

House File 2589 - Introduced

HOUSE FILE 2589
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO HSB 730)

(COMPANION TO SF 2384 BY
COMMITTEE ON APPROPRIATIONS)

A BILL FOR

1 An Act relating to state and local finances by making
2 appropriations, providing for legal and regulatory
3 responsibilities, providing for other properly related
4 matters, and including effective date and retroactive
5 applicability provisions.
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I

STANDING APPROPRIATIONS AND RELATED MATTERS

1 Section 1. LIMITATIONS OF STANDING APPROPRIATIONS — FY
2 2022-2023. Notwithstanding the standing appropriation in the
3 following designated section for the fiscal year beginning July
4 1, 2022, and ending June 30, 2023, the amount appropriated from
5 the general fund of the state pursuant to that section for the
6 following designated purpose shall not exceed the following
7 amount:
8

9
10 For payment of claims for nonpublic school pupil
11 transportation under [section 285.2](#):
12 \$ 8,997,091

13 If total approved claims for reimbursement for nonpublic
14 school pupil transportation exceed the amount appropriated in
15 accordance with this section, the department of education shall
16 prorate the amount of each approved claim.

17 Sec. 2. INSTRUCTIONAL SUPPORT STATE AID — FY 2022-2023. In
18 lieu of the appropriation provided in section 257.20,
19 subsection 2, the appropriation for the fiscal year
20 beginning July 1, 2022, and ending June 30, 2023, for paying
21 instructional support state aid under [section 257.20](#) for the
22 fiscal year is zero.

23 Sec. 3. SPECIAL FUNDS — SALARY ADJUSTMENTS —
24 UNAPPROPRIATED MONEYS — FY 2022-2023. For the fiscal year
25 beginning July 1, 2022, and ending June 30, 2023, salary
26 adjustments otherwise provided may be funded as determined
27 by the department of management, subject to any applicable
28 constitutional limitation, using unappropriated moneys
29 remaining in the department of commerce revolving fund, the
30 gaming enforcement revolving fund, the gaming regulatory
31 revolving fund, the primary road fund, the road use tax
32 fund, the fish and game protection fund, and the Iowa public
33 employees' retirement fund, and in other departmental
34 revolving, trust, or special funds for which the general
35 assembly has not made an operating budget appropriation.

1 Sec. 4. [Section 257.35](#), Code 2022, is amended by adding the
2 following new subsection:

3 NEW SUBSECTION. 16A. Notwithstanding [subsection 1](#), and in
4 addition to the reduction applicable pursuant to subsection
5 2, the state aid for area education agencies and the portion
6 of the combined district cost calculated for these agencies
7 for the fiscal year beginning July 1, 2022, and ending June
8 30, 2023, shall be reduced by the department of management by
9 seventeen million dollars. At least two million dollars of the
10 reduction shall occur in the area of professional development.
11 The reduction for each area education agency shall be prorated
12 based on the reduction that the agency received in the fiscal
13 year beginning July 1, 2003.

14 DIVISION II

15 CORRECTIVE PROVISIONS

16 Sec. 5. Section 45.1, subsection 7, paragraph a, Code 2022,
17 as amended by 2022 Iowa Acts, House File 2466, section 3, is
18 amended to read as follows:

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

23 Sec. 6. Section 80E.2, subsection 2, Code 2022, as amended
24 by 2022 Iowa Acts, House File 2367, section 2, is amended to
25 read as follows:

26 2. The prosecuting attorney, certified alcohol and drug
27 counselor, certified substance abuse prevention specialist,
28 substance use disorder treatment program director, member
29 representing the Iowa peace officers association, member
30 representing the Iowa state police association, the
31 member representing the Iowa state sheriffs' and deputies'
32 association, and the member ~~representing the Iowa police chiefs~~
33 association who is a police chief shall be appointed by the
34 governor, subject to senate confirmation, for four-year terms
35 beginning and ending as provided in [section 69.19](#). A vacancy

1 on the council shall be filled for the unexpired term in the
2 same manner as the original appointment was made.

3 Sec. 7. Section 124.204, subsection 2, paragraph c1, as
4 enacted by 2022 Iowa Acts, House File 2201, section 1, is
5 amended to read as follows:

6 c1. N-(1-phenethylpiperidin-4-yl)
7 -N-phenylcyclopentanecarboxamide. Other name: ~~cyclopentanyl~~
8 cyclopentyl fentanyl.

9 Sec. 8. Section 147.77, subsection 1, paragraph 1, if
10 enacted by 2022 Iowa Acts, House File 803, section 51, is
11 amended to read as follows:

12 1. The department of public safety, with respect to rules
13 relating to permits to carry weapons, that a person who is
14 an unlawful user of or addicted to any controlled substance
15 includes any person who is a current user of a controlled
16 substance in a manner other than as prescribed by a licensed
17 physician.

18 Sec. 9. Section 147.77, subsection 1, paragraph p,
19 subparagraph (3), if enacted by 2022 Iowa Acts, House File 803,
20 section 51, is amended to read as follows:

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

25 Sec. 10. Section 249A.42A, subsection 2, if enacted by 2022
26 Iowa Acts, House File 736, section 1, is amended to read as
27 follows:

28 2. The provider documented the eligibility verification
29 performed and any necessary prior authorization obtained
30 pursuant to ~~paragraph "a"~~ subsection 1 in a manner and format
31 established by the department by rule, and retained the
32 required documentation in the recipient's file.

33 Sec. 11. Section 261.116, subsection 7, Code 2022, as
34 amended by 2022 Iowa Acts, Senate File 2383, section 16, if
35 enacted, is amended to read as follows:

1 6. *Health care award fund.* A health care award fund is
2 created for deposit of moneys appropriated to or received by
3 the commission for use under the program. Notwithstanding
4 section 8.33, moneys deposited in the health care award
5 fund shall not revert to any fund of the state at the
6 end of any fiscal year but shall remain in the award fund
7 and be continuously available for use under the program.
8 Notwithstanding [section 12C.7, subsection 2](#), interest or
9 earnings on moneys deposited in the health care award fund
10 shall be credited to the fund.

11 Sec. 12. Section 441.1, subsection 3, paragraph d, as
12 enacted by 2022 Iowa Acts, Senate File 384, section 1, is
13 amended to read as follows:

14 d. The provisions of chapter 28E are applicable to this
15 ~~section~~ subsection.

16 Sec. 13. Section 600.5, subsection 9A, if enacted by 2022
17 Iowa Acts, House File 2252, section 6, is amended to read as
18 follows:

19 9A. If the parents of the person to be adopted had their
20 parental rights terminated pursuant to chapter 232, the
21 petition shall ~~included~~ include the names of any known siblings
22 placed separately from the person to be adopted and either the
23 plan for ongoing contact between the siblings if a court found
24 that continued contact is in the best interest of each sibling
25 or a statement that the court found continued contact between
26 the siblings is not in the best interest of each sibling.

27 Sec. 14. 2022 Iowa Acts, House File 2200, section 3, is
28 amended to read as follows:

29 SEC. 3. APPLICABILITY. This Act applies to direct health
30 care agreements that are fully executed on or after the
31 effective date of enactment this Act.

32 Sec. 15. 2022 Iowa Acts, House File 2201, section 7, is
33 amended by striking the section and inserting in lieu thereof
34 the following:

35 SEC. 7. Section 124.206, subsection 2, paragraph a,

1 unnumbered paragraph 1, Code 2022, is amended by striking
2 the unnumbered paragraph and inserting in lieu thereof the
3 following:

4 Opium and opiate, and any salt, compound, derivative,
5 or preparation of opium or opiate excluding apomorphine,
6 thebaine-derived butorphanol, dextrorphan, nalbuphine,
7 naldemedine, nalmefene, naloxegol, naloxone, 6beta-naltrexol,
8 naltrexone, and samidorphan, and their respective salts, but
9 including the following:

10 Sec. 16. 2022 Iowa Acts, Senate File 2295, section 184, is
11 amended by striking the section and inserting in lieu thereof
12 the following:

13 SEC. 184. 2020 Iowa Acts, chapter 1064, sections 17 and
14 18, are amended by striking the sections and inserting in lieu
15 thereof the following:

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

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

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

32 2. The director of revenue shall draft the income tax form
33 to allow the designation of contributions to the foundation
34 fund on the tax return. The department, on or before January
35 31, shall transfer the total amount designated on the tax

1 form due in the preceding year to the foundation fund.
2 However, before a checkoff pursuant to [this section](#) shall be
3 permitted, all liabilities on the books of the department of
4 ~~administrative services~~ and accounts identified as owing under
5 section ~~8A.504~~ 421.65 shall be satisfied.

6 Sec. 17. CONTINGENT REPEAL. 2022 Iowa Acts, House File
7 2581, section 13, if enacted, is repealed if 2022 Iowa Acts,
8 House File 2128, section 15, is enacted.

9 Sec. 18. CODE EDITOR DIRECTIVES.

10 1. If Senate File 496 is enacted during the 2022 session
11 of the Eighty-ninth General Assembly, the Code editor is
12 directed to transfer the Code sections as enacted by that Act
13 as follows:

14 a. Section 94.1 to section 94B.1.

15 b. Section 94.2 to section 94B.2.

16 2. The Code editor is directed to renumber section 331.301,
17 subsection 18, as enacted by 2022 Iowa Acts, House File 728, to
18 become section 331.301, subsection 21.

19 3. The Code editor shall correct internal references in the
20 Code and in any enacted legislation as necessary due to the
21 enactment of this section.

22 Sec. 19. EFFECTIVE DATE. The following, being deemed of
23 immediate importance, take effect upon enactment:

24 1. The section of this division of this Act amending section
25 124.204, subsection 2, paragraph "c1".

26 2. The section of this division of this Act amending 2022
27 Iowa Acts, House File 2200, section 3.

28 3. The section of this division of this Act amending 2022
29 Iowa Acts, House File 2201, section 7.

30 Sec. 20. RETROACTIVE APPLICABILITY. The following apply
31 retroactively to May 2, 2022:

32 1. The section of this division of this Act amending section
33 124.204, subsection 2, paragraph "c1".

34 2. The section of this division of this Act amending 2022
35 Iowa Acts, House File 2201, section 7.

1 Sec. 21. RETROACTIVE APPLICABILITY. The section of this
2 division of this Act amending 2022 Iowa Acts, House File 2200,
3 section 3, applies retroactively to May 12, 2022.

4 EXPLANATION

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

7 This bill relates to state and local finances by
8 making appropriations, providing for legal and regulatory
9 responsibilities, and providing for other properly related
10 matters.

11 STANDING APPROPRIATIONS AND RELATED MATTERS. The bill
12 limits standing appropriations for payment of claims for
13 nonpublic school pupil transportation, instructional support
14 state aid, and state aid for area education agencies. The bill
15 authorizes salary adjustments to be funded as determined by the
16 department of management from unappropriated moneys in certain
17 special funds.

18 CORRECTIVE PROVISIONS. The bill makes technical corrections
19 to legislation enacted or considered during the 2022
20 legislative session. Certain provisions in this division of
21 the bill take effect upon enactment and apply retroactively to
22 the effective date of the amended legislation.