

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
INSPECTIONS, APPEALS, AND
LICENSING BILL)

A BILL FOR

1 An Act concerning the functions of the employment appeal board;
2 the workers' compensation commissioner; and the department
3 of inspections, appeals, and licensing relating to contested
4 cases, judicial review, and liability.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 10A.601, subsections 1 and 7, Code 2025,
2 are amended to read as follows:

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

9 7. An application for rehearing before the appeal board
10 shall be filed pursuant to section 17A.16, unless otherwise
11 provided in section 70A.28, chapter 8A, subchapter IV,
12 or chapter 20, 80, 88, 91C, 96, or 97B. A petition for
13 judicial review of a decision of the appeal board shall be
14 filed pursuant to section 17A.19. The appeal board may be
15 represented in any such judicial review by an attorney who
16 is a regular salaried employee of the appeal board or who
17 has been designated by the appeal board for that purpose,
18 or at the appeal board's request, by the attorney general.
19 Notwithstanding the petitioner's residency requirement in
20 section 17A.19, subsection 2, a petition for judicial review
21 may be filed in the district court of the county in which the
22 petitioner was last employed or resides, provided that if the
23 petitioner does not reside in this state, the action shall be
24 brought in the district court of Polk county, Iowa, and any
25 other party to the proceeding before the appeal board shall
26 be named in the petition. Notwithstanding the thirty-day
27 requirement in section 17A.19, subsection 6, the appeal board
28 shall, within sixty days after filing of the petition for
29 judicial review or within a longer period of time allowed by
30 the court, transmit to the reviewing court the original or a
31 certified copy of the entire records of a contested case. The
32 appeal board may also certify to the court, questions of law
33 involved in any decision by the appeal board. Petitions for
34 judicial review and the questions so certified shall be given
35 precedence over all other civil cases except cases arising

1 under the workers' compensation law of this state. No bond
2 shall be required for entering an appeal from any final order,
3 judgment, or decree of the district court to the supreme court.

4 Sec. 2. Section 17A.19, subsection 4, unnumbered paragraph
5 1, Code 2025, is amended to read as follows:

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

9 Sec. 3. Section 96.18, Code 2025, is amended to read as
10 follows:

11 **96.18 Nonliability of state.**

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

19 EXPLANATION

20 The inclusion of this explanation does not constitute agreement with
21 the explanation's substance by the members of the general assembly.

22 This bill provides that the employment appeal board has
23 those powers and responsibilities assigned to it by Code
24 chapter 20, the public employment relations Act. The bill
25 provides that the duties of the board relating to contested
26 cases include contested cases under Code section 70A.28 and
27 Code chapter 20. 2024 Iowa Acts, chapter 1170, eliminated
28 the public employment relations board, which was previously
29 responsible for contested cases under Code section 70A.28
30 and administration of Code chapter 20, and provided that the
31 employment appeal board has such duties.

32 The bill conforms language relating to requirements for the
33 form of petitions for judicial review of agency action under
34 Code chapter 17A, the Iowa administrative procedure Act, to
35 exemptions from the requirements provided under current law in

1 Code chapter 10A, subchapter III, and Code chapter 20 relating
2 to the workers' compensation commissioner and the employment
3 appeal board.

4 The bill provides that the employment appeal board and
5 the department of inspections, appeals, and licensing are
6 not liable for the payment of unemployment benefits that are
7 not due and payable under Code chapter 96 or if moneys are
8 unavailable in the unemployment compensation fund for the
9 payment of such benefits.