or after July 1 of the fiscal year, a line item
15 appropriation, standing limited appropriation, or standing
16 unlimited appropriation otherwise limited by law for the
17 immediately preceding fiscal year is enacted in an identical
18 provision for the fiscal year to which this section applies,
19 this section shall cease to apply for purposes of that
20 appropriation. The amount of moneys already expended under
21 subsection 3 for the appropriation shall supplant a like amount
22 under the appropriation enacted for the fiscal year.

23 (3) For purposes of this paragraph, an appropriation
24 for the immediately preceding fiscal year is identical to an
25 appropriation enacted for the fiscal year to which this section
26 applies if there are no differences between the two provisions
27 other than reference to the fiscal year, references to the
28 legislation's subunit hierarchy, or differences in amounts
29 for the appropriation, allocations, or full-time equivalent
30 positions.

31 b. For purposes of this subsection, "enacted" means the bill
32 or joint resolution that includes the appropriation has been
33 passed by the general assembly, presented to the governor, and
34 one of the following occurs under Article III, section 16, of
35 the Constitution of the State of Iowa:

1 (1) The governor signs the bill or joint resolution without
2 disapproving the appropriations item.

3 (2) The bill or joint resolution becomes law as described
4 in section 3.5.

5 (3) The bill or joint resolution becomes law
6 notwithstanding the governor's objections by a majority of two
7 thirds of the members of each chamber of the general assembly.

8 2. *Prior fiscal year appropriations determined.*

9 a. For all line item appropriations, standing limited
10 appropriations, and standing unlimited appropriations otherwise
11 limited by law, including appropriations from federal and
12 nonstate funds, the department of management, in consultation
13 with the legislative services agency, shall determine the
14 amount of such line item appropriations, standing limited
15 appropriations, and standing unlimited appropriations otherwise
16 limited by law, including appropriations from federal and
17 nonstate funds, made for the immediately preceding fiscal year
18 by taking into consideration all of the following:

19 (1) All Acts appropriating moneys for that immediately
20 preceding fiscal year.

21 (2) All interdepartmental and intradepartmental transfers
22 made pursuant to section 8.39 and other provisions of law for
23 that immediately preceding fiscal year.

24 (3) Other relevant provisions of law.

25 b. The department of management, in consultation with the
26 legislative services agency, shall also identify the entities
27 to which such appropriations were made, or the entities'
28 successors.

29 3. *Continuing appropriation.* There is appropriated from the
30 appropriate state fund or account to the entities identified
31 pursuant to subsection 2, for the fiscal year to which this
32 section applies, amounts, or so much thereof as is necessary,
33 equal to the amounts of all line item appropriations, standing
34 limited appropriations, and standing unlimited appropriations
35 otherwise limited by law, including federal and nonstate funds,

1 made for the immediately preceding fiscal year, as determined
2 pursuant to subsection 2.

3 4. *Duplicative standing appropriations supplanted.* The
4 amounts appropriated under subsection 3 shall supplant any
5 duplicative standing appropriation for the fiscal year to which
6 this section applies.

7 5. *Miscellaneous provisions applicable.* Powers, duties,
8 limitations, or requirements, including reporting requirements,
9 set forth for appropriations applicable to the immediately
10 preceding fiscal year are applicable for the fiscal year to
11 which this section applies for appropriations under subsection
12 3, and any specified date contained therein shall apply one
13 year later than specified.

14 6. *Allocation amounts.* For any line item appropriation,
15 standing limited appropriation, or standing unlimited
16 appropriation otherwise limited by law identified pursuant to
17 subsection 2, which is subject to an allocation amount for the
18 immediately preceding fiscal year, the amount appropriated
19 under subsection 3 based on the appropriation shall be subject
20 to the same allocation amount for the fiscal year to which this
21 section applies.

22 7. *Nonreversion.* For any line item appropriation, standing
23 limited appropriation, or standing unlimited appropriation
24 otherwise limited by law identified pursuant to subsection 2
25 that is subject to a specified nonreversion provision, whether
26 for a limited or unlimited period, the amount appropriated
27 under subsection 3 based on the appropriation shall be subject
28 to the same specified nonreversion provision, and in the case
29 of a specified nonreversion provision for a limited period,
30 the period shall be considered to be one fiscal year longer
31 than specified for the appropriation identified pursuant to
32 subsection 2.

33 8. *Full-time equivalent positions.* The amounts appropriated
34 under subsection 3 to an entity identified pursuant to
35 subsection 2 may be used by the entity for a number of

1 full-time equivalent positions for the fiscal year to which
2 this section applies, equal to the number of full-time
3 equivalent positions authorized for the entity for the
4 immediately preceding fiscal year.

5 9. *Exclusions.*

6 a. This section does not apply to appropriations identified
7 under subsection 2 that the department of management, in
8 consultation with the legislative services agency, determines
9 to be one-time appropriations. For purposes of this paragraph,
10 "*one-time appropriation*" may include but is not limited to an
11 appropriation from the rebuild Iowa infrastructure fund created
12 in section 8.57 or the technology reinvestment fund created in
13 section 8.57C, or a similar appropriation from any state fund
14 or account for an infrastructure project, technology project,
15 or temporary or pilot project or program.

16 b. This section does not apply to appropriations for
17 which the general assembly has indicated by law the general
18 assembly's explicit intent that the appropriation not be
19 subject to subsection 3, including but not limited to by
20 passing an appropriation bill applicable for the fiscal year to
21 which this section applies that is substantially similar to an
22 Act appropriating moneys for the immediately preceding fiscal
23 year but that does not include the appropriation.

24 c. This section does not apply to an appropriation
25 identified under subsection 2 if the general assembly passed
26 and presented to the governor an identical provision, as
27 described in subsection 1, paragraph "a", subparagraph (3),
28 applicable for the fiscal year to which this section applies
29 but the item was disapproved by the governor under Article III,
30 section 16, of the Constitution of the State of Iowa.

31 10. *Adjustment for expenditure limitation.* If appropriations
32 made from the general fund of the state pursuant to subsection
33 3 would not comply with the general fund expenditure
34 limitation under section 8.54, the department of management,
35 in consultation with the legislative services agency, shall

1 reduce appropriations made from the general fund of the
2 state pursuant to subsection 3, each by the same percentage,
3 such that appropriations made from the general fund of the
4 state pursuant to subsection 3 comply with the general fund
5 expenditure limitation under section 8.54.>

6 2. Page 2, after line 12 by inserting:

7 <Sec. _____. Section 135.144, subsection 6, Code 2026, is
8 amended to read as follows:

9 6. ~~Vaccinate or order~~ Recommend that individuals be
10 vaccinated against an infectious disease and to prevent the
11 spread of communicable or potentially communicable disease.
12 Vaccinations ~~shall~~ may be administered by any qualified person
13 authorized to do so by the department. The vaccination shall
14 not be ~~provided or ordered~~ recommended for an individual
15 if it is reasonably likely to lead to serious harm to the
16 ~~affected~~ individual. To prevent the spread of communicable or
17 potentially communicable disease, the department may isolate or
18 quarantine, pursuant to [chapter 139A](#) and the rules implementing
19 [chapter 139A](#) and [this subchapter](#), any infected person ~~who is~~
20 ~~unable or unwilling to undergo vaccination pursuant to this~~
21 ~~subsection.~~>

22 3. Title page, by striking lines 1 and 2 and inserting <An
23 Act relating to state government, including the regulation
24 of certain places and activities by the governor and the
25 department of health and human services and continuing
26 appropriations in fiscal years for which annual appropriations
27 have not been enacted.>

28 4. By renumbering as necessary.