

**Senate File 412 - Introduced**

SENATE FILE 412

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**A BILL FOR**

1 An Act establishing an essential worker hazard pay grant fund  
2 and program to be administered by the economic development  
3 authority, and including effective date provisions.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. ESSENTIAL WORKER HAZARD PAY GRANT FUND AND  
2 PROGRAM.

3 1. As used in this section unless the context otherwise  
4 requires:

5 a. "Authority" means the economic development authority.

6 b. "Essential worker" means the same as essential critical  
7 infrastructure workers identified in the advisory memorandum  
8 issued on December 16, 2020, by the acting director of the  
9 federal cyber security and infrastructure security agency,  
10 United States department of homeland security, on ensuring  
11 essential critical infrastructure workers' ability to work  
12 during the COVID-19 response.

13 c. "Fund" means the essential worker hazard pay grant fund.

14 d. "Hazard pay" means additional pay above an essential  
15 worker's normal base pay including a shift differential or  
16 other premium pay.

17 e. "Program" means the essential worker hazard pay grant  
18 program.

19 2. a. The fund is created in the state treasury under  
20 the control of the authority and consists of any moneys  
21 appropriated to the fund by the general assembly and any other  
22 moneys available and obtained or accepted by the authority  
23 for placement in the fund. The fund shall be used to provide  
24 grants as provided under the program. The authority shall  
25 use any moneys specifically appropriated for purposes of this  
26 section only for the purposes of the program.

27 b. Notwithstanding section 8.33, moneys in the fund  
28 that remain unencumbered or unobligated at the close of the  
29 fiscal year shall not revert but shall remain available for  
30 expenditure for the purposes designated until the close of the  
31 succeeding fiscal year.

32 3. The authority shall establish and administer the program  
33 for the purpose of awarding grants to eligible businesses that  
34 employed essential workers at any time on or after March 17,  
35 2020. The authority shall establish eligibility criteria for

1 the program by rule. A grant awarded to a business shall be  
2 used only for the purpose of paying hazard pay to all of the  
3 business's essential workers that have been required to work  
4 at any time on or after March 17, 2020, in a position or in an  
5 environment that exposed the worker to the risk of COVID-19.

6 4. A business seeking a grant under this section shall make  
7 application to the authority in the manner prescribed by the  
8 authority by rule.

9 5. Subject to funding, the authority shall award grants  
10 under this section on a first-come, first-served basis.

11 6. A business shall not be awarded more than one grant under  
12 the program.

13 7. A business that is awarded a grant under this section  
14 may apply for financial assistance under other programs  
15 administered by the authority.

16 8. The authority shall adopt rules pursuant to chapter 17A  
17 as necessary to administer this section. The authority may  
18 adopt rules on an emergency basis as provided in section 17A.4,  
19 subsection 3, and section 17A.5, subsection 2, to administer  
20 this section and the rules shall be effective immediately upon  
21 filing unless a later date is specified in the rules. Any  
22 emergency rules adopted in accordance with this section shall  
23 also be published as a notice of intended action as provided  
24 in section 17A.4, subsection 1.

25 Sec. 2. EFFECTIVE DATE. This Act, being deemed of immediate  
26 importance, takes effect upon enactment.

27

EXPLANATION

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

30 This bill establishes an essential worker hazard pay grant  
31 fund (fund) and program (program) to be administered by the  
32 economic development authority (authority).

33 "Essential worker" is defined in the bill as essential  
34 critical infrastructure workers identified in the advisory  
35 memorandum issued on December 16, 2020, by the acting director

1 of the federal cyber security and infrastructure security  
2 agency, United States department of homeland security, on  
3 ensuring essential critical infrastructure workers' ability to  
4 work during the COVID-19 response.

5 The bill creates the fund in the state treasury under  
6 the control of the authority, which consists of any moneys  
7 appropriated to the fund by the general assembly and any other  
8 moneys available and obtained or accepted by the authority for  
9 placement in the fund. The fund must be used to provide grants  
10 as provided under the program. The authority must use any  
11 moneys specifically appropriated for purposes of the program  
12 only for the purposes of the program. The appropriated moneys  
13 that remain unencumbered or unobligated at the close of the  
14 fiscal year do not revert but remain available for expenditure  
15 for the program until the close of the succeeding fiscal year.

16 The authority must establish the program for the purpose of  
17 providing grants to eligible businesses that employed essential  
18 workers at any time on or after March 17, 2020. A business must  
19 use a grant only for the purpose of paying hazard pay to all  
20 of the business's essential workers that have been required to  
21 work at any time on or after March 17, 2020, in a position or in  
22 an environment that exposed the essential worker to the risk of  
23 COVID-19. "Hazard pay" is defined in the bill as additional  
24 pay above an essential worker's normal base pay including a  
25 shift differential or other premium pay. The authority must  
26 establish eligibility criteria for the program by rule.

27 The bill requires a business seeking a grant under the  
28 program to apply to the authority in the manner prescribed by  
29 the authority by rule. Subject to funding, the authority must  
30 award grants on a first-come, first-served basis. A business  
31 that is awarded a grant may apply for financial assistance  
32 under other programs administered by the authority.

33 The bill requires the authority to adopt rules as necessary  
34 to administer the bill, and allows the authority to adopt rules  
35 on an emergency basis.

1 The bill takes effect upon enactment.