

Senate File 2096 - Enrolled

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AN ACT

REPEALING GENDER BALANCE REQUIREMENTS FOR APPOINTIVE BODIES.

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

Section 1. Section 8D.3, subsection 2, paragraph a, subparagraph (2), Code 2024, is amended to read as follows:

(2) Voting members of the commission shall serve six-year staggered terms as designated by the governor and appointments to the commission are subject to the requirements of sections 69.16, ~~69.16A~~, and 69.19. Vacancies shall be filled by the governor for the duration of the unexpired term.

Sec. 2. Section 15.480, subsection 3, Code 2024, is amended to read as follows:

3. Members appointed by the governor are subject to the requirements of sections 69.16, ~~69.16A~~, and 69.19.

Sec. 3. Section 15F.102, subsection 3, paragraph b, Code 2024, is amended to read as follows:

b. The governor shall appoint the voting members pursuant to subsection 2, subject to sections 69.16, ~~69.16A~~, and 69.16C, and subject to confirmation by the senate.

Sec. 4. Section 15H.3, subsection 4, Code 2024, is amended to read as follows:

4. The membership of the commission shall comply with sections section 69.16 and ~~69.16A~~. The membership of the

commission shall also reflect the diversity of the state's population.

Sec. 5. Section 23.3, subsection 2, Code 2024, is amended to read as follows:

2. Appointments to the board shall be subject to ~~sections~~ section 69.16 and ~~69.16A~~.

Sec. 6. Section 28A.7, subsection 4, Code 2024, is amended to read as follows:

4. ~~The membership of the board of commissioners shall be gender balanced if possible. The appointing authorities shall comply with the requirements of section 69.16A or similar laws of the state of Illinois as determined by the appointing authorities.~~ The appointing authorities shall also provide representation for racial groups residing in the metropolitan area based on the ratio of the racial population to the population as a whole.

Sec. 7. Section 35A.2, subsection 2, Code 2024, is amended to read as follows:

2. Ten commissioners shall be honorably discharged members of the armed forces of the United States. The American legion of Iowa, disabled American veterans department of Iowa, veterans of foreign wars department of Iowa, American veterans of World War II, Korea, and Vietnam, the Vietnam veterans of America, the military order of the purple heart, the paralyzed veterans of America, and the Iowa association of county commissioners and veteran service officers, through their department commanders, shall submit two names respectively from their organizations to the governor. The adjutant general and the Iowa affiliate of the reserve officers association shall submit names to the governor of persons to represent the Iowa national guard and the association. The governor shall appoint from the group of names submitted by the adjutant general and reserve officers association two representatives and from each of the other organizations one representative to serve as a member of the commission, unless the appointments would conflict with the bipartisan ~~and gender balance~~ provisions of ~~sections~~ section 69.16 and ~~69.16A~~. In addition, the governor shall appoint one member of the public, knowledgeable in the

general field of veterans affairs, to serve on the commission.

Sec. 8. Section 46.1, subsection 3, Code 2024, is amended by striking the subsection.

Sec. 9. Section 46.2, subsection 1, Code 2024, is amended to read as follows:

1. The resident members of the bar of each congressional district shall elect two eligible electors ~~of different genders~~ to the state judicial nominating commission.

Sec. 10. Section 46.3, subsection 3, Code 2024, is amended by striking the subsection.

Sec. 11. Section 46.4, subsection 2, Code 2024, is amended by striking the subsection.

Sec. 12. Section 46.9, subsection 4, Code 2024, is amended to read as follows:

4. In an election to elect ~~one male commissioner and one female commissioner~~ two commissioners, each eligible attorney may cast one vote for ~~male commissioner and one vote for female commissioner~~ two separate commissioners, and the qualified eligible elector ~~of each gender~~ electors receiving the most and second-most votes shall each be elected.

Sec. 13. Section 80.28, subsection 4, Code 2024, is amended to read as follows:

4. The voting members of the board shall be appointed in compliance with ~~sections~~ section 69.16 and ~~69.16A~~. Members shall elect a chairperson and vice chairperson from the board membership, who shall serve two-year terms. The members appointed by the governor shall be appointed to three-year staggered terms and the terms shall commence and end as provided by section 69.19. If a vacancy occurs among the voting members, a successor shall be appointed to serve the unexpired term. A successor shall be appointed in the same manner and subject to the same qualifications as the original appointment to serve the unexpired term. The voting members of the board are entitled to receive reimbursement for actual expenses incurred while engaged in the performance of official duties from funds appropriated to the department of public safety and the state department of transportation for that purpose. The departments shall enter into an agreement to provide administrative assistance and support to the board.

Sec. 14. Section 84A.1A, subsection 8, Code 2024, is amended to read as follows:

8. Sections Section 69.16 and ~~69.16A~~ shall apply only to those members of the board appointed by the governor pursuant to subsection 1, paragraph "a", subparagraph (8).

Sec. 15. Section 84A.4, subsection 2, paragraph c, Code 2024, is amended to read as follows:

c. Political affiliation and gender balance. Sections Section 69.16 and ~~69.16A~~ shall apply to the total membership of a local workforce development board excluding members required under paragraph "b", subparagraph (4), subparagraph division (a), subparagraph subdivisions (ii) and (iii).

Sec. 16. Section 84D.5, subsection 2, Code 2024, is amended to read as follows:

2. Members of the council shall be appointed by the governor for terms of three years and in compliance with sections section 69.16 and ~~69.16A~~.

Sec. 17. Section 135.43, subsection 2, unnumbered paragraph 1, Code 2024, is amended to read as follows:

The membership of the review team is subject to the provisions of sections section 69.16 and ~~69.16A~~, relating to political affiliation and gender balance. Review team members who are not designated by another appointing authority shall be appointed by the director. Membership terms shall be for three years. A membership vacancy shall be filled in the same manner as the original appointment. The review team shall elect a chairperson and other officers as deemed necessary by the review team. The review team shall meet upon the call of the director or as determined by the review team. The review team shall include the following:

Sec. 18. Section 135.109, subsection 5, paragraph c, Code 2024, is amended to read as follows:

c. The membership of the review team is subject to the provisions of sections section 69.16 and ~~69.16A~~, relating to political affiliation and gender balance.

Sec. 19. Section 142A.3, subsection 3, paragraph b, Code 2024, is amended to read as follows:

b. Three voting members, to be selected by the participants in the annual statewide youth summit of the initiative's youth

program, who shall not be subject to [section 69.16](#) ~~or [69.16A](#)~~. However, the selection process shall provide for diversity among the members and at least one of the youth members shall be a female.

Sec. 20. Section 148.2A, subsection 2, unnumbered paragraph 1, Code 2024, is amended to read as follows:

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

Sec. 21. Section 155A.2A, unnumbered paragraph 1, Code 2024, is amended to read as follows:

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

Sec. 22. Section 159A.13, subsection 3, Code 2024, is amended to read as follows:

3. Appointments of voting members to the infrastructure board are subject to the requirements of ~~sections~~ [section 69.16 and ~~69.16A~~](#). In addition, the appointments shall be geographically balanced. The governor's appointees shall be confirmed by the senate, pursuant to [section 2.32](#).

Sec. 23. Section 176A.8, subsection 3, paragraph a, Code 2024, is amended to read as follows:

a. To, at least ninety days prior to the date fixed for the election of council members, appoint a nominating committee consisting of four persons who are not council members and designate the chairperson. ~~The membership of the nominating committee shall be gender balanced.~~ The nominating committee shall consider the geographic distribution of potential nominees in nominating one or more resident registered voters of the extension district as candidates for election to each

office to be filled at the election. To qualify for the election ballot, each nominee shall file a nominating petition signed by at least twenty-five eligible electors of the district with the county commissioner of elections at least sixty-nine days before the date of election.

Sec. 24. Section 216A.12, subsection 1, Code 2024, is amended to read as follows:

1. The commission of Latino affairs consists of seven members, appointed by the governor, and subject to confirmation by the senate pursuant to [section 2.32](#). Commission members shall be appointed in compliance with [sections section 69.16](#) and ~~69.16A~~. Commission members shall reside in the state.

Sec. 25. Section 216A.92A, subsection 2, Code 2024, is amended to read as follows:

2. Commission members shall serve three-year terms which shall begin and end pursuant to [section 69.19](#), and shall serve the entire term even if the member experiences a change in the status which resulted in their appointment under [subsection 1](#). Vacancies on the commission shall be filled for the remainder of the term of the original appointment. Members whose terms expire may be reappointed. Members of the commission shall receive actual expenses for their services. Members may also be eligible to receive compensation as provided in [section 7E.6](#). Members as specified under [subsection 1](#), paragraph "c", however, shall receive per diem compensation as provided in [section 7E.6](#) and actual expenses. The membership of the commission shall also comply with the political party affiliation and gender balance requirements of [sections section 69.16](#) and ~~69.16A~~.

Sec. 26. Section 216A.132, subsection 5, Code 2024, is amended to read as follows:

5. Membership on the board shall be bipartisan as provided in [section 69.16](#) and ~~gender balanced as provided in section 69.16A~~.

Sec. 27. Section 216A.162, subsection 3, paragraph a, Code 2024, is amended to read as follows:

a. Seven public members appointed in compliance with [sections section 69.16](#) and ~~69.16A~~ who shall be appointed with consideration given to the geographic residence of the

member and the population density of Native Americans within the vicinity of the geographic residence of a member. Of the seven public members appointed, at least one shall be a Native American who is an enrolled tribal member living on a tribal settlement or reservation in Iowa and whose tribal government is located in Iowa.

Sec. 28. Section 217.43, subsection 1, paragraph a, subparagraph (1), Code 2024, is amended to read as follows:

(1) The membership shall be appointed in accordance with section 69.16, relating to political affiliation, ~~and section 69.16A, relating to gender balance.~~

Sec. 29. Section 235B.1, subsection 4, paragraph b, subparagraph (2), Code 2024, is amended to read as follows:

(2) The members of the advisory council shall be appointed to terms of four years beginning May 1. Appointments shall comply with ~~sections~~ [section 69.16](#) and ~~69.16A~~. Vacancies shall be filled in the same manner as the original appointment.

Sec. 30. Section 252B.22, subsection 2, Code 2024, is amended to read as follows:

2. Members of the task force may include, but shall not be limited to, representatives, appointed by the respective entity, of the Iowa land title association, the Iowa realtors' association, the Iowa state bar association, the Iowa county recorders' association, the Iowa clerks of court association, the Iowa county treasurers' association, the Iowa automobile dealers' association, the Iowa bankers association, the Iowa recreational vehicle dealers' association, the independent automobile dealers' association of Iowa, the Iowa mortgage bankers' association, the Iowa motorcycle association, the Iowa credit union league, department of administrative services, state department of transportation, the office of the secretary of state, the office of the state court administrator, and other constituency groups and agencies which have an interest in a statewide support lien index to the record liens.

Appointments are not subject to ~~sections~~ [section 69.16](#) and ~~69.16A~~. Vacancies shall be filled by the original appointment authority and in the manner of the original appointments.

Sec. 31. Section 256.5A, subsection 4, Code 2024, is amended to read as follows:

4. The nonvoting student member appointment is not subject to [section 69.16](#) or ~~69.16A~~.

Sec. 32. Section 256.35A, subsection 2, paragraph c, Code 2024, is amended to read as follows:

c. Voting members shall serve three-year terms beginning and ending as provided in [section 69.19](#), and appointments shall comply with ~~sections~~ [section 69.16](#) and ~~69.16A~~. Vacancies on the council shall be filled in the same manner as the original appointment. A person appointed to fill a vacancy shall serve only for the unexpired portion of the term. Public members shall receive reimbursement for actual expenses incurred while serving in their official capacity and may also be eligible to receive compensation as provided in [section 7E.6](#).

Sec. 33. Section 256.82, subsection 1, paragraph b, unnumbered paragraph 1, Code 2024, is amended to read as follows:

Five members shall be selected in the manner provided in this paragraph and ~~the gender balance of the membership shall be coordinated among the associations and boards making the appointments so that not more than three members serving under this paragraph at the same time are of the same gender.~~

Sec. 34. Section 256.82, subsection 3, paragraph a, Code 2024, is amended to read as follows:

a. The board shall appoint an advisory committee on journalistic and editorial integrity ~~which has no more than a simple majority of members of the same gender.~~

Sec. 35. Section 256.147, subsection 2, Code 2024, is amended to read as follows:

2. The membership of the board shall comply with the requirements of ~~sections~~ [section 69.16](#) and ~~69.16A~~. A quorum of the board shall consist of seven members. Members shall elect a chairperson of the board. Members, except for the director of the department or the director's designee, shall be appointed by the governor subject to confirmation by the senate.

Sec. 36. Section 260C.36, subsection 1, unnumbered paragraph 1, Code 2024, is amended to read as follows:

The community college administration shall establish a committee consisting of instructors and administrators, equally

representative of the arts and sciences faculty and the career and technical faculty, ~~which has no more than a simple majority of members of the same gender.~~ The faculty members shall be appointed by the certified employee organization if one exists and if not, by the college administration. The administrators shall be appointed by the college administration. The committee shall develop and maintain a plan for hiring and developing quality faculty that includes all of the following:

Sec. 37. Section 273.15, subsection 4, Code 2024, is amended to read as follows:

4. All member appointments made pursuant to subsection 2 shall comply with [sections 69.16](#), ~~[69.16A](#)~~, and [69.16C](#). In addition, every reasonable effort shall be made to appoint members to provide balanced representation based on age, experience, ethnicity, district size, and geography.

Sec. 38. Section 284.15, subsection 12, paragraph b, Code 2024, is amended to read as follows:

b. Members shall be appointed to staggered three-year terms which begin and end as provided in [section 69.19](#). Appointments shall comply with [sections 69.16](#), ~~[69.16A](#)~~, and [69.16C](#). Vacancies on the commission shall be filled in the same manner as the original appointment. A person appointed to fill a vacancy shall serve only for the unexpired portion of the term. Members are entitled to reimbursement of actual expenses incurred in performance of their official duties.

Sec. 39. Section 314.22, subsection 3, paragraph c, Code 2024, is amended to read as follows:

c. Members of the committee shall serve without compensation, but may be reimbursed for allowable expenses from the living roadway trust fund created under [section 314.21](#). ~~No more than a simple majority of the members of the committee shall be of the same gender as provided in [section 69.16A](#).~~ The director of the department shall appoint the chair of the committee and shall establish a minimum schedule of meetings for the committee.

Sec. 40. Section 331.233, subsection 2, Code 2024, is amended to read as follows:

2. Only eligible electors of the county not holding a city, county, or state office shall be members of the

commission. In counties having multiple state legislative districts, the districts shall be represented as equally as possible. The membership shall be bipartisan and gender balanced and each appointing authority under subsection 1 shall provide for representation of various age groups, racial minorities, economic groups, and representatives of identifiable geographically defined populations, all in reasonable relationship to the proportions in which these groups are present in the population of the commission area. A vacancy on the commission shall be filled by appointment in the same manner as the original appointment. The county auditor shall notify the appropriate appointing authority of a vacancy.

Sec. 41. Section 373.2, subsection 2, Code 2024, is amended to read as follows:

2. Only eligible electors of the county not holding a city, county, or state office shall be members of the commission. In counties having multiple state legislative districts, the districts shall be represented as equally as possible. The membership shall be bipartisan and gender balanced and each appointing authority under subsection 1 shall provide for representation of various age groups, racial minorities, economic groups, and representatives of identifiable geographically defined populations, all in reasonable relationship to the proportions in which these groups are present in the population of the commission area.

Sec. 42. Section 418.5, subsection 3, Code 2024, is amended to read as follows:

3. The general public members shall be appointed by the governor, subject to confirmation by the senate. The appointments shall comply with ~~sections~~ section 69.16 and 69.16A.

Sec. 43. Section 455A.20, subsection 1, paragraph f, Code 2024, is amended to read as follows:

f. If a question arises as to whether a recognized county organization exists under paragraph "c" or "d", the question shall be decided by a majority vote of the members selected under paragraphs "a" and "b", excluding the representative of the county conservation board. ~~Sections~~ Section 69.16 and 69.16A ~~do~~ does not apply to appointments made pursuant to this

subsection.

Sec. 44. Section 455B.150, subsection 1, paragraph a, subparagraph (3), Code 2024, is amended to read as follows:

(3) An appointment shall comply with ~~sections~~ section 69.16 and 69.16A. In addition, the appointments shall be geographically balanced.

Sec. 45. Section 475A.7, Code 2024, is amended to read as follows:

475A.7 Consumer advisory panel.

The attorney general shall appoint five members and the governor shall appoint four members to a consumer advisory panel to meet at the request of the consumer advocate for consultation regarding public utility regulation. A member shall be appointed from each congressional district with the appointee residing within the congressional district at the time of appointment. The remaining appointees shall be members at large. No more than five members shall belong to the same political party as provided in section 69.16. ~~Not more than a simple majority of the members shall be of the same gender.~~ The members appointed by the attorney general shall serve four-year terms at the pleasure of the attorney general and their appointments are not subject to confirmation. The members appointed by the governor shall serve four-year terms at the pleasure of the governor and their appointments are not subject to confirmation. The governor or attorney general shall fill a vacancy in the same manner as the original appointment for the unexpired portion of the member's term. Members of the consumer advisory panel shall serve without compensation, but shall be reimbursed for actual expenses from funds appropriated to the consumer advocate division.

Sec. 46. Section 514E.2, subsection 2, paragraph b, Code 2024, is amended to read as follows:

b. The composition of the board of directors shall be in compliance with ~~sections~~ section 69.16 and 69.16A. The governor's appointees shall be chosen from a broad cross section of the residents of this state.

Sec. 47. Section 542.4, subsection 1, paragraph d, Code 2024, is amended to read as follows:

d. The term of each member of the board shall be three

years, as designated by the governor, and appointments to the board are subject to the requirements of ~~sections 69.16, 69.16A,~~ and 69.19. Vacancies occurring during a term shall be filled by appointment by the governor for the unexpired term. Upon the expiration of the member's term of office, a member shall continue to serve until a successor shall have been appointed and taken office.

Sec. 48. REPEAL. Section 69.16A, Code 2024, is repealed.

AMY SINCLAIR
President of the Senate

PAT GRASSLEY
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2096, Ninetieth General Assembly.

W. CHARLES SMITHSON
Secretary of the Senate

Approved _____, 2024

KIM REYNOLDS
Governor