

Senate File 2037 - Introduced

SENATE FILE 2037

BY SALMON

A BILL FOR

1 An Act prohibiting counties and cities from regulating certain
2 behavioral health and human services.

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

1 Section 1. Section 331.301, Code 2024, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 23. *a.* A county shall not adopt or enforce
4 an ordinance, motion, resolution, or amendment, or use any
5 other means, to regulate behavioral health and human services
6 that are subject to licensing or certification requirements
7 by a board, or performed by persons exempt from licensing or
8 certification requirements by a board, including professors,
9 government employees acting within the scope of the position,
10 students and trainees, clergy, and employees or volunteers of
11 nonprofit organizations, when the person's services include any
12 of the following:

- 13 (1) Behavioral health services under chapter 147 or 154D.
- 14 (2) Psychology services under chapter 154B.
- 15 (3) Social work services under chapter 154C.

16 *b.* This section does not prohibit county regulations
17 consistent with traditional zoning considerations.

18 Sec. 2. Section 364.3, Code 2024, is amended by adding the
19 following new subsection:

20 NEW SUBSECTION. 18. *a.* A city shall not adopt or enforce
21 an ordinance, motion, resolution, or amendment, or use any
22 other means, to regulate behavioral health and human services
23 that are subject to licensing or certification requirements
24 by a board, or performed by persons exempt from licensing or
25 certification requirements by a board, including professors,
26 government employees acting within the scope of the position,
27 students and trainees, clergy, and employees or volunteers of
28 nonprofit organizations, when the person's services include any
29 of the following:

- 30 (1) Behavioral health services under chapter 147 or 154D.
- 31 (2) Psychology services under chapter 154B.
- 32 (3) Social work services under chapter 154C.

33 *b.* This section does not prohibit city regulations
34 consistent with traditional zoning considerations.

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EXPLANATION

S.F. 2037

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

3 This bill prohibits counties and cities from adopting or
4 enforcing an ordinance, motion, resolution, or amendment,
5 or using any other means, to regulate certain behavioral
6 health and human services that are subject to licensing or
7 certification requirements by a board, including behavioral
8 health, psychology, and social work. The bill also prohibits
9 counties and cities from regulating those behavioral health
10 and human services when performed by persons exempt from
11 licensing and certification requirements by a board, including
12 professors, government employees acting within the scope of
13 the position, students and trainees, clergy, and employees
14 or volunteers of nonprofit organizations. The bill does
15 not prohibit county and city regulations consistent with
16 traditional zoning considerations.