

Senate File 2416 - Introduced

SENATE FILE 2416

BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO SF 2377)

(SUCCESSOR TO SSB 3144)

(COMPANION TO HF 2550 BY

COMMITTEE ON STATE GOVERNMENT)

A BILL FOR

1 An Act relating to the organization, structure, and functions
2 of state and local governments, providing for salaries
3 of certain state officers, making statutory corrections,
4 resolving inconsistencies, removing ambiguities, and
5 including effective date provisions.

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

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DIVISION I

NATURAL RESOURCES

Section 1. Section 233A.15, Code 2024, is amended to read as follows:

233A.15 ~~Transfers~~ Assignments to work in parks.

1. The director may assign children from the state training school deemed trustworthy, to perform services for the department of natural resources within the state parks, state game and forest areas, and other lands under the jurisdiction of the department of natural resources. The department of natural resources shall provide ~~permanent housing and~~ work guidance supervision, but the care and custody of the children assigned shall remain with the department. All programs shall have as their primary purpose and shall provide for inculcation or the activation of attitudes, skills, and habit patterns which will be conducive to the habilitation of the children involved.

2. The director may use state-owned mobile housing equipment and facilities in performing services at temporary locations in the areas described in [subsection 1](#).

DIVISION II

DEPARTMENT OF INSPECTIONS, APPEALS, AND LICENSING

Sec. 2. Section 10A.309, Code 2024, is amended to read as follows:

10A.309 Interest in affected business.

~~It shall be unlawful for the~~ The commissioner ~~to~~ shall not be financially interested in any business enterprise coming under or affected by [this subchapter](#) ~~during the commissioner's term of~~ while in office, and if the commissioner violates this statute, it shall be sufficient grounds for removal from office, and in such case the governor shall at once declare the office vacant and appoint another to fill the vacancy.

Sec. 3. Section 10A.310, subsection 2, Code 2024, is amended to read as follows:

2. Subject to the approval of the director ~~of the department~~

1 ~~of workforce development~~, the commissioner may enter into
2 contracts with any state agency, with or without reimbursement,
3 for the purpose of obtaining the services, facilities, and
4 personnel of the agency and with the consent of any state
5 agency or political subdivision of the state, accept and use
6 the services, facilities, and personnel of the agency or
7 political subdivision, and employ experts and consultants or
8 organizations in order to expeditiously, efficiently, and
9 economically effectuate the purposes of **this chapter**. The
10 agreements under **this subsection** are subject to approval by the
11 executive council if approval is required by law.

12 Sec. 4. Section 10A.504, subsection 1, unnumbered paragraph
13 1, Code 2024, is amended to read as follows:

14 The director shall appoint and supervise ~~a full-time~~ an
15 executive director for each of the following boards:

16 Sec. 5. Section 10A.507, subsection 2, Code 2024, is amended
17 to read as follows:

18 2. The fund shall consist of moneys and fees collected by
19 the department for deposit in the fund and other moneys as
20 provided by law.

21 Sec. 6. Section 91C.4, Code 2024, is amended to read as
22 follows:

23 **91C.4 Fees.**

24 The director shall prescribe the fee for registration,
25 which fee shall not exceed fifty dollars every per year. All
26 fees collected under this chapter shall be deposited in the
27 licensing and regulation fund created in section 10A.507.

28 Sec. 7. Section 135C.9, subsection 1, paragraph b, Code
29 2024, is amended to read as follows:

30 *b.* The facility has been inspected by the director, ~~who may~~
31 ~~be a member of a municipal fire department,~~ or the director's
32 designee and the department has received either a certificate
33 of compliance or a provisional certificate of compliance by
34 the facility with the fire hazard and fire safety rules and
35 standards of the department as promulgated by the director

1 and, where applicable, the fire safety standards required for
2 participation in programs authorized by either Tit. XVIII or
3 Tit. XIX of the United States Social Security Act, codified at
4 42 U.S.C. §1395 - 139511 and 1396 - 1396g. The certificate or
5 provisional certificate shall be signed by the director or the
6 director's designee who made the inspection. If the director
7 or director's designee finds a deficiency upon inspection, the
8 notice to the facility shall be provided in a timely manner
9 and shall specifically describe the nature of the deficiency,
10 identifying the Code ~~section or subsection~~ provision or the
11 rule or standard violated. The notice shall also specify the
12 time allowed for correction of the deficiency, at the end of
13 which time the director or director's designee shall perform
14 a follow-up inspection.

15 Sec. 8. Section 147.80, Code 2024, is amended to read as
16 follows:

17 **147.80 Establishment of fees — administrative costs.**

18 1. Each board, following approval by the department, may, or
19 at the direction of the department, shall by rule establish or
20 revise fees for the following ~~based on the costs of sustaining~~
21 ~~the board and the actual costs of the service:~~

22 a. Examinations.

23 b. Licensure, certification, or registration.

24 c. Renewal of licensure, certification, or registration.

25 d. Renewal of licensure, certification, or registration
26 during the grace period.

27 e. Reinstatement or reactivation of licensure,
28 certification, or registration.

29 f. Issuance of a certified statement that a person is
30 licensed, registered, or has been issued a certificate to
31 practice in this state.

32 g. Issuance of a duplicate license, registration, or
33 certificate, which shall be so designated on its face. A board
34 may require satisfactory proof that the original license,
35 registration, or certificate issued by the board has been lost

1 or destroyed.

2 *h.* Issuance of a renewal card.

3 *i.* Verification of licensure, registration, or
4 certification.

5 *j.* Returned checks.

6 *k.* Inspections.

7 2. ~~Each board~~ The department shall annually prepare
8 estimates of projected revenues to be generated by ~~the all~~
9 ~~fees received by the board~~ collected as well as a projection
10 of the ~~fairly apportioned~~ aggregate administrative costs and
11 rental expenses attributable to ~~the board~~ all boards and the
12 division of the department responsible for licensing related to
13 such boards. ~~Each board~~ The department shall annually review
14 and, if necessary, direct the boards to adjust ~~its~~ the schedule
15 of fees to cover aggregate projected expenses and ensure fees
16 imposed in this state are not greater than similar fees imposed
17 by similar boards or agencies in other states. The department
18 shall annually provide to each appropriate board a comparison
19 of the amount of the board's fees as compared to similar fees
20 imposed by similar boards or agencies in other states.

21 3. *a.* The board of medicine, the board of pharmacy, the
22 dental board, and the board of nursing shall retain ~~individual~~
23 an executive officers director pursuant to [section 10A.504](#), but
24 to the extent possible shall share administrative, clerical,
25 and investigative staff.

26 *b.* An individual executive director may be appointed and
27 serve as the executive director of one or more of the boards
28 specified under paragraph "a".

29 Sec. 9. Section 152.2, Code 2024, is amended to read as
30 follows:

31 **152.2 Executive director.**

32 The board shall retain ~~a full-time~~ an executive director,
33 who shall be appointed pursuant to [section 10A.504](#). The
34 executive director shall be a registered nurse. The governor,
35 with the approval of the executive council pursuant to section

1 8A.413, subsection 3, under the pay plan for exempt positions
2 in the executive branch of government, shall set the salary of
3 the executive director.

4 Sec. 10. Section 153.33B, unnumbered paragraph 1, Code
5 2024, is amended to read as follows:

6 ~~A full-time~~ An executive director shall be appointed as
7 provided under [section 10A.504](#). The executive director shall
8 not be a member of the board. The duties of the executive
9 director shall be the following:

10 Sec. 11. Section 231B.4, Code 2024, is amended to read as
11 follows:

12 **231B.4 Zoning — fire and safety standards.**

13 An elder group home shall be located in an area zoned
14 for single-family or multiple-family housing or in an
15 unincorporated area and shall be constructed in compliance with
16 applicable local housing codes and the rules adopted for the
17 special classification by the department. In the absence of
18 local building codes, the facility shall comply with the state
19 plumbing code established pursuant to [section ~~135.11~~ 105.4](#) and
20 the state building code established pursuant to [section 103A.7](#)
21 and the rules adopted for the special classification by the
22 department. The rules adopted for the special classification
23 by the department regarding second floor occupancy shall take
24 into consideration the mobility of the tenants.

25 Sec. 12. Section 272C.1, subsection 6, Code 2024, is amended
26 by adding the following new paragraph:

27 NEW PARAGRAPH. *ag.* The real estate appraiser examining
28 board, created pursuant to chapter 543D.

29 Sec. 13. REPEAL. Section 91C.9, Code 2024, is repealed.

30 Sec. 14. TRANSFER. Moneys remaining in the contractor
31 registration revolving fund at the end of the fiscal year
32 beginning July 1, 2023, shall be transferred to the licensing
33 and regulation fund created in section 10A.507.

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DIVISION III
DEPARTMENT OF TRANSPORTATION

1 Sec. 15. Section 321.383, subsections 1 and 2, Code 2024,
2 are amended to read as follows:

3 1. **This chapter** with respect to equipment on vehicles does
4 not apply to implements of husbandry, road machinery, or bulk
5 spreaders and other fertilizer and chemical equipment defined
6 as special mobile equipment, except as made applicable in this
7 section. However, the movement of implements of husbandry on a
8 roadway is subject to safety rules adopted by the department of
9 public safety. The safety rules shall prohibit the movement
10 of any power unit towing more than one implement of husbandry,
11 except implements of husbandry that are not self-propelled and
12 are capable of being towed in tandem, from the manufacturer
13 to the retail seller, from the retail seller to the farm
14 purchaser, or from the manufacturer to the farm purchaser.

15 2. When operated on a highway in this state at a speed
16 of thirty-five miles per hour or less, every farm tractor,
17 or tractor with towed equipment, self-propelled implement of
18 husbandry, road construction or maintenance vehicle, road
19 grader, horse-drawn vehicle, or any other vehicle principally
20 designed for use off the highway and any such tractor,
21 implement, vehicle, or grader when manufactured for sale or
22 sold at retail after December 31, 1971, shall be identified
23 with a reflective device in accordance with the standards of
24 the American society of agricultural engineers; however, this
25 provision shall not apply to such vehicles when traveling in
26 an escorted parade. If a person operating a vehicle drawn
27 by a horse or mule objects to using a reflective device
28 that complies with the standards of the American society of
29 agricultural engineers for religious reasons, the vehicle may
30 be identified by an alternative reflective device that is in
31 compliance with rules adopted by the department of public
32 safety. The reflective device or alternative reflective device
33 shall be visible from the rear. A vehicle other than those
34 specified in **this section** shall not display a reflective device
35 or an alternative reflective device. On vehicles operating at

1 speeds above thirty-five miles per hour, the reflective device
2 or alternative reflective device shall be removed or hidden
3 from view.

4 Sec. 16. Section 307.12, subsection 1, paragraph f, Code
5 2024, is amended to read as follows:

6 *f.* Present the department's proposed budget to the
7 commission prior to ~~December~~ March 31 of each immediately
8 preceding the applicable fiscal year.

9 Sec. 17. Section 307.12, subsection 1, Code 2024, is amended
10 by adding the following new paragraph:

11 NEW PARAGRAPH. *01.* Establish divisions within the
12 department as necessary or desirable in addition to any
13 departmental division required or established by law.

14 Sec. 18. Section 307.12, subsection 2, Code 2024, is amended
15 to read as follows:

16 2. If in the interest of the state, the director may allow
17 a subsistence expense to an employee ~~under the supervision~~
18 ~~of the department's administrator~~ responsible for highway
19 programs and activities for continuous stay in one location
20 while on duty away from established headquarters and place
21 of domicile for a period not to exceed forty-five days; and
22 allow automobile expenses in accordance with [section 8A.363](#),
23 for moving an employee and the employee's family from place of
24 present domicile to new domicile, and actual transportation
25 expense for moving of household goods. The household goods for
26 which transportation expense is allowed shall not include pets
27 or animals.

28 Sec. 19. Section 307.21, subsection 1, Code 2024, is amended
29 to read as follows:

30 1. ~~The department's administrator responsible for the~~
31 ~~operations and finances of the department shall:~~

32 *a.* Provide for the proper maintenance and protection of
33 the grounds, buildings, and equipment of the department, in
34 cooperation with the department of administrative services.

35 *b.* Establish, supervise, and maintain a system of

1 centralized electronic data processing for the department, in
2 cooperation with the department of ~~administrative services~~
3 management.

4 ~~c. Assist the director in preparing~~ Prepare the departmental
5 budget.

6 ~~d.~~ Provide centralized purchasing services for the
7 department, if authorized by the department of administrative
8 services. The ~~administrator~~ department shall, when the price
9 is reasonably competitive and the quality as intended, purchase
10 soybean-based inks and plastic products with recycled content,
11 including but not limited to plastic garbage can liners, and
12 shall purchase these items in accordance with the schedule
13 established in [section 8A.315](#). However, the ~~administrator~~
14 department need not purchase garbage can liners in accordance
15 with the schedule if the liners are utilized by a facility
16 approved by the environmental protection commission created
17 under [section 455A.6](#), for purposes of recycling. For purposes
18 of [this section](#), "recycled content" means that the content of
19 the product contains a minimum of thirty percent postconsumer
20 material.

21 ~~e. Assist the director in employing~~ Employ the professional,
22 technical, clerical, and secretarial staff for the department
23 and maintain employee records, in cooperation with the
24 department of administrative services and provide personnel
25 services, including but not limited to training, safety
26 education, and employee counseling.

27 ~~f. Assist the director in coordinating~~ Coordinate the
28 responsibilities and duties of the various divisions within the
29 department.

30 ~~g.~~ Carry out all other general administrative duties for the
31 department.

32 ~~h.~~ Perform such other duties and responsibilities as may be
33 assigned by the director.

34 Sec. 20. Section 307.21, subsection 2, unnumbered paragraph
35 1, Code 2024, is amended to read as follows:

1 When performing the duty of providing centralized purchasing
2 services under [subsection 1](#), the ~~administrator~~ department shall
3 do all of the following:

4 Sec. 21. Section 307.21, subsection 4, Code 2024, is amended
5 to read as follows:

6 4. The ~~administrator~~ department shall provide for the
7 purchase of qualified renewable fuels to power internal
8 combustion engines that are used to operate motor vehicles and
9 for the purchase of motor vehicles operating using engines
10 powered by qualified renewable fuels in the same manner
11 required for the director of the department of administrative
12 services pursuant to [section 8A.368](#). The department of
13 transportation shall compile information regarding compliance
14 with the provisions of [this subsection](#) in the same manner as
15 the department of administrative services pursuant to section
16 8A.369. The department of transportation shall cooperate
17 with the department of administrative services in preparing
18 the annual state fleet qualified renewable fuels compliance
19 report regarding compliance with [this subsection](#) as provided
20 in [section 8A.369](#).

21 Sec. 22. Section 307.21, subsection 5, paragraph a,
22 unnumbered paragraph 1, Code 2024, is amended to read as
23 follows:

24 Of all new passenger vehicles and light pickup trucks
25 purchased by the ~~administrator~~ department, a minimum of ten
26 percent of all such vehicles and trucks purchased shall be
27 equipped with engines which utilize alternative methods of
28 propulsion, including but not limited to any of the following:

29 Sec. 23. Section 307.21, subsections 6 and 7, Code 2024, are
30 amended to read as follows:

31 6. The ~~administrator~~ department shall, whenever technically
32 feasible, purchase and use degradable loose foam packing
33 material manufactured from grain starches or other renewable
34 resources, unless the cost of the packing material is more than
35 ten percent greater than the cost of packing material made from

1 nonrenewable resources. For the purposes of **this subsection**,
2 "*packing material*" means material, other than an exterior
3 packing shell, that is used to stabilize, protect, cushion, or
4 brace the contents of a package.

5 7. The ~~administrator~~ department may purchase items from
6 the department of administrative services and may cooperate
7 with the director of the department of administrative services
8 by providing purchasing services for the department of
9 administrative services.

10 Sec. 24. Section 307.22, Code 2024, is amended to read as
11 follows:

12 **307.22 Planning and programming activities.**

13 ~~1. The department's administrator responsible for~~
14 ~~transportation planning and infrastructure program development~~
15 department shall:

16 ~~a. 1. Assist the director in planning~~ Plan all modes of
17 transportation in order to develop an integrated transportation
18 system providing adequate transportation services for all
19 citizens of the state.

20 ~~b. 2. Develop and maintain transportation statistical data~~
21 for the department.

22 ~~c. 3. Assist the director in establishing, analyzing,~~
23 ~~and evaluating~~ Establish, analyze, and evaluate alternative
24 transportation policies for the state.

25 ~~d. 4. Coordinate planning duties and responsibilities with~~
26 the planning functions carried on ~~by other administrators~~ among
27 the divisions of the department.

28 ~~e. (1)~~ 5. a. Annually report by July 1 of each year,
29 for both secondary and farm-to-market systems, miles of earth,
30 granular, and paved surface roads; the daily vehicle miles of
31 travel; and lineal feet of bridge deck under the jurisdiction
32 of each county's secondary road department, as of the preceding
33 January 1, taking into account roads whose jurisdiction has
34 been transferred from the department to a county or from a
35 county to the department during the previous year. The annual

1 report shall include those roads transferred to a county
2 pursuant to [section 306.8A](#).

3 ~~(2)~~ b. Miles of secondary and farm-to-market roads shall
4 not include those miles of farm-to-market extensions within
5 cities under five hundred population that are placed under
6 county secondary road jurisdiction pursuant to [section 306.4](#).

7 ~~(3)~~ c. The annual report of updated road and bridge data of
8 both the secondary and farm-to-market roads shall be submitted
9 to the Iowa county engineers association service bureau.

10 ~~f.~~ 6. ~~Advise and assist the director to study~~ Study and
11 develop highway transport economics to assure availability and
12 productivity of highway transport services.

13 ~~g.~~ ~~Perform such other planning functions as may be assigned~~
14 ~~by the director.~~

15 ~~2.~~ ~~The function of planning does not include the detailed~~
16 ~~design of highways or other modal transportation facilities,~~
17 ~~but is restricted to the needs of this state for multimodal~~
18 ~~transportation systems.~~

19 Sec. 25. Section 307.23, subsection 1, paragraph b, Code
20 2024, is amended to read as follows:

21 b. Provide all legal services for the department.

22 Sec. 26. Section 307.24, unnumbered paragraph 1, Code 2024,
23 is amended to read as follows:

24 ~~The department's administrator~~ department shall be
25 responsible for highway programs and activities, shall plan,
26 design, construct, and maintain the state primary highways,
27 and shall administer [chapters 306 through 306C](#), chapters
28 309 through 314, [chapters 316 through 318](#), and [chapter 320](#)
29 ~~and perform other duties as assigned by the director.~~ The
30 department shall:

31 Sec. 27. Section 307.26, Code 2024, is amended to read as
32 follows:

33 **307.26** ~~Administration of modal~~ Modal programs and activities.

34 ~~The department's administrator responsible for modal~~
35 ~~programs and activities~~ department shall:

1 ~~1. Advise and assist the director in the development of~~
2 Develop aeronautics, including but not limited to the location
3 of air terminals; accessibility of air terminals by other
4 modes of public transportation; protective zoning provisions
5 considering safety factors, noise, and air pollution;
6 facilities for private and commercial aircraft; air freight
7 facilities; and such other physical and technical aspects as
8 may be necessary to meet present and future needs.

9 ~~2. Advise and assist the director in the study of~~ Study
10 local and regional transportation of goods and people including
11 intracity and intercity bus systems, dial-a-bus facilities,
12 rural and urban bus and taxi systems, the collection of data
13 from these systems, the study of the feasibility of increased
14 government subsidy assistance and the allocation of such
15 subsidies to each mass transportation system, the study of such
16 other physical and technical aspects which may be necessary
17 to meet present and future needs, and the application for,
18 acceptance of, and expending of federal, state, or private
19 funds for the improvement of mass transit.

20 ~~3. Advise and assist the director in the development of~~
21 Develop transportation systems and programs for improving
22 passenger and freight services.

23 ~~4. Advise and assist the director in developing~~ Develop
24 programs in anticipation of railroad abandonment, including:
25 ~~a. Development and evaluation of~~ Developing and evaluating
26 programs which will encourage improvement of rail freight
27 and the upgrading of rail lines in order to improve freight
28 service.

29 ~~b. Advising the director~~ Determining when it may appear in
30 the best interest of the state to assume the role of advocate
31 in railroad abandonments and railroad rate schedules.

32 5. Develop and maintain a federal-state relationship
33 of programs relating to railroad safety enforcement, track
34 standards, rail equipment, operating rules, and transportation
35 of hazardous materials.

1 6. Make surveys, plans, and estimates of cost for the
2 elimination of danger at railroad crossings on highways and
3 confer with local and railroad officials with reference to
4 elimination of the danger.

5 ~~7. Advise and assist the director in the conduct of~~ Conduct
6 research on railroad-highway grade crossings and encourage
7 and develop a safety program in order to reduce injuries or
8 fatalities including but not limited to the following:

9 ~~a. The establishment of~~ Establishing standards for warning
10 devices for particularly hazardous crossings or for classes
11 of crossings on highways, which standards shall be designed
12 to reduce injuries, fatalities, and property damage. Such
13 standards shall regulate the use of warning devices and
14 signs, which shall be in addition to the requirements of
15 section 327G.2. Implementation of such standards shall be
16 the responsibility of the government agency or department
17 or political subdivision having jurisdiction and control of
18 the highway and such implementation shall be deemed adequate
19 for the purposes of railroad grade crossing protection. The
20 department, or the political subdivision having jurisdiction,
21 may direct the installation of temporary protection while
22 awaiting installation of permanent protection. A railroad
23 crossing shall not be found to be particularly hazardous for
24 any purpose unless the department has determined it to be
25 particularly hazardous.

26 ~~b. The development and adoption of~~ Developing and adopting
27 classifications of crossings on public highways based upon
28 their characteristics, conditions, and hazards, and standards
29 for warning devices, signals, and signs of each crossing
30 classification. The department shall recommend a schedule
31 for implementation of the standards to the government agency,
32 department, or political subdivision having jurisdiction of
33 the highway and shall provide an annual report to the general
34 assembly on the development and adoption of classifications
35 and standards under this paragraph and their implementation,

1 including information about financing installation of warning
2 devices, signals, and signs. The department shall not be
3 liable for the development or adoption of the classifications
4 or standards. A government agency, department, or political
5 subdivision shall not be liable for failure to implement the
6 standards. A crossing warning or improvement installed or
7 maintained pursuant to standards adopted by the department
8 under this paragraph shall be deemed an adequate and
9 appropriate warning for the crossing.

10 ~~8. Advise and assist the director to assure~~ Assure
11 availability, efficiency, and productivity of freight and
12 passenger services and to promote the coordination of service
13 between all transportation modes.

14 ~~9. Advise and assist the director with studies of~~ Study
15 regulatory changes deemed necessary to effectuate economical
16 and efficient railroad service.

17 ~~10. Advise and assist the director regarding~~ Enter into
18 agreements with railroad corporations for the restoration,
19 conservation, or improvement of railroad as defined in section
20 327D.2, subsection 3, on such terms, conditions, rates,
21 rentals, or subsidy levels as may be in the best interest
22 of the state. The commission may enter into contracts
23 and agreements which are binding only to the extent that
24 appropriations have been or may subsequently be made by the
25 legislature to effectuate the purposes of this subsection.

26 11. Administer chapters 324A, 327C through 327H, 327J, 328,
27 329, and 330.

28 12. Administer programs and activities in chapters 306D,
29 307C, 308A, and 315.

30 ~~13. Perform such other duties and responsibilities as may be~~
31 ~~assigned by the director.~~

32 ~~14.~~ 13. Promote river transportation and coordinate river
33 programs with other transportation modes.

34 ~~15.~~ 14. Advise and assist the director in the development
35 of Develop river transportation and port facilities in the

1 state.

2 Sec. 28. Section 307.27, unnumbered paragraph 1, Code 2024,
3 is amended to read as follows:

4 The ~~department's administrator~~ department shall be
5 responsible for the enforcement and regulation of motor
6 carriers, registration of motor vehicles, and licensing of
7 drivers, and shall:

8 Sec. 29. Section 307.47, subsection 1, Code 2024, is amended
9 to read as follows:

10 1. The highway materials and equipment revolving fund
11 is created from moneys appropriated out of the primary road
12 fund. From this fund shall be paid all costs for materials
13 and supplies, inventoried stock supplies, maintenance and
14 operational costs of equipment, and equipment replacements
15 incurred in the operation of centralized purchasing ~~under~~
16 ~~the supervision of the administrator responsible for highway~~
17 ~~programs and activities.~~ Direct salaries and expenses properly
18 chargeable to direct salaries shall be paid from the fund. For
19 each month ~~the administrator responsible for the operations~~
20 ~~and finances of~~ the department shall render a statement
21 to each highway unit for the actual cost of materials and
22 supplies, operational and maintenance costs of equipment, and
23 equipment depreciation used. The expense shall be paid ~~by the~~
24 ~~administrator responsible for the operations and finances of~~
25 ~~the department~~ in the same manner as other interdepartmental
26 billings are paid. The sum paid shall be credited to the
27 highway materials and equipment revolving fund.

28 Sec. 30. Section 307.48, subsection 2, Code 2024, is amended
29 to read as follows:

30 2. An employee ~~under the supervision of the department's~~
31 ~~administrator of highways~~ who became an employee of the state
32 department of transportation on July 1, 1974, retains all
33 rights to longevity pay so long as the employee continues
34 employment with the department.

35 Sec. 31. Section 327D.192, Code 2024, is amended to read as

1 follows:

2 **327D.192 Spot checks for hazardous cargo.**

3 An employee ~~under the supervision of the department's~~
4 ~~administrator for rail and water~~ designated by the director of
5 the department may conduct spot inspections of vehicles subject
6 to registration which are owned or operated by a railroad
7 corporation to determine whether a vehicle is used to transport
8 products or property which may be a safety hazard for the
9 operator of the vehicle subject to registration or any other
10 employee of the railroad corporation who is transported in the
11 vehicle.

12 Sec. 32. Section 327F.39, subsection 1, paragraph a, Code
13 2024, is amended to read as follows:

14 a. "*Administrator*" means the department's administrator
15 for ~~rail and water~~ modal programs, or the ~~administrator's~~
16 director's designee.

17 DIVISION IV

18 DEPARTMENT OF EDUCATION

19 Sec. 33. Section 256.9, unnumbered paragraph 1, Code 2024,
20 is amended to read as follows:

21 Except for the ~~higher education division; the bureaus,~~
22 ~~boards, and commissions within the higher education division;~~
23 ~~and the public broadcasting board and division,~~ the director
24 shall:

25 Sec. 34. Section 256.9, subsections 3 and 4, Code 2024, are
26 amended to read as follows:

27 3. Establish divisions of the department and assign
28 subject matter duties to divisions of the department in a
29 manner determined by the director as necessary or desirable in
30 addition to divisions required by law, unless a provision of
31 law requires a particular departmental unit or subject matter
32 to be assigned to a specific division of the department. The
33 organization of the department shall promote coordination of
34 functions and services relating to administration, supervision,
35 and improvement of instruction. The director may also reassign

1 within the department the boards, commissions, bureaus, and
2 duties specified in sections 256.111 and 256.121.

3 4. Employ personnel and assign duties and responsibilities
4 of the department. The director shall appoint a deputy
5 director and division administrators deemed necessary.
6 They shall be appointed on the basis of their professional
7 qualifications, experience in administration, and background.
8 ~~Members of the professional staff are not subject to the merit~~
9 ~~system provisions of chapter 8A, subchapter IV, and are subject~~
10 ~~to section 256.10.~~

11 Sec. 35. Section 256.10, Code 2024, is amended to read as
12 follows:

13 **256.10 Director salary — employment of ~~professional~~ staff.**

14 1. The salary of the director shall be fixed by the
15 governor.

16 2. Appointments to the ~~professional~~ staff of the department
17 shall be without reference to political party affiliation,
18 religious affiliation, sex, or marital status, but shall be
19 based solely upon fitness, ability, and proper qualifications
20 for the particular position. ~~The professional staff shall~~
21 ~~serve at the discretion of the director. A member of the~~
22 ~~professional staff shall not be dismissed for cause without~~
23 ~~appropriate due process procedures including a hearing.~~

24 3. The director may employ full-time ~~professional~~ salaried
25 staff for less than twelve months each year, but such staff
26 shall be employed by the director for at least nine months of
27 each year. Salaries for full-time ~~professional~~ salaried staff
28 employed as provided in this subsection shall be comparable to
29 other ~~professional~~ salaried staff, adjusting for time worked.
30 Salaries for ~~professional~~ salaried staff employed for periods
31 of less than twelve months shall be paid during each month of
32 the year in which they are employed on the same schedule as all
33 other full-time permanent ~~professional~~ salaried staff. Such
34 staff shall have their salaries paid over twelve months. The
35 director shall provide for and the department shall pay for

1 the employer share of health and dental insurance benefits for
2 twelve months each year for the full-time professional staff
3 employed as provided in this subsection, ~~and the health and~~
4 ~~dental insurance benefits provided shall be comparable to the~~
5 ~~benefits provided to all other professional staff employed by~~
6 ~~the director.~~

7 4. The director may employ hourly staff for less than
8 twelve months each year, but such staff shall be employed by
9 the director for at least nine months of each year. Wages for
10 staff employed as provided in this subsection shall be paid
11 during the months the employee is scheduled to work on the same
12 schedule as other employees of the state. The director shall
13 provide for and the department shall pay for the employer share
14 of health and dental insurance benefits for twelve months each
15 year for hourly staff employed as provided in this subsection.

16 Sec. 36. Section 256.103, Code 2024, is amended to read as
17 follows:

18 **256.103 Employees — contracts — termination and discharge**
19 **procedures.**

20 Sections 279.12 through ~~279.19~~ 279.19B and section 279.27
21 apply to employees of the Iowa educational services for the
22 blind and visually impaired program and employees of the Iowa
23 school for the deaf, who are licensed pursuant to subchapter
24 VII, part 3. In following those sections in chapter 279, the
25 references to boards of directors of school districts shall be
26 interpreted to apply to the department.

27 Sec. 37. NEW SECTION. **256.103A Iowa educational services**
28 **for the blind and visually impaired and Iowa school for the deaf**
29 **— leave.**

30 Salaried employees of the Iowa educational services for the
31 blind and visually impaired program and employees of the Iowa
32 school for the deaf who are employed on a school year basis
33 for less than twelve months per year shall be exempt from the
34 provisions of chapter 70A relating to vacation leave. In lieu
35 of vacation leave, such employees shall accrue two personal

1 leave days per school year and may carry over up to one unused
2 personal day into a subsequent school year. Such employees
3 shall not accrue more than three personal leave days at any one
4 time. Such leave shall not be paid out to the employee upon
5 separation from employment.

6 Sec. 38. Section 256.111, subsection 1, Code 2024, is
7 amended to read as follows:

8 1. The innovation division of the department of education is
9 created. The ~~chief administrative officer~~ head of the division
10 is the administrator who shall be a highly qualified science,
11 technology, engineering, and mathematics advocate and shall be
12 appointed by the director.

13 Sec. 39. Section 256.111, subsection 2, unnumbered
14 paragraph 1, Code 2024, is amended to read as follows:

15 The administrator shall do all of the following, subject to
16 supervision of the director:

17 Sec. 40. Section 256.111, subsection 2, paragraphs a and c,
18 Code 2024, are amended to read as follows:

19 a. Direct ~~and organize~~ the activities of the division,
20 including the science, technology, engineering, and mathematics
21 collaborative initiative created in subsection 3.

22 c. Perform other duties imposed by law or assigned by the
23 director.

24 Sec. 41. Section 256.121, subsection 1, Code 2024, is
25 amended to read as follows:

26 1. The higher education division of the department of
27 education is created. The ~~chief administrative officer~~ head
28 of the division is the administrator who shall be appointed by
29 the director.

30 Sec. 42. Section 256.121, subsection 2, unnumbered
31 paragraph 1, Code 2024, is amended to read as follows:

32 The administrator shall do all of the following, subject to
33 supervision of the director:

34 Sec. 43. Section 256.121, subsection 2, paragraphs b, d, and
35 e, Code 2024, are amended to read as follows:

1 *b.* Direct ~~and organize~~ the activities of the division.

2 *d.* ~~Hire and control~~ Supervise the personnel employed by the
3 division.

4 *e.* Perform other duties imposed by law or assigned by the
5 director.

6 DIVISION V

7 DEPARTMENT OF CORRECTIONS

8 Sec. 44. Section 8D.13, subsection 12, Code 2024, is amended
9 to read as follows:

10 12. Access to the network shall be offered to the judicial
11 district departments of correctional services established
12 in section 905.2 904.104A, provided that such departments
13 contribute an amount consistent with their share of use for the
14 part of the system in which the departments participate, as
15 determined by the commission.

16 Sec. 45. Section 80D.1, subsection 1, Code 2024, is amended
17 to read as follows:

18 1. The governing body of a city, a county, or the state of
19 Iowa, ~~or the Iowa department of corrections~~ may provide, either
20 separately or collectively through a chapter 28E agreement, for
21 the establishment of a force of reserve peace officers, and may
22 limit the size of the reserve force. In the case of the state,
23 unless the reserve peace officer is employed by the department
24 of corrections, the department of public safety shall act as
25 the governing body. If the reserve peace officer is employed
26 by the department of corrections, the department of corrections
27 shall act as the governing body.

28 Sec. 46. Section 80D.11, Code 2024, is amended to read as
29 follows:

30 **80D.11 Employee — pay.**

31 While performing official duties, each reserve peace officer
32 shall be considered an employee of the governing body which
33 the officer represents and shall be paid a minimum of one
34 dollar per year. The governing body of a city, a county, or
35 the state, ~~or the Iowa department of corrections~~ may provide

1 additional monetary assistance for the purchase and maintenance
2 of uniforms and equipment used by reserve peace officers.

3 Sec. 47. Section 125.93, Code 2024, is amended to read as
4 follows:

5 **125.93 Commitment records — confidentiality.**

6 Records of the identity, diagnosis, prognosis, or treatment
7 of a person which are maintained in connection with the
8 provision of substance use disorder treatment services are
9 confidential, consistent with the requirements of section
10 125.37, and with the federal confidentiality regulations
11 authorized by the federal Drug Abuse Office and Treatment Act,
12 42 U.S.C. §290ee and the federal Comprehensive Alcohol Abuse
13 and Alcoholism Prevention, Treatment and Rehabilitation Act, 42
14 U.S.C. §290dd-2. However, such records may be disclosed to an
15 employee of the department of corrections, if authorized by the
16 director of the department of corrections, ~~or to an employee~~
17 ~~of a judicial district department of correctional services, if~~
18 ~~authorized by the director of the judicial district department~~
19 ~~of correctional services.~~

20 Sec. 48. Section 216A.136, subsection 8, Code 2024, is
21 amended to read as follows:

22 8. Community-based correctional program records maintained
23 under [chapter 905 904](#).

24 Sec. 49. Section 321J.2, subsection 3, paragraph b,
25 subparagraph (1), Code 2024, is amended to read as follows:

26 (1) With the consent of the defendant, the court may
27 defer judgment pursuant to [section 907.3](#) and may place the
28 defendant on probation upon conditions as it may require. Upon
29 a showing that the defendant is not fulfilling the conditions
30 of probation, the court may revoke probation and impose any
31 sentence authorized by law. Before taking such action, the
32 court shall give the defendant an opportunity to be heard on
33 any matter relevant to the proposed action. Upon violation
34 of the conditions of probation, the court may proceed as
35 provided in [chapter 908](#). Upon fulfillment of the conditions

1 of probation and the payment of fees imposed and not waived
2 by the judicial district department of correctional services
3 under [section ~~905.14~~ 904.912](#), the defendant shall be discharged
4 without entry of judgment.

5 Sec. 50. Section 669.2, subsection 5, Code 2024, is amended
6 to read as follows:

7 5. "*State agency*" includes all executive departments,
8 agencies, boards, bureaus, and commissions of the state of
9 Iowa, and corporations whose primary function is to act as, and
10 while acting as, instrumentalities or agencies of the state of
11 Iowa, whether or not authorized to sue and be sued in their
12 own names. This definition does not include a contractor with
13 the state of Iowa. Soil and water conservation districts as
14 defined in [section 161A.3, subsection 6](#), and judicial district
15 departments of correctional services as established in section
16 ~~905.2~~ [904.104A](#) are state agencies for purposes of [this chapter](#).

17 Sec. 51. Section 708.2B, subsection 1, Code 2024, is amended
18 to read as follows:

19 1. As used in [this section](#), "*district department*" means
20 a judicial district department of correctional services,
21 established pursuant to [section ~~905.2~~ 904.104A](#).

22 Sec. 52. Section 901A.2, subsection 8, Code 2024, is amended
23 to read as follows:

24 8. In addition to any other sentence imposed on a person
25 convicted of a sexually predatory offense pursuant to
26 subsection 1, 2, or 3, the person shall be sentenced to an
27 additional term of parole or work release not to exceed two
28 years. The board of parole shall determine whether the person
29 should be released on parole or placed in a work release
30 program. The sentence of parole supervision shall commence
31 immediately upon the person's release by the board of parole
32 and shall be under the terms and conditions as set out in
33 chapter 906. Violations of parole or work release shall
34 be subject to the procedures set out in [chapter ~~905~~ 904](#) or
35 908 or rules adopted under those chapters. For purposes of

1 disposition of a parole violator upon revocation of parole or
2 work release, the sentence of an additional term of parole or
3 work release shall be considered part of the original term of
4 commitment to the department of corrections.

5 Sec. 53. Section 902.1, subsection 4, Code 2024, is amended
6 to read as follows:

7 4. If a defendant is paroled pursuant to subsection 2 or 3,
8 the defendant shall be subject to the same set of procedures
9 set out in chapters 901B, 905 904, 906, and 908, and rules
10 adopted under those chapters for persons on parole.

11 Sec. 54. Section 903B.1, Code 2024, is amended to read as
12 follows:

13 **903B.1 Special sentence — class “B” or class “C” felonies.**

14 A person convicted of a class “C” felony or greater offense
15 under chapter 709 or section 728.12, or a class “B” felony
16 under section 713.3, subsection 1, paragraph “d”, shall also be
17 sentenced, in addition to any other punishment provided by law,
18 to a special sentence committing the person into the custody
19 of the director of the Iowa department of corrections for the
20 rest of the person’s life, with eligibility for parole as
21 provided in chapter 906. The board of parole shall determine
22 whether the person should be released on parole or placed in
23 a work release program. The special sentence imposed under
24 this section shall commence upon completion of the sentence
25 imposed under any applicable criminal sentencing provisions for
26 the underlying criminal offense and the person shall begin the
27 sentence under supervision as if on parole or work release.
28 The person shall be placed on the corrections continuum in
29 chapter 901B, and the terms and conditions of the special
30 sentence, including violations, shall be subject to the same
31 set of procedures set out in chapters 901B, 905 904, 906, and
32 908, and rules adopted under those chapters for persons on
33 parole or work release. The revocation of release shall not be
34 for a period greater than two years upon any first revocation,
35 and five years upon any second or subsequent revocation. A

1 special sentence shall be considered a category "A" sentence
2 for purposes of calculating earned time under [section 903A.2](#).

3 Sec. 55. Section 903B.2, Code 2024, is amended to read as
4 follows:

5 **903B.2 Special sentence — class "D" felonies or**
6 **misdemeanors.**

7 A person convicted of a misdemeanor or a class "D" felony
8 offense under [chapter 709](#), [section 726.2](#), or [section 728.12](#)
9 shall also be sentenced, in addition to any other punishment
10 provided by law, to a special sentence committing the person
11 into the custody of the director of the Iowa department of
12 corrections for a period of ten years, with eligibility for
13 parole as provided in [chapter 906](#). The board of parole shall
14 determine whether the person should be released on parole
15 or placed in a work release program. The special sentence
16 imposed under [this section](#) shall commence upon completion of
17 the sentence imposed under any applicable criminal sentencing
18 provisions for the underlying criminal offense and the person
19 shall begin the sentence under supervision as if on parole or
20 work release. The person shall be placed on the corrections
21 continuum in [chapter 901B](#), and the terms and conditions of the
22 special sentence, including violations, shall be subject to the
23 same set of procedures set out in [chapters 901B](#), [905](#) [904](#), [906](#),
24 and [908](#), and rules adopted under those chapters for persons on
25 parole or work release. The revocation of release shall not be
26 for a period greater than two years upon any first revocation,
27 and five years upon any second or subsequent revocation. A
28 special sentence shall be considered a category "A" sentence
29 for purposes of calculating earned time under [section 903A.2](#).

30 Sec. 56. Section 904.101, Code 2024, is amended by adding
31 the following new subsections:

32 NEW SUBSECTION. 1A. *"Community-based correctional program"*
33 means correctional programs and services, under the direction
34 of a district director and the department, including but
35 not limited to an intermediate criminal sanctions program

1 in accordance with the corrections continuum in section
2 901B.1, designed to supervise and assist individuals who
3 are charged with or have been convicted of a felony, an
4 aggravated misdemeanor or a serious misdemeanor, or who
5 are on probation or parole in lieu of or as a result of a
6 sentence of incarceration imposed upon conviction of any
7 of these offenses, or who are contracted to the district
8 department for supervision and housing while on work release.
9 A community-based correctional program shall be designed by a
10 district department, under the direction and control of the
11 department, in a manner that provides services in a manner
12 free of disparities based upon an individual's race or ethnic
13 origin.

14 NEW SUBSECTION. 1B. "*Community-based corrections facility*"
15 means property or buildings owned or operated by the department
16 for a community-based correctional program.

17 NEW SUBSECTION. 4. "*District advisory board*" means the
18 advisory board of a district department.

19 NEW SUBSECTION. 5. "*District department*" means a judicial
20 district department of correctional services established under
21 section 904.104A.

22 NEW SUBSECTION. 6. "*District director*" means the director
23 of a district department, appointed by the director under
24 section 904.301A.

25 Sec. 57. Section 904.102, Code 2024, is amended by adding
26 the following new subsection:

27 NEW SUBSECTION. 12. Community-based corrections
28 facilities.

29 Sec. 58. Section 904.103, subsection 1, Code 2024, is
30 amended by striking the subsection.

31 Sec. 59. Section 904.301A, Code 2024, is amended to read as
32 follows:

33 **904.301A Appointment of directors.**

34 The director shall appoint, subject to the approval of
35 the board, a district director for each ~~judicial~~ district

1 department ~~of correctional services~~ established in section
2 ~~905.2~~ 904.104A.

3 Sec. 60. Section 904.303, Code 2024, is amended to read as
4 follows:

5 **904.303 Officers and employees — compensation.**

6 1. The director shall determine the number and compensation
7 of subordinate officers and employees for each institution
8 subject to chapter 8A, subchapter IV. Subject to this chapter,
9 the officers and employees shall be appointed and discharged
10 by the superintendent or district director, as applicable,
11 who shall keep in the record of each subordinate officer and
12 employee, the date of employment, the compensation, and the
13 date of and the reasons for each discharge.

14 2. The superintendents, district directors, and employees
15 of the correctional institutions shall receive salaries or
16 compensation as determined by the director, shall receive a
17 midshift meal when on duty, and shall be provided uniforms if
18 uniforms are required to be worn when on duty. The uniforms
19 shall be maintained and replaced by the department at no
20 cost to the employees and shall remain the property of the
21 department.

22 Sec. 61. Section 904.306, Code 2024, is amended to read as
23 follows:

24 **904.306 Conferences.**

25 Quarterly conferences of the superintendents and the
26 district directors of the institutions shall be held with
27 the director for the consideration of all matters relative
28 to the management of the institutions. Full minutes of the
29 meetings shall be preserved in the records of the director.
30 The director may cause papers to be prepared and read at the
31 conferences on appropriate subjects.

32 Sec. 62. Section 904.307, Code 2024, is amended to read as
33 follows:

34 **904.307 Annual reports.**

35 1. The superintendent of each institution shall make an

1 annual report to the director.

2 2. The district director of each district department shall
3 make an annual report to the director.

4 Sec. 63. Section 904.310, Code 2024, is amended to read as
5 follows:

6 **904.310 Canteens.**

7 The director may maintain a canteen at an institution under
8 the director's jurisdiction for the sale to persons confined
9 in or committed to the institution of items such as toilet
10 articles, candy, tobacco products, notions, and other sundries,
11 and may provide the necessary facilities, equipment, personnel,
12 and merchandise for the canteen. The director shall specify
13 the items to be sold in the canteen. The department may
14 establish and maintain a permanent operating fund for each
15 canteen. The fund shall consist of the receipts from the
16 sale of commodities at the canteen and donations designated
17 by inmates for reimbursement of victims' travel expenses.
18 Any money in the fund over the amount needed to do normal
19 business transactions, to reimburse any accounts which have
20 subsidized the canteen fund, and to reimburse victims' travel
21 expenses shall be considered profit. This money may remain in
22 the institution's canteen fund and be used for any purchase
23 which the superintendent or district director, as applicable,
24 approves that will directly and collectively benefit the
25 inmates of the institution or to reimburse victims' travel
26 expenses.

27 Sec. 64. Section 904.311, subsection 1, Code 2024, is
28 amended to read as follows:

29 1. The director may permit the superintendent or the
30 district director, as applicable, of each institution to retain
31 a stated amount of funds in possession as a contingent fund
32 for the payment of freight, postage, commodities purchased
33 on authority of the director on a cash basis, salaries,
34 inmate allowances, and bills granting discount for cash. If
35 necessary, the director shall make proper requisition upon the

1 director of the department of administrative services for a
2 warrant on the treasurer of state to secure the contingent fund
3 for each institution.

4 Sec. 65. Section 904.315, subsection 1, Code 2024, is
5 amended to read as follows:

6 1. The director of the department of administrative
7 services shall, in writing, let all contracts for authorized
8 improvements under [chapter 8A, subchapter III](#), costing in
9 excess of the competitive bid threshold in [section 26.3](#), or as
10 established in [section 314.1B](#). Upon prior authorization by
11 the director, improvements costing five thousand dollars or
12 less may be made by the superintendent or district director, as
13 applicable, of any institution.

14 Sec. 66. Section 904.502, Code 2024, is amended to read as
15 follows:

16 **904.502 Questionable commitment.**

17 The superintendent or the district director, as applicable,
18 shall within three days of the commitment or entrance of a
19 person at the institution notify the director if there is any
20 question as to the propriety of the commitment or detention of
21 any person received at the institution, and the director upon
22 notification shall inquire into the matter presented, and take
23 appropriate action.

24 Sec. 67. Section 904.505, subsection 2, Code 2024, is
25 amended to read as follows:

26 2. The superintendent or district director, as applicable,
27 of each institution shall maintain a register of all penalties
28 imposed on inmates and the cause for which the penalties were
29 imposed.

30 Sec. 68. Section 904.512, Code 2024, is amended to read as
31 follows:

32 **904.512 Visits.**

33 Members of the executive council, the attorney general,
34 the lieutenant governor, members of the general assembly,
35 judges of the supreme and district court and court of appeals,

1 judicial magistrates, county attorneys, and persons ordained
2 or designated as regular leaders of a religious community are
3 authorized to visit all institutions under the control of the
4 Iowa department of corrections at reasonable times. No other
5 person shall be granted admission except by permission of the
6 superintendent or district director, as applicable.

7 Sec. 69. Section 904.513, subsection 1, paragraph a, Code
8 2024, is amended to read as follows:

9 a. The department of corrections, ~~in cooperation with the~~
10 ~~judicial district departments of correctional services,~~ shall
11 establish in each judicial district a continuum of programming
12 for the supervision and treatment of offenders convicted of
13 violating [chapter 321J](#) who are sentenced to the custody of the
14 director. The continuum shall include a range of sanctioning
15 options that include but are not limited to prisons and
16 residential facilities.

17 Sec. 70. Section 904.513, subsection 1, paragraph b,
18 subparagraph (4), Code 2024, is amended to read as follows:

19 (4) Assignment may also be made on the basis of the
20 offender's treatment program performance, as a disciplinary
21 measure, for medical needs, and for space availability at
22 community residential facilities. If there is insufficient
23 space at a community residential facility, the court may order
24 an offender to be released to the supervision of the ~~judicial~~
25 ~~district department of correctional services,~~ held in jail,
26 or committed to the custody of the director ~~of the department~~
27 ~~of corrections~~ for assignment to an appropriate correctional
28 facility until there is sufficient space at a community
29 residential facility.

30 Sec. 71. Section 904.514, subsections 1 and 3, Code 2024,
31 are amended to read as follows:

32 1. A person committed to an institution under the control of
33 the department who bites another person, who causes an exchange
34 of bodily fluids with another person, or who causes any bodily
35 secretion to be cast upon another person, shall submit to the

1 withdrawal of a bodily specimen for testing to determine if the
2 person is infected with a contagious infectious disease. The
3 bodily specimen to be taken shall be determined by the staff
4 physician of the institution. The specimen taken shall be
5 sent to the state hygienic laboratory or some other laboratory
6 approved by the department of health and human services. If a
7 person to be tested pursuant to [this section](#) refuses to submit
8 to the withdrawal of a bodily specimen, application may be made
9 by the superintendent of the institution to the district court
10 for an order compelling the person to submit to the withdrawal
11 and, if infected, to available treatment. An order authorizing
12 the withdrawal of a specimen for testing may be issued only by
13 a district judge or district associate judge upon application
14 by the superintendent or district director, as applicable, of
15 the institution.

16 3. Personnel at an institution under the control of the
17 department ~~or of a residential facility operated by a judicial~~
18 ~~district department of correctional services~~ shall be notified
19 if a person committed to any of these institutions is found to
20 have a contagious infectious disease.

21 Sec. 72. Section 904.602, subsection 1, unnumbered
22 paragraph 1, Code 2024, is amended to read as follows:

23 The following information regarding individuals receiving
24 or who have received services from the department or from the
25 ~~judicial district departments of correctional services under~~
26 [chapter 905](#) is public information and may be given to anyone:

27 Sec. 73. Section 904.602, subsection 2, unnumbered
28 paragraph 1, Code 2024, is amended to read as follows:

29 The following information regarding individuals receiving
30 or who have received services from the department or from the
31 ~~judicial district departments of correctional services under~~
32 [chapter 905](#) is confidential and shall not be disseminated by
33 the department to the public:

34 Sec. 74. Section 904.602, subsections 6 and 10, Code 2024,
35 are amended to read as follows:

1 6. Confidential information described in [subsection 2](#) may
2 be disclosed to public officials for use in connection with
3 their official duties relating to law enforcement, audits and
4 other purposes directly connected with the administration of
5 their programs. Full disclosure by the department of any
6 information on an individual may be made to the board of parole
7 and to ~~judicial~~ district departments of ~~correctional services~~
8 ~~created under [chapter 905](#)~~, and the board and those district
9 departments are subject to the same standards as the department
10 in dissemination or redissemination of information on persons
11 served or supervised by those district departments, and all
12 provisions of [this section](#) pertain to the board of parole and
13 to the ~~judicial~~ district departments as if ~~they were~~ a part
14 of the department. Information may be disseminated about
15 individuals while under the supervision of the department
16 to public or private agencies to which persons served or
17 supervised by the department are referred for specific services
18 not otherwise provided by the department but only to the extent
19 that the information is needed by those agencies to provide the
20 services required, and they shall keep information received
21 from the department confidential.

22 10. Regulations, procedures, and policies that govern the
23 internal administration of the department and the ~~judicial~~
24 ~~district departments of correctional services under [chapter](#)~~
25 ~~905~~, which if released may jeopardize the secure operation of a
26 correctional institution operation or program are confidential
27 unless otherwise ordered by a court. These records include
28 procedures on inmate movement and control; staffing patterns
29 and regulations; emergency plans; internal investigations;
30 equipment use and security; building plans, operation,
31 and security; security procedures for inmates, staff, and
32 visitors; daily operation records; and contraband and medicine
33 control. These records are exempt from the public inspection
34 requirements in [section 17A.3](#) and [section 22.2](#).

35 Sec. 75. Section 904.704, Code 2024, is amended to read as

1 follows:

2 **904.704 Limitation on contracts.**

3 The director or the ~~superintendents~~ superintendent or
4 district director, as applicable, of the institutions shall
5 not, nor shall any other person employed by the state, make
6 any contract by which the labor or time of an inmate in the
7 institution is given, loaned, or sold to any person unless as
8 provided by subchapter VIII or section 904.703.

9 Sec. 76. Section 904.904, Code 2024, is amended to read as
10 follows:

11 **904.904 Housing facilities — halfway houses.**

12 Unless the inmate returns after working hours to the
13 institution under jurisdiction of the department of
14 ~~corrections~~, the department of ~~corrections~~ shall ~~contract~~
15 coordinate with a ~~judicial~~ district department of ~~correctional~~
16 ~~services~~ for the quartering and supervision of the inmate in
17 local housing facilities. The board of parole shall include
18 as a specific term or condition in the work release plan of
19 any inmate the place where the inmate is to be housed when not
20 on the work assignment. The board of parole shall not place
21 an inmate on work release for longer than six months in any
22 twelve-month period unless approval is given by a majority of
23 the full board of parole. Inmates may be temporarily released
24 to the supervision of a responsible person to participate in
25 family and selected community, religious, educational, social,
26 civic, and recreational activities when it is determined
27 that the participation will directly facilitate the release
28 transition from institution to community. The department of
29 ~~corrections~~ shall provide a copy of the work release plan and
30 a copy of any restitution plan of payment to the ~~judicial~~
31 district department of ~~correctional services~~ quartering and
32 supervising the inmate.

33 Sec. 77. Section 904.905, Code 2024, is amended to read as
34 follows:

35 **904.905 Surrender of earnings.**

1 1. An inmate employed in the community under a work release
2 plan shall surrender to the ~~judicial~~ district department of
3 ~~correctional services~~ the inmate's total earnings less payroll
4 deductions required by law. The ~~judicial~~ district department
5 ~~of correctional services~~ shall deduct from the earnings in the
6 following order of priority:

7 a. An amount the inmate may be legally obligated to pay
8 for the support of the inmate's dependents, the amount of
9 which shall be paid to the dependents through the department
10 of health and human services.

11 b. Restitution as ordered by the court pursuant to chapter
12 910.

13 c. An amount determined to be the cost to the ~~judicial~~
14 district department ~~of correctional services~~ for providing
15 food, lodging, and clothing for the inmate while under the
16 program.

17 d. Any other financial obligations which are acknowledged by
18 the inmate or any unsatisfied judgment against the inmate.

19 2. Any balance remaining after deductions and payments
20 shall be credited to the inmate's personal account at the
21 ~~judicial~~ district department ~~of correctional services~~ and shall
22 be paid to the inmate upon release. An inmate so employed
23 shall be paid a fair and reasonable wage in accordance with the
24 prevailing wage scale for such work and shall work at fair and
25 reasonable hours per day and per week.

26 Sec. 78. Section 904.906, Code 2024, is amended to read as
27 follows:

28 **904.906 Status of inmates on work release.**

29 An inmate employed in the community under **this chapter**
30 is not an agent, employee, or involuntary servant of the
31 department of corrections, or the board of parole, ~~or the~~
32 ~~judicial district department of correctional services~~ while
33 released from confinement under the terms of a work release
34 plan. If an inmate suffers an injury arising out of or in
35 the course of the inmate's employment under **this chapter**, the

1 inmate's recovery shall be from the insurance carrier of the
2 employer of the project and no proceedings for compensation
3 shall be maintained against the insurance carrier of the
4 state institution, or the state, ~~the insurance carrier of the~~
5 ~~judicial district department of correctional services, or the~~
6 ~~judicial district department of correctional services,~~ and
7 there is no employer-employee relationship between the inmate
8 and the state institution, or the board of parole, ~~or the~~
9 ~~judicial district department of correctional services.~~

10 Sec. 79. Section 904.908, subsections 1 and 2, Code 2024,
11 are amended to read as follows:

12 1. Upon request by the Iowa department of corrections,
13 or the board of parole, ~~or a judicial district department~~
14 ~~of correctional services~~ a county shall provide temporary
15 confinement for alleged violators of work release conditions
16 if space is available.

17 2. The Iowa department of corrections shall negotiate
18 a reimbursement rate with each county for the temporary
19 confinement of alleged violators of work release conditions
20 who are in the custody of or who are housed or supervised
21 by the director of the Iowa department of corrections ~~or who~~
22 ~~are housed or supervised by the judicial district department~~
23 ~~of correctional services.~~ The amount to be reimbursed shall
24 be determined by multiplying the number of days a person is
25 confined by the average daily cost of confining a person in the
26 county facility as negotiated with the department. Payment
27 shall be made upon submission of a voucher executed by the
28 sheriff and approved by the director of the Iowa department of
29 corrections.

30 Sec. 80. Section 904.910, subsections 4 and 5, Code 2024,
31 are amended to read as follows:

32 4. ~~The department may contract with a judicial district~~
33 ~~department of correctional services for the housing and~~
34 ~~supervision of an~~ An inmate in local facilities as provided
35 in section 904.904 may be housed and supervised by a district

1 department. The institutional work release plan shall
2 indicate the place where the inmate is to be housed when not
3 on work assignment. The plan shall not allow for placement
4 of an inmate on work release for more than six months in any
5 twelve-month period without unanimous committee approval to
6 do so. However, an inmate may be temporarily released to the
7 supervision of a responsible person to participate in family
8 and selected community, religious, educational, social, civic,
9 and recreational activities when the committee determines that
10 the participation will directly facilitate the release of the
11 inmate from the institution to the community. The department
12 shall provide a copy of the work release plan and a copy of any
13 restitution plan of payment to the ~~judicial~~ district department
14 ~~of correctional services~~ housing and supervising the inmate.

15 5. An inmate employed in the community under an
16 institutional work release plan approved pursuant to this
17 section shall surrender the inmate's total earnings less
18 payroll deductions required by law to the superintendent, or to
19 the ~~judicial~~ district department ~~of correctional services~~ if it
20 is housing or supervising the inmate. The superintendent or
21 the ~~judicial~~ district department ~~of correctional services~~ shall
22 deduct from the earnings in the priority established in section
23 904.905.

24 Sec. 81. Section 905.2, Code 2024, is amended to read as
25 follows:

26 **905.2 District Judicial district departments of correctional**
27 **services established.**

28 1. There is established in each judicial district in this
29 state a judicial district department of correctional services.
30 Each district department shall furnish or contract for those
31 services necessary to provide a community-based correctional
32 program which meets the requirements of the ~~Iowa~~ department ~~of~~
33 ~~corrections.~~

34 2. The district department is under the direction of the
35 ~~Iowa~~ department ~~of corrections,~~ and shall be administered

1 by a district director employed by the Iowa department of
2 ~~corrections~~. A district department is a state agency for
3 purposes of **chapter 669**.

4 3. All employees of a district department shall be employees
5 of the Iowa department of ~~corrections~~.

6 Sec. 82. Section 905.3, Code 2024, is amended to read as
7 follows:

8 **905.3 District advisory board — expenses reimbursed.**

9 1. ~~a.~~ A district advisory board is established for each
10 district department, which shall serve in an advisory capacity
11 to a district director without compensation, and shall be
12 composed as follows:

13 ~~(1)~~ a. One member shall be appointed annually by a district
14 director from the board of supervisors of each county in the
15 judicial district.

16 ~~(2)~~ b. The district director shall on or before December 31
17 appoint two citizen members to serve on the district advisory
18 board for the following calendar year.

19 ~~(3)~~ ~~A number of members equal to the number of citizen~~
20 ~~members shall be appointed by the chief judge of the judicial~~
21 ~~district on or before December 31 to serve on the district~~
22 ~~advisory board for the following calendar year.~~

23 ~~b.~~ 2. The district advisory board shall meet not more often
24 than quarterly during the calendar year.

25 ~~2.~~ 3. The members of the district advisory board shall be
26 reimbursed from funds of the district department for travel and
27 other expenses necessarily incurred in attending meetings.

28 Sec. 83. Section 905.4, Code 2024, is amended to read as
29 follows:

30 **905.4 Duties of the district advisory board.**

31 The district advisory board shall:

32 1. Adopt bylaws and rules for the conduct of ~~its own~~
33 district advisory board business.

34 2. Advise the district director concerning suitable
35 quarters at one or more sites in the district as may be

1 necessary for the district department's community-based
2 correctional program.

3 3. Recruit and promote local financial support for the
4 district department's community-based correctional program from
5 private sources such as community service funds, business,
6 industrial and private foundations, voluntary agencies, and
7 other lawful sources.

8 Sec. 84. Section 905.6, Code 2024, is amended to read as
9 follows:

10 **905.6 Duties of district director.**

11 ~~The Each district~~ director employed by the Iowa department
12 ~~of corrections~~ shall be qualified in the administration of
13 correctional programs. The district director shall:

14 1. Perform the duties and have the responsibilities
15 delegated or specified by the Iowa department ~~of corrections~~.

16 2. Manage the district department's community-based
17 correctional program, in accordance with the policies of the
18 Iowa department ~~of corrections~~.

19 3. Employ, with approval of the Iowa department ~~of~~
20 ~~corrections~~, and supervise the employees of the district
21 department, including reserve peace officers, if a force of
22 reserve peace officers has been established.

23 4. Prepare all budgets and fiscal documents, and certify
24 for payment all expenses and payrolls lawfully incurred by the
25 district department.

26 5. Act as secretary to the district advisory board, prepare
27 its agenda and record its proceedings. The district shall
28 provide a copy of minutes from each meeting of the district
29 advisory board to the legislative services agency.

30 6. Develop and submit to the Iowa department ~~of corrections~~
31 a plan for the establishment, implementation, and operation
32 of a community-based correctional program in that judicial
33 district, which program conforms to the guidelines drawn up
34 by the Iowa department ~~of corrections~~ under [this chapter](#) and
35 which conform to rules, policies, and procedures pertaining

1 to the supervision of parole and work release adopted by the
2 director ~~of the Iowa department of corrections~~ concerning the
3 community-based correctional program.

4 7. Negotiate and, upon approval by the ~~Iowa~~ department ~~of~~
5 ~~corrections~~, implement contracts or other arrangements for
6 utilization of local treatment and service resources authorized
7 by [subsection 15](#).

8 8. Administer the batterers' treatment program for domestic
9 abuse offenders required in [section 708.2B](#).

10 9. Notify the board of parole, thirty days prior to release,
11 of the release from a residential facility operated by the
12 district department of a person serving a sentence under
13 section 902.12.

14 10. File with the director ~~of the Iowa department of~~
15 ~~corrections~~, within ninety days after the close of each
16 fiscal year, a report covering the district advisory board's
17 proceedings and a statement of receipts and expenditures during
18 the preceding fiscal year.

19 11. Arrange for, upon approval of the ~~Iowa~~ department ~~of~~
20 ~~corrections~~, by contract or on such alternative basis as may
21 be mutually acceptable, and equip suitable quarters at one
22 or more sites in the district as may be necessary for the
23 district department's community-based correctional program,
24 provided that the district director shall to the greatest
25 extent feasible utilize existing facilities and shall keep
26 capital expenditures for acquisition, renovation, and repair
27 of facilities to a minimum. The district director shall not
28 enter into lease-purchase agreements for the purposes of
29 constructing, renovating, expanding, or otherwise improving
30 a community-based correctional facility or office unless
31 express authorization has been granted by the general assembly,
32 and current funding is adequate to meet the lease-purchase
33 obligation.

34 12. Have authority to accept property by gift, devise,
35 bequest, or otherwise, and to sell or exchange any property

1 so accepted and apply the proceeds thereof, or the property
2 received in exchange therefor, to the purposes enumerated in
3 subsection 11.

4 13. Recruit, promote, accept, and use local financial
5 support for the district department's community-based
6 correctional program from private sources such as community
7 service funds, business, industrial and private foundations,
8 voluntary agencies, and other lawful sources.

9 14. Accept and expend state and federal funds available
10 directly to the district department for all or any part of the
11 cost of its community-based correctional program.

12 15. Arrange, by contract or on an alternative basis mutually
13 acceptable, and with approval of the director ~~of the Iowa~~
14 ~~department of corrections~~ or that director's designee for
15 utilization of existing local treatment and service resources,
16 including but not limited to employment, job training,
17 general, special, or remedial education; psychiatric and
18 marriage counseling; and substance use disorder treatment and
19 counseling.

20 16. Have authority to establish a force of reserve peace
21 officers, either separately or collectively through a chapter
22 28E agreement, as provided in [chapter 80D](#).

23 Sec. 85. Section 905.14, subsection 3, Code 2024, is amended
24 to read as follows:

25 3. The department ~~of corrections~~ may adopt rules for the
26 administration of [this section](#). If adopted, the rules shall
27 include a provision for waiving the collection of fees for
28 persons determined to be unable to pay.

29 Sec. 86. Section 907.3, subsection 1, paragraph c, Code
30 2024, is amended to read as follows:

31 c. Upon fulfillment of the conditions of probation and
32 the payment of fees imposed and not waived by the judicial
33 district department of correctional services under section
34 ~~905.14~~ [904.912](#), the defendant shall be discharged without entry
35 of judgment.

1 Sec. 87. Section 907.3, subsection 3, unnumbered paragraph
2 1, Code 2024, is amended to read as follows:

3 By record entry at the time of or after sentencing, the court
4 may suspend the sentence and place the defendant on probation
5 upon such terms and conditions as it may require including
6 commitment to an alternate jail facility or a community
7 correctional residential treatment facility to be followed
8 by a period of probation as specified in [section 907.7](#), or
9 commitment of the defendant to the judicial district department
10 of correctional services for supervision or services under
11 section 901B.1 at the level of sanctions which the district
12 department determines to be appropriate and the payment of fees
13 imposed under ~~section 905.14~~ [904.912](#). A person so committed
14 who has probation revoked shall not be given credit for such
15 time served. However, a person committed to an alternate jail
16 facility or a community correctional residential treatment
17 facility who has probation revoked shall be given credit for
18 time served in the facility. The court shall not suspend any
19 of the following sentences:

20 Sec. 88. Section 907.7, subsection 3, Code 2024, is amended
21 to read as follows:

22 3. The court may subsequently reduce the length of the
23 probation if the court determines that the purposes of
24 probation have been fulfilled and the fees imposed under
25 section ~~905.14~~ [904.912](#) have been paid to or waived by the
26 judicial district department of correctional services and
27 that court debt collected pursuant to [section 602.8107](#) has
28 been paid. The purposes of probation are to provide maximum
29 opportunity for the rehabilitation of the defendant and to
30 protect the community from further offenses by the defendant
31 and others.

32 Sec. 89. Section 907.9, subsections 1 and 2, Code 2024, are
33 amended to read as follows:

34 1. At any time that the court determines that the purposes
35 of probation have been fulfilled and fees imposed under section

1 ~~905.14~~ 904.912 and court debt collected pursuant to section
2 602.8107 have been paid, the court may order the discharge of a
3 person from probation.

4 2. At any time that a probation officer determines that
5 the purposes of probation have been fulfilled and fees imposed
6 under [section ~~905.14~~ 904.912](#) and court debt collected pursuant
7 to [section 602.8107](#) have been paid, the officer may order the
8 discharge of a person from probation after approval of the
9 district director and notification of the sentencing court and
10 the county attorney who prosecuted the case.

11 Sec. 90. Section 907.9, subsection 4, paragraph a, Code
12 2024, is amended to read as follows:

13 a. At the expiration of the period of probation if the fees
14 imposed under [section ~~905.14~~ 904.912](#) and court debt collected
15 pursuant to [section 602.8107](#) have been paid, the court shall
16 order the discharge of the person from probation. If portions
17 of the court debt remain unpaid, the person shall establish a
18 payment plan with the clerk of the district court or the county
19 attorney prior to the discharge. The court shall forward to
20 the governor a recommendation for or against restoration of
21 citizenship rights to that person upon discharge. A person who
22 has been discharged from probation shall no longer be held to
23 answer for the person's offense.

24 Sec. 91. REPEAL. Sections 905.1, 905.7, 905.8, 905.9,
25 905.10, 905.12, 905.13, and 905.15, Code 2024, are repealed.

26 Sec. 92. CODE EDITOR DIRECTIVE.

27 1. The Code editor is directed to make the following
28 transfers:

- 29 a. Section 905.2 to section 904.104A.
- 30 b. Section 905.3 to section 904.104B.
- 31 c. Section 905.4 to section 904.105A.
- 32 d. Section 905.6 to section 904.301B.
- 33 e. Section 905.11 to section 904.911.
- 34 f. Section 905.14 to section 904.912.
- 35 g. Section 905.16 to section 904.913.

1 2. The Code editor is directed to correct internal
2 references in the Code and in any enacted legislation as
3 necessary due to enactment of this division of this Act.

4 DIVISION VI

5 DEPARTMENT OF REVENUE

6 Sec. 93. Section 99G.3, subsection 5, Code 2024, is amended
7 to read as follows:

8 5. "*Director*" means the director of ~~the department of~~
9 revenue or the director's designee.

10 Sec. 94. Section 99G.7, subsection 1, paragraphs b and c,
11 Code 2024, are amended to read as follows:

12 b. Promote or provide for promotion of the lottery and any
13 functions related to the division under ~~this chapter~~.

14 c. Prepare a budget for the approval of the director for
15 activities of the division under ~~this chapter~~.

16 Sec. 95. Section 99G.7, subsection 1, paragraph g, Code
17 2024, is amended by striking the paragraph.

18 Sec. 96. Section 99G.8, subsections 4, 11, and 13, Code
19 2024, are amended to read as follows:

20 4. No ~~officer or~~ employee of the department shall be a
21 member of the board.

22 11. The board shall meet at least quarterly and at such
23 other times upon call of the chairperson or the ~~chief executive~~
24 ~~officer~~ administrator. Notice of the time and place of each
25 board meeting shall be given to each member. The board shall
26 also meet upon call of three or more of the board members.
27 The board shall keep accurate and complete records of all its
28 meetings.

29 13. Board members shall not have any direct or indirect
30 interest in an undertaking that puts their personal interest
31 in conflict with that of the department under ~~this chapter~~
32 including but not limited to an interest in a ~~major~~ procurement
33 contract or a participating retailer.

34 Sec. 97. Section 99G.10, subsection 3, Code 2024, is amended
35 to read as follows:

1 3. A background investigation shall be conducted by
2 the department of public safety, division of criminal
3 investigation, on each applicant who has reached the final
4 selection process prior to employment by the department under
5 this chapter. For positions not designated as sensitive by the
6 department, the investigation may consist of a state criminal
7 history background check, work history, and financial review.
8 The department shall identify those sensitive positions of
9 the division which require full background investigations,
10 which positions shall include, at a minimum, ~~any officer of~~
11 ~~the division, and~~ any employee with operational management
12 responsibilities, security duties, or system maintenance or
13 programming responsibilities related to the division's data
14 processing or network hardware, software, communication, or
15 related systems under [this chapter](#). In addition to a work
16 history and financial review, a full background investigation
17 may include a national criminal history check through the
18 federal bureau of investigation. The screening of employees
19 through the federal bureau of investigation shall be conducted
20 by submission of fingerprints through the state criminal
21 history repository to the federal bureau of investigation. The
22 results of background investigations conducted pursuant to this
23 section shall not be considered public records under chapter
24 22.

25 Sec. 98. Section 99G.11, subsections 1, 2, 3, and 4, Code
26 2024, are amended to read as follows:

27 1. A member of the board, ~~any officer,~~ or other employee of
28 the division shall not directly or indirectly, individually,
29 as a member of a partnership or other association, or as a
30 shareholder, director, or officer of a corporation have an
31 interest in a business that contracts for the operation or
32 marketing of the lottery as authorized by [this chapter](#), unless
33 the business is controlled or operated by a consortium of
34 lotteries in which the division has an interest.

35 2. Notwithstanding the provisions of [chapter 68B](#), a person

1 contracting or seeking to contract with the state to supply
2 gaming equipment or materials for use in the operation of the
3 lottery, an applicant for a license to sell tickets or shares
4 in the lottery, or a retailer shall not offer a member of
5 the board, ~~any officer,~~ or ~~other~~ employee of the division,
6 or a member of their immediate family a gift, gratuity, or
7 other thing having a value of more than the limits established
8 in [chapter 68B](#), other than food and beverage consumed at
9 a meal. For purposes of [this subsection](#), "*member of their*
10 *immediate family*" means a spouse, child, stepchild, brother,
11 brother-in-law, stepbrother, sister, sister-in-law, stepsister,
12 parent, parent-in-law, or step-parent of the board member, ~~the~~
13 ~~officer,~~ or ~~other~~ employee who resides in the same household
14 in the same principal residence of the board member, ~~officer,~~
15 or ~~other~~ employee.

16 3. If a board member, ~~officer,~~ or ~~other~~ employee of the
17 division violates a provision of [this section](#), the board
18 member, ~~officer,~~ or employee shall be immediately removed from
19 the ~~office or~~ position.

20 4. Enforcement of [this section](#) against a board member,
21 ~~officer,~~ or ~~other~~ employee shall be by the attorney general who
22 upon finding a violation shall initiate an action to remove the
23 board member, ~~officer,~~ or employee.

24 Sec. 99. Section 99G.12, subsection 1, Code 2024, is amended
25 to read as follows:

26 1. The authority department may operate self-service kiosks
27 to dispense authorized lottery tickets or products in locations
28 where lottery games and lottery products are sold, subject to
29 the requirements of [this chapter](#).

30 Sec. 100. Section 99G.21, subsection 2, paragraph f, Code
31 2024, is amended to read as follows:

32 *f.* To enter into written agreements with one or more other
33 states or territories of the United States, or one or more
34 political subdivisions of another state or territory of the
35 United States, or any entity lawfully operating a lottery

1 outside the United States for the operation, marketing, and
2 promotion of a joint lottery or joint lottery game. For
3 the purposes of this subsection, any lottery with which the
4 authority department reaches an agreement or compact shall meet
5 the criteria for security, integrity, and finance set by the
6 board.

7 Sec. 101. Section 99G.22, subsection 1, Code 2024, is
8 amended to read as follows:

9 1. The department shall investigate the financial
10 responsibility, security, and integrity of any lottery system
11 vendor who is a finalist in submitting a bid, proposal, or
12 offer as part of a major procurement contract. Before a major
13 procurement contract is awarded, the division of criminal
14 investigation of the department of public safety shall conduct
15 a background investigation of the vendor to whom the contract
16 is to be awarded. The ~~administrator~~ department shall consult
17 with the division of criminal investigation and shall provide
18 for the scope of the background investigation and due diligence
19 to be conducted in connection with major procurement contracts.
20 At the time of submitting a bid, proposal, or offer to the
21 department on a major procurement contract, each vendor shall
22 be required to submit to the division of criminal investigation
23 appropriate investigation authorization to facilitate this
24 investigation, together with an advance of funds to meet the
25 anticipated investigation costs. If the division of criminal
26 investigation determines that additional funds are required
27 to complete an investigation, the vendor will be so advised.
28 The background investigation by the division of criminal
29 investigation may include a national criminal history check
30 through the federal bureau of investigation. The screening
31 of vendors or their employees through the federal bureau of
32 investigation shall be conducted by submission of fingerprints
33 through the state criminal history repository to the federal
34 bureau of investigation.

35 Sec. 102. Section 99G.23, subsections 1 and 2, Code 2024,

1 are amended to read as follows:

2 1. The ~~division~~ department may make procurements that
3 integrate functions such as lottery game design, lottery ticket
4 distribution to retailers, supply of goods and services,
5 and advertising. In all procurement decisions under this
6 chapter, the ~~division~~ department shall take into account the
7 particularly sensitive nature of the lottery and shall act to
8 promote and ensure security, honesty, fairness, and integrity
9 in the operation and administration of the lottery and the
10 objectives of raising net proceeds for state programs.

11 2. Each vendor for a major procurement shall, at the
12 execution of the contract with the ~~division~~ department, post
13 a performance bond or letter of credit from a bank or credit
14 provider acceptable to the ~~division~~ department in an amount as
15 deemed necessary by the ~~division~~ department for that particular
16 bid or contract.

17 Sec. 103. Section 99G.24, subsection 7, paragraphs d and e,
18 Code 2024, are amended to read as follows:

19 *d.* Is a vendor or any employee or agent of any vendor doing
20 business with the department under [this chapter](#) or with the
21 division.

22 *e.* Resides in the same household as an ~~officer~~ employee
23 of the division with operational management responsibilities,
24 security duties, or system maintenance or programming
25 responsibilities related to the division's data processing or
26 network hardware, software, communication, or related systems
27 under this chapter.

28 Sec. 104. Section 99G.27, subsection 1, paragraphs a, b, and
29 h, Code 2024, are amended to read as follows:

30 *a.* A violation of [this chapter](#), a regulation, or a policy or
31 procedure of the ~~division~~ department.

32 *b.* Failure to accurately or timely account or pay for
33 lottery products, lottery games, revenues, or prizes as
34 required by the ~~division~~ department.

35 *h.* Failure to meet any of the objective criteria established

1 by the ~~division~~ department pursuant to [this chapter](#).

2 Sec. 105. Section 99G.28, Code 2024, is amended to read as
3 follows:

4 **99G.28 Proceeds held in trust.**

5 All proceeds from the sale of the lottery tickets or shares
6 shall constitute a trust fund until paid to the ~~division~~
7 department directly, through electronic funds transfer to the
8 ~~division~~ department, or through the ~~division's~~ department's
9 authorized collection representative. A lottery retailer
10 and officers of a lottery retailer's business shall have a
11 fiduciary duty to preserve and account for lottery proceeds and
12 lottery retailers shall be personally liable for all proceeds.
13 Proceeds shall include unsold products received but not paid
14 for by a lottery retailer and cash proceeds of the sale of any
15 lottery products net of allowable sales commissions and credit
16 for lottery prizes paid to winners by lottery retailers. Sales
17 proceeds of pull-tab tickets shall include the sales price
18 of the lottery product net of allowable sales commission and
19 prizes contained in the product. Sales proceeds and unused
20 instant tickets shall be delivered to the ~~division~~ department
21 or its authorized collection representative upon demand.

22 Sec. 106. Section 99G.30A, subsection 2, paragraphs a and c,
23 Code 2024, are amended to read as follows:

24 *a.* The director ~~of revenue~~ shall administer the monitor
25 vending machine excise tax as nearly as possible in conjunction
26 with the administration of state sales tax laws. The director
27 shall provide appropriate forms or provide appropriate entries
28 on the regular state tax forms for reporting local sales and
29 services tax liability.

30 *c.* Frequency of deposits and monthly reports of the monitor
31 vending machine excise tax with the department ~~of revenue~~ are
32 governed by the tax provisions in [section 423.31](#). Monitor
33 vending machine excise tax collections shall not be included in
34 computation of the total tax to determine frequency of filing
35 under [section 423.31](#).

1 Sec. 107. Section 99G.31, subsection 3, paragraphs f and g,
2 Code 2024, are amended to read as follows:

3 *f.* The ~~division~~ department is discharged of all liability
4 upon payment of a prize pursuant to **this section**.

5 *g.* No ticket or share issued by the division shall be
6 purchased by and no prize shall be paid to any member of the
7 board of directors; any ~~officer~~ or employee of the department
8 under **this chapter**; or to any spouse, child, brother, sister,
9 or parent residing as a member of the same household in the
10 principal place of residence of any such person.

11 Sec. 108. Section 99G.34, subsection 4, Code 2024, is
12 amended to read as follows:

13 4. Security records pertaining to investigations and
14 intelligence-sharing information between lottery security
15 ~~officers~~ staff and those of other lotteries and law enforcement
16 agencies, the security portions or segments of lottery
17 requests for proposals, proposals by vendors to conduct
18 lottery operations, and records of the security division of the
19 department under **this chapter** pertaining to game security data,
20 ticket validation tests, and processes.

21 Sec. 109. Section 99G.35, subsection 1, unnumbered
22 paragraph 1, Code 2024, is amended to read as follows:

23 The department's ~~chief security officer and investigators~~
24 lottery security staff under **this chapter** shall be qualified
25 by training and experience in law enforcement to perform their
26 respective duties in support of the activities of the security
27 office. ~~The chief security officer and investigators~~ Lottery
28 security staff shall not have sworn peace officer status. The
29 lottery security office shall perform all of the following
30 activities in support of the mission of the department under
31 this chapter:

32 Sec. 110. Section 421.2, Code 2024, is amended to read as
33 follows:

34 **421.2 Department of revenue.**

35 A department of revenue is created. The department shall be

1 administered by a director of revenue who shall be appointed by
2 the governor subject to confirmation by the senate and shall
3 serve at the pleasure of the governor. If the office of the
4 director becomes vacant, the vacancy shall be filled in the
5 same manner as provided for the original appointment. ~~The~~
6 Except for the Iowa lottery division under chapter 99G, the
7 director may establish, abolish, and consolidate divisions
8 within the department of revenue when necessary for the
9 efficient performance of the various functions and duties of
10 the department of revenue.

11 Sec. 111. Section 421.9, subsection 1, unnumbered paragraph
12 1, Code 2024, is amended to read as follows:

13 The director of revenue or a department employee designated
14 ~~deputy~~ by the director shall sign on behalf of the department
15 all orders, subpoenas, warrants, and other documents of like
16 character issued by the department.

17 DIVISION VII

18 WORKFORCE DEVELOPMENT

19 Sec. 112. Section 84A.5, subsection 5, Code 2024, is amended
20 by adding the following new paragraph:

21 NEW PARAGRAPH. *p.* The supplemental nutrition assistance
22 program employment and training program pursuant to 7 C.F.R.
23 pt. 273, administered jointly with the department of health and
24 human services.

25 Sec. 113. Section 84A.6, subsection 2, paragraph a, Code
26 2024, is amended to read as follows:

27 *a.* The director of the department of workforce development,
28 in cooperation with the department of health and human
29 services, shall provide job placement and training to persons
30 referred by the department of health and human services
31 under the promoting independence and self-sufficiency
32 through employment job opportunities and basic skills program
33 established pursuant to [chapter 239B](#) and the supplemental
34 nutrition assistance program employment and training program
35 pursuant to 7 C.F.R. pt. 273.

1 Sec. 114. Section 84A.19, subsection 2, Code 2024, is
2 amended to read as follows:

3 2. The department of workforce development ~~and community~~
4 ~~colleges~~ shall ~~jointly~~ implement adult education and literacy
5 programs to assist adults and youths sixteen years of age and
6 older who are not in school in obtaining the knowledge and
7 skills necessary for further education, work, and community
8 involvement.

9 DIVISION VIII

10 DEPARTMENT OF PUBLIC SAFETY

11 Sec. 115. Section 80E.1, subsection 2, paragraph b, Code
12 2024, is amended by striking the paragraph.

13 Sec. 116. Section 100.41, Code 2024, is amended to read as
14 follows:

15 **100.41 Authority to cite violations.**

16 Fire officials acting under the authority of ~~this part~~
17 chapter 10A, subchapter V, part 2, may issue citations in
18 accordance with [chapter 805](#), for violations of ~~this part~~
19 chapter 10A, subchapter V, part 2, or a violation of a local
20 fire safety code.

21 DIVISION IX

22 ECONOMIC DEVELOPMENT AUTHORITY AND IOWA FINANCE AUTHORITY —
23 REPORTS

24 Sec. 117. Section 15.107B, Code 2024, is amended by adding
25 the following new subsection:

26 NEW SUBSECTION. 3. The director may, notwithstanding
27 any provision of law to the contrary, include in the report
28 submitted pursuant to subsection 1, any other annual report
29 relating to a program or activity required to be prepared by
30 the authority, the director, or the board, and submitted to the
31 general assembly.

32 Sec. 118. Section 15.108, subsection 6, paragraph c,
33 subparagraph (1), subparagraph division (c), Code 2024, is
34 amended to read as follows:

35 (c) By January 15 of each year, or as part of the annual

1 report under section 15.107B, the economic development
2 authority shall submit to the governor and the general assembly
3 a compilation of reports required under this subparagraph.

4 Sec. 119. Section 15.108, subsection 8, paragraph f, Code
5 2024, is amended to read as follows:

6 *f.* Conduct surveys of existing art and cultural programs
7 and activities within the state, including but not limited to
8 music, theater, dance, painting, sculpture, architecture, and
9 allied arts and crafts. The authority shall submit, or include
10 as part of the annual report under section 15.107B, a report
11 on the survey to the governor and to the general assembly no
12 later than ten calendar days after the commencement of each
13 first session of the general assembly recommending appropriate
14 legislation or other action as the authority deems appropriate.

15 Sec. 120. Section 15.120, subsection 3, paragraph b, Code
16 2024, is amended to read as follows:

17 *b.* The center shall prepare an annual report in coordination
18 with the authority. The center shall submit the report to the
19 general assembly and the legislative services agency by January
20 15 of each year or shall provide the report to the authority to
21 include as part of the annual report under section 15.107B.

22 Sec. 121. Section 15.231, subsection 7, Code 2024, is
23 amended by striking the subsection.

24 Sec. 122. Section 15.275, subsection 2, Code 2024, is
25 amended to read as follows:

26 2. The authority shall report to the general assembly on or
27 before September 1 of each fiscal year, or report as part of
28 the annual report under section 15.107B, on the effectiveness
29 of each entity that conducted statewide tourism marketing
30 services and efforts in the immediately preceding fiscal
31 year pursuant to a contract awarded under **subsection 1.** The
32 report shall be provided in an electronic format and shall
33 include metrics and criteria that allow the general assembly to
34 quantify and evaluate the effectiveness and economic impact of
35 each entity's statewide tourism marketing services and efforts.

1 Sec. 123. Section 15.320, subsection 2, unnumbered
2 paragraph 1, Code 2024, is amended to read as follows:

3 By January 31 of each year, the board, in cooperation with
4 the department of revenue, shall submit to the general assembly
5 and to the governor, or provide to the authority for inclusion
6 in the annual report under section 15.107B, a report describing
7 the activities of the program for the most recent calendar year
8 for which the tax credit application period has ended pursuant
9 to [section 15.318, subsection 1](#), paragraph "d". The report
10 shall, at a minimum, include the following information:

11 Sec. 124. Section 15.338, subsection 7, Code 2024, is
12 amended by striking the subsection.

13 Sec. 125. Section 15E.46, subsection 3, Code 2024, is
14 amended to read as follows:

15 3. The authority shall publish, or include as part of the
16 annual report under section 15.107B, an annual report of the
17 activities conducted pursuant to [this subchapter](#) and shall
18 submit the report to the governor and the general assembly.
19 The report shall include a listing of eligible qualifying
20 businesses and the number of tax credit certificates and the
21 amount of tax credits issued by the authority.

22 Sec. 126. Section 15E.52, subsection 10, unnumbered
23 paragraph 1, Code 2024, is amended to read as follows:

24 On or before January 31 of each year, the board, in
25 cooperation with the department of revenue, shall submit to the
26 general assembly and the governor, or provide to the authority
27 for inclusion in the annual report under section 15.107B, a
28 report describing the activities of the innovation funds during
29 the preceding fiscal year. The report shall at a minimum
30 include the following information:

31 Sec. 127. Section 15E.63, subsection 9, Code 2024, is
32 amended to read as follows:

33 9. The board shall, in consultation with the Iowa capital
34 investment corporation, publish an annual report of the
35 activities conducted by the Iowa fund of funds, and present

1 the report to the governor and the general assembly or provide
2 the report to the authority to include such report as part
3 of the annual report under section 15.107B. The annual
4 report shall include a copy of the audit of the Iowa fund
5 of funds and a valuation of the assets of the Iowa fund of
6 funds, review the progress of the investment fund allocation
7 manager in implementing its investment plan, and describe any
8 redemption or transfer of a certificate issued pursuant to this
9 subchapter, provided, however, that the annual report shall not
10 identify any specific designated investor who has redeemed or
11 transferred a certificate. Every five years, the board shall
12 publish a progress report which shall evaluate the progress
13 of the state of Iowa in accomplishing the purposes stated in
14 section 15E.61.

15 Sec. 128. Section 15F.107, subsection 2, Code 2024, is
16 amended to read as follows:

17 2. The authority shall submit a report to the general
18 assembly and the governor's office each year, or include such
19 report as part of the annual report under section 15.107B, that
20 moneys are appropriated to the fund established in [this section](#)
21 describing the use of moneys and the results achieved under
22 each of the programs receiving fund moneys.

23 Sec. 129. Section 15J.4, subsection 7, Code 2024, is amended
24 to read as follows:

25 7. All reports received by the board under subsection
26 6 shall be posted on the economic development authority's
27 internet site as soon as practicable following receipt of
28 the report. The board shall submit a written report to the
29 governor and the general assembly on or before January 15
30 of each year or shall provide the report to the economic
31 development authority to include such report as part of
32 the annual report under section 15.107B. The report
33 shall summarize and analyze the information submitted by
34 municipalities under [subsection 6](#).

35 Sec. 130. Section 16.7, Code 2024, is amended by adding the

1 following new subsection:

2 NEW SUBSECTION. 3. The director may, notwithstanding
3 any provision of law to the contrary, include in the report
4 submitted under this section, any other annual report relating
5 to a program or activity required to be prepared by the
6 authority, the director, or the board and submitted to the
7 general assembly.

8 Sec. 131. Section 16.57B, subsection 7, unnumbered
9 paragraph 1, Code 2024, is amended to read as follows:

10 On or before January 31 of each year, or as part of the
11 annual report under section 16.7, the authority shall submit
12 a report to the general assembly that identifies all of the
13 following for the calendar year immediately preceding the year
14 of the report:

15 Sec. 132. Section 16.134, subsection 8, Code 2024, is
16 amended to read as follows:

17 8. By October 1 of each year, or as part of the annual
18 report under section 16.7, the authority shall submit a report
19 to the governor and the general assembly itemizing expenditures
20 under the program during the previous fiscal year, if any.

21 Sec. 133. Section 16.153, subsection 4, Code 2024, is
22 amended to read as follows:

23 4. ~~By October 1, 2019, and by~~ October 1 of each year
24 ~~thereafter~~ or as part of the annual report under section 16.7,
25 the authority shall submit a report to the governor and the
26 general assembly itemizing expenditures from the fund, if any,
27 during the previous fiscal year.

28 DIVISION X

29 ECONOMIC DEVELOPMENT AUTHORITY AND IOWA FINANCE AUTHORITY —
30 PROGRAMS

31 Sec. 134. Section 15.410, subsection 2, Code 2024, is
32 amended by striking the subsection.

33 Sec. 135. Section 15.411, subsection 3, Code 2024, is
34 amended by striking the subsection.

35 Sec. 136. Section 15.412, subsection 2, Code 2024, is

1 amended to read as follows:

2 2. Moneys in the fund are appropriated to the authority and,
3 with the approval of the board, shall be used to facilitate
4 agreements, and enhance commercialization, ~~and increase the~~
5 ~~availability of skilled workers~~ in innovative businesses. Such
6 moneys shall not be used for the support of retail businesses,
7 health care businesses, or other businesses requiring a
8 professional license.

9 Sec. 137. Section 15.412, subsection 3, paragraph a, Code
10 2024, is amended by striking the paragraph.

11 Sec. 138. NEW SECTION. **84A.20 Iowa student internship**
12 **program.**

13 1. As used in this section, unless the context otherwise
14 requires:

15 a. "*Innovative business*" means the same as defined in
16 section 15E.52.

17 b. "*Internship*" means temporary employment of a student that
18 focuses on providing the student with work experience in the
19 student's field of study.

20 c. "*Iowa student*" means a student of an Iowa community
21 college, private college, or institution of higher learning
22 under the control of the state board of regents, or a student
23 who graduated from high school in Iowa but now attends an
24 institution of higher learning outside the state of Iowa.

25 2. a. The department of workforce development shall
26 establish and administer an internship program with two
27 components for Iowa students. To the extent permitted by
28 this section, the department of workforce development shall
29 administer the two components in as similar a manner as
30 possible.

31 b. The purpose of the first component of the program is
32 to link Iowa students to small and medium-sized Iowa firms
33 through internship opportunities. An Iowa employer may receive
34 financial assistance on a matching basis for a portion of the
35 wages paid to an intern. If providing financial assistance,

1 the department of workforce development shall provide the
2 assistance on a reimbursement basis such that for every two
3 dollars of wages earned by the student, one dollar paid by
4 the employer is matched by one dollar from the department of
5 workforce development. The amount of financial assistance
6 shall not exceed three thousand one hundred dollars for any
7 single internship, or nine thousand three hundred dollars
8 for any single employer. In order to be eligible to receive
9 financial assistance, the employer must have five hundred
10 or fewer employees and must be an innovative business. The
11 department of workforce development shall encourage youth who
12 reside in economically distressed areas, youth adjudicated to
13 have committed a delinquent act, and youth transitioning out
14 of foster care to participate in the first component of the
15 internship program.

16 c. (1) The purpose of the second component of the program
17 is to assist in placing Iowa students studying in the fields
18 of science, technology, engineering, and mathematics into
19 internships that lead to permanent positions with Iowa
20 employers. The department of workforce development shall
21 collaborate with eligible employers, including but not limited
22 to innovative businesses, to ensure that the interns hired
23 are studying in such fields. An Iowa employer may receive
24 financial assistance on a matching basis for a portion of the
25 wages paid to an intern. If providing financial assistance,
26 the department of workforce development shall provide the
27 assistance on a reimbursement basis such that for every two
28 dollars of wages earned by the student, one dollar paid by
29 the employer is matched by one dollar from the department of
30 workforce development. The amount of financial assistance
31 shall not exceed five thousand dollars per internship. The
32 department of workforce development may adopt rules to
33 administer this component. In adopting rules to administer
34 this component, the department of workforce development shall
35 adopt rules as similar as possible to those adopted pursuant

1 to paragraph "b".

2 (2) The requirement to administer this component of the
3 internship program is contingent upon the provision of funding
4 for such purposes by the general assembly.

5 3. a. An Iowa student internship fund is created in the
6 state treasury under the control of the department of workforce
7 development. The fund shall consist of moneys appropriated to
8 the department of workforce development and any other moneys
9 available to, obtained, or accepted by the department of
10 workforce development for placement in the fund.

11 b. Payments of interest, repayments of moneys loaned
12 pursuant to this section, and recaptures of financial
13 assistance shall be credited to the fund. Moneys in the fund
14 are not subject to section 8.33. Notwithstanding section
15 12C.7, interest or earnings on moneys in the fund shall be
16 credited to the fund.

17 c. Moneys in the fund are appropriated to the department
18 of workforce development and, with the approval of the Iowa
19 workforce development board, shall be used to increase the
20 availability of skilled workers in innovative businesses, by
21 providing Iowa student internship opportunities. Such moneys
22 shall not be used for the support of retail businesses, health
23 care businesses, or other businesses requiring a professional
24 license.

25 Sec. 139. TRANSITION PROVISIONS. Any internship or
26 financial assistance awarded under a program administered by
27 the economic development authority under section 15.411, Code
28 2024, prior to the effective date of this division of this Act
29 is valid and shall continue as provided in the terms of the
30 internship or financial assistance under section 84A.20, as
31 enacted in this division of this Act.

32 DIVISION XI

33 DEPARTMENT OF HEALTH AND HUMAN SERVICES

34 Sec. 140. Section 125.7, subsection 4, Code 2024, is amended
35 to read as follows:

1 4. Adopt rules for ~~subsections~~ subsection 1 and 6 and review
2 other rules necessary to carry out the provisions of this
3 chapter, subject to review in accordance with chapter 17A.

4 Sec. 141. Section 125.7, subsection 6, Code 2024, is amended
5 by striking the subsection.

6 Sec. 142. Section 125.13, subsection 2, paragraphs a, b, i,
7 and j, Code 2024, are amended to read as follows:

8 a. A hospital providing care or treatment to persons with
9 a substance use disorder licensed under chapter 135B which is
10 accredited by the joint commission on the accreditation of
11 health care organizations, the commission on accreditation
12 of rehabilitation facilities, the American osteopathic
13 association, or another recognized organization approved by the
14 ~~council~~ department. All survey reports from the accrediting or
15 licensing body must be sent to the department.

16 b. Any practitioner of medicine and surgery or osteopathic
17 medicine and surgery, in the practitioner's private practice.
18 However, a program shall not be exempted from licensing by the
19 ~~council~~ department by virtue of its utilization of the services
20 of a medical practitioner in its operation.

21 i. A substance use disorder treatment program not funded
22 by the department which is accredited or licensed by the joint
23 commission on the accreditation of health care organizations,
24 the commission on the accreditation of rehabilitation
25 facilities, the American osteopathic association, or another
26 recognized organization approved by the ~~council~~ department.
27 All survey reports from the accrediting or licensing body must
28 be sent to the department.

29 j. A hospital substance use disorder treatment program
30 that is accredited or licensed by the joint commission on the
31 accreditation of health care organizations, the commission on
32 the accreditation of rehabilitation facilities, the American
33 osteopathic association, or another recognized organization
34 approved by the ~~council~~ department. All survey reports for
35 the hospital substance use disorder treatment program from the

1 accrediting or licensing body shall be sent to the department.

2 Sec. 143. Section 125.14, Code 2024, is amended to read as
3 follows:

4 **125.14 Licenses — renewal — fees.**

5 The ~~council~~ department shall consider all cases involving
6 initial issuance, and renewal, denial, suspension, or
7 revocation of a license. The department shall issue a license
8 to an applicant whom the ~~council~~ department determines meets
9 the licensing requirements of **this chapter**. Licenses shall
10 expire no later than three years from the date of issuance
11 and shall be renewed upon timely application made in the same
12 manner as for initial issuance of a license unless notice of
13 nonrenewal is given to the licensee at least thirty days prior
14 to the expiration of the license. The department shall not
15 charge a fee for licensing or renewal of programs contracting
16 with the department for provision of treatment services. A fee
17 may be charged to other licensees.

18 Sec. 144. Section 125.15A, subsection 1, paragraph b, Code
19 2024, is amended to read as follows:

20 *b.* The ~~council~~ department has suspended, revoked, or refused
21 to renew the existing license of the program.

22 Sec. 145. Section 125.16, Code 2024, is amended to read as
23 follows:

24 **125.16 Transfer of license or change of location prohibited.**

25 A license issued under **this chapter** may not be transferred,
26 and the location of the physical facilities occupied or
27 utilized by any program licensed under **this chapter** shall not
28 be changed without the prior written consent of the ~~council~~
29 department.

30 Sec. 146. Section 125.17, Code 2024, is amended to read as
31 follows:

32 **125.17 License suspension or revocation.**

33 Violation of any of the requirements or restrictions
34 of **this chapter** or of any of the rules adopted pursuant to
35 this chapter is cause for suspension, revocation, or refusal

1 to renew a license. The director shall at the earliest
2 time feasible notify a licensee whose license the ~~council~~
3 department is considering suspending or revoking and shall
4 inform the licensee what changes must be made in the licensee's
5 operation to avoid such action. The licensee shall be
6 given a reasonable time for compliance, as determined by the
7 director, after receiving such notice or a notice that the
8 ~~council~~ department does not intend to renew the license. When
9 the licensee believes compliance has been achieved, or if
10 the licensee considers the proposed suspension, revocation,
11 or refusal to renew unjustified, the licensee may submit
12 pertinent information to the ~~council~~ department and the ~~council~~
13 department shall expeditiously make a decision in the matter
14 and notify the licensee of the decision.

15 Sec. 147. Section 125.18, Code 2024, is amended by striking
16 the section and inserting in lieu thereof the following:

17 **125.18 Applications — approval or denial — disciplinary**
18 **actions.**

19 The department may deny an application for license, or
20 may place on probation, suspend or revoke a license of, or
21 otherwise discipline a licensee if the department finds that
22 the licensee has not been or will not be operated in compliance
23 with this chapter and the rules adopted pursuant to this
24 chapter, or that there is insufficient assurance of adequate
25 protection for the public. The authorization denial or period
26 of probation, suspension, or revocation, or other disciplinary
27 action shall be effected and may be appealed as provided by
28 section 17A.12.

29 Sec. 148. Section 125.19, Code 2024, is amended to read as
30 follows:

31 **125.19 Reissuance or reinstatement.**

32 After suspension, revocation, or refusal to renew a license
33 pursuant to [this chapter](#), the affected licensee shall not have
34 the license reissued or reinstated within one year of the
35 effective date of the suspension, revocation, or expiration

1 upon refusal to renew, unless the ~~council~~ department orders
2 otherwise. After that time, proof of compliance with the
3 requirements and restrictions of [this chapter](#) and the rules
4 adopted pursuant to [this chapter](#) must be presented to the
5 ~~council~~ department prior to reinstatement or reissuance of a
6 license.

7 Sec. 149. Section 125.21, subsection 1, Code 2024, is
8 amended to read as follows:

9 1. The ~~council~~ department has exclusive power in this state
10 to approve and license chemical substitutes and antagonists
11 programs, and to monitor chemical substitutes and antagonists
12 programs to ensure that the programs are operating within the
13 rules adopted pursuant to [this chapter](#). The ~~council~~ department
14 shall grant approval and license if the requirements of the
15 rules are met and state funding is not requested. The chemical
16 substitutes and antagonists programs conducted by persons
17 exempt from the licensing requirements of [this chapter](#) pursuant
18 to [section 125.13, subsection 2](#), are subject to approval and
19 licensure under [this section](#).

20 Sec. 150. Section 125.58, subsection 1, Code 2024, is
21 amended to read as follows:

22 1. If the department has probable cause to believe that
23 an institution, place, building, or agency not licensed
24 as a substance use disorder treatment and rehabilitation
25 facility is in fact a substance use disorder treatment and
26 rehabilitation facility as defined by [this chapter](#), and
27 is not exempt from licensing by [section 125.13, subsection](#)
28 [2](#), the ~~council~~ department may order an inspection of the
29 institution, place, building, or agency. If the inspector
30 upon presenting proper identification is denied entry for the
31 purpose of making the inspection, the inspector may, with
32 the assistance of the county attorney of the county in which
33 the premises are located, apply to the district court for an
34 order requiring the owner or occupant to permit entry and
35 inspection of the premises to determine whether there have been

1 violations of **this chapter**. The investigation may include
2 review of records, reports, and documents maintained by the
3 facility and interviews with staff members consistent with the
4 confidentiality safeguards of state and federal law.

5 Sec. 151. Section 217.30, subsection 3, Code 2024, is
6 amended to read as follows:

7 3. Information described in **subsection 2** shall not be
8 disclosed to or used by any person except for purposes of
9 administration or evaluation of a program of services or
10 assistance, and shall not, except as provided in subsection
11 5, be disclosed to or used by a person outside the department
12 unless the person is subject to standards of confidentiality
13 comparable to those imposed on the department by **this section**.

14 Sec. 152. Section 217.30, subsection 5, paragraph b,
15 subparagraph (1), Code 2024, is amended to read as follows:

16 (1) Upon written application to and with the approval of the
17 director or the director's designee, confidential information
18 described in **subsection 2**, paragraphs "a", "b", and "c", ~~shall~~
19 is required to be disclosed within the department and to a
20 public official for use in connection with the department or
21 public official's duties relating to law enforcement, audits,
22 the support and protection of children and families, and
23 other purposes directly connected with the administration of
24 the programs of services and assistance referred to in this
25 section.

26 Sec. 153. Section 217.34, Code 2024, is amended to read as
27 follows:

28 **217.34 Debt setoff.**

29 The investigations division of the department of
30 inspections, appeals, and licensing and the department shall
31 provide assistance to set off against a person's or provider's
32 income tax refund or rebate any debt which has accrued
33 through written contract, nonpayment of premiums pursuant to
34 section 249A.3, subsection 2, paragraph "a", subparagraph (1),
35 subrogation, departmental recoupment procedures, or court

1 judgment and which is in the form of a liquidated sum due
2 and owing the department. The department of inspections,
3 appeals, and licensing, with approval of the department,
4 shall adopt rules under [chapter 17A](#) necessary to assist the
5 department of revenue in the implementation of the setoff
6 under [section 421.65](#) in regard to money owed to the state for
7 public assistance overpayments or nonpayment of premiums as
8 specified in [this section](#). The department shall adopt rules
9 under [chapter 17A](#) necessary to assist the department of revenue
10 in the implementation of the setoff under [section 421.65](#), in
11 regard to collections by child support services ~~and foster care~~
12 ~~services~~.

13 Sec. 154. Section 218.94, subsection 1, paragraph a, Code
14 2024, is amended to read as follows:

15 a. The director ~~may~~ shall have full power to secure options
16 to purchase real estate, to acquire and sell real estate,
17 and to grant utility easements, for the proper uses of the
18 institutions. Real estate shall be acquired and sold and
19 utility easements granted, upon such terms and conditions as
20 the director may determine. Upon sale of the real estate, the
21 proceeds shall be deposited in a health and human services
22 capital reinvestment fund created in the state treasury under
23 the control of the department. There is appropriated from
24 such capital reinvestment fund a sum equal to the proceeds
25 deposited and credited to the capital reinvestment fund to the
26 department, which may be used to purchase other real estate,
27 for capital improvements upon property under the director's
28 control, or for improvements to property which is owned by the
29 state and utilized by the department.

30 Sec. 155. Section 252I.8, subsection 6, Code 2024, is
31 amended to read as follows:

32 6. The support obligor may withdraw the request for
33 challenge by submitting a written withdrawal to ~~the person~~
34 ~~identified as the contact for~~ child support services ~~in~~
35 ~~the notice~~ or child support services may withdraw the

1 administrative levy at any time prior to the court hearing and
2 provide notice of the withdrawal to the obligor and any account
3 holder of interest and to the financial institution, by regular
4 mail.

5

DIVISION XII

6

STATE SALARIES — APPOINTED STATE OFFICERS

7

Sec. 156. NEW SECTION. 8A.461 Appointed state officers —

8

salary ranges.

9 1. Unless otherwise provided by law, the governor shall
10 establish a salary for nonelected persons appointed by the
11 governor within the executive branch of state government.
12 In establishing a salary for a person holding a position
13 enumerated in subsection 3 within the range provided, the
14 governor may consider, among other items, the experience of
15 the person in the position, changes in the duties of the
16 position, the incumbent's performance of assigned duties,
17 and subordinates' salaries. However, the attorney general
18 shall establish the salary of the consumer advocate, the
19 chief justice of the supreme court shall establish the salary
20 of the state court administrator, the ethics and campaign
21 disclosure board shall establish the salary of the executive
22 director, the Iowa public information board shall establish
23 the salary of the executive director, the board of regents
24 shall establish the salary of the executive director, and the
25 Iowa public broadcasting board shall establish the salary of
26 the administrator of the public broadcasting division of the
27 department of education, each within the salary range provided
28 in subsection 3.

29 2. A person whose salary is established pursuant to this
30 section and who is a full-time, year-round employee of the
31 state shall not receive any other remuneration from the state
32 or from any other source for the performance of that person's
33 duties unless the additional remuneration is first approved by
34 the governor or authorized by law. However, this subsection
35 does not apply to reimbursement for necessary travel and

1 expenses incurred in the performance of duties or fringe
2 benefits normally provided to employees of the state.

3 3. a. The annual salary ranges for appointed state officers
4 as specified in paragraphs "b", "c", and "d", are effective
5 for the fiscal year beginning July 1, 2024, effective for the
6 pay period beginning June 21, 2024, and for subsequent fiscal
7 years. The governor or other person designated in subsection 1
8 shall determine the salary to be paid to the person indicated
9 at a rate within the applicable salary range from moneys
10 appropriated by the general assembly for that purpose.

11 b. The following are range one positions: chairperson
12 and members of the employment appeal board of the department
13 of inspections, appeals, and licensing; director of the
14 department for the blind; executive director of the ethics
15 and campaign disclosure board; executive director of the Iowa
16 public information board; and chairperson, vice chairperson,
17 and members of the board of parole. Range one positions shall
18 be paid in a range set in accordance with pay grade thirty-two
19 of the pay plans published by the department of administrative
20 services pursuant to section 8A.413, subsection 3.

21 c. The following are range two positions: workers'
22 compensation commissioner, director of the law enforcement
23 academy, superintendent of banking of the department of
24 insurance and financial services, superintendent of credit
25 unions of the department of insurance and financial services,
26 consumer advocate, director of the Iowa civil rights
27 commission, and administrator of the public broadcasting
28 division of the department of education. Range two positions
29 shall be paid in a range set in accordance with pay grade
30 thirty-eight of the pay plans published by the department of
31 administrative services pursuant to section 8A.413, subsection
32 3.

33 d. The following are range three positions: chairperson
34 and members of the utilities board, executive director of the
35 Iowa telecommunications and technology commission, executive

1 director of the state board of regents, lottery administrator
2 of the department of revenue, labor commissioner, state public
3 defender, and state court administrator. Range three positions
4 shall be paid in a range set in accordance with pay grade
5 forty-three of the pay plans published by the department of
6 administrative services pursuant to section 8A.413, subsection
7 3.

8 Sec. 157. Section 8D.4, Code 2024, is amended to read as
9 follows:

10 **8D.4 Executive director appointed.**

11 The commission shall appoint an executive director of
12 the commission, subject to confirmation by the senate. Such
13 individual shall not serve as a member of the commission.
14 The executive director shall serve at the pleasure of the
15 commission. The executive director shall be selected primarily
16 for administrative ability and knowledge in the field, without
17 regard to political affiliation. The governor shall establish
18 the salary of the executive director within the applicable
19 salary range as established by ~~the general assembly~~ section
20 8A.461. The salary and support of the executive director shall
21 be paid from funds deposited in the Iowa communications network
22 fund.

23 Sec. 158. Section 20.5, subsection 2, Code 2024, is amended
24 to read as follows:

25 2. The governor shall appoint an executive director of the
26 board, subject to confirmation by the senate, who shall serve
27 at the pleasure of the governor. The executive director shall
28 serve as the executive officer of the board. In selecting
29 the executive director, consideration shall be given to the
30 person's knowledge, ability, and experience in the field of
31 labor-management relations. The governor shall set the salary
32 of the executive director ~~within the applicable salary range~~
33 ~~established by the general assembly.~~

34 Sec. 159. Section 68B.32, subsection 5, Code 2024, is
35 amended to read as follows:

1 5. The board shall employ a full-time executive director who
2 shall be the board's chief administrative officer. The board
3 shall employ or contract for the employment of legal counsel
4 notwithstanding [section 13.7](#), and any other personnel as may
5 be necessary to carry out the duties of the board. The board's
6 legal counsel shall be the chief legal officer of the board and
7 shall advise the board on all legal matters relating to the
8 administration of [this chapter](#) and [chapter 68A](#). The state may
9 be represented by the board's legal counsel in any civil action
10 regarding the enforcement of [this chapter](#) or [chapter 68A](#), or at
11 the board's request, the state may be represented by the office
12 of the attorney general. Notwithstanding [section 8A.412](#), all
13 of the board's employees, except for the executive director and
14 legal counsel, shall be employed subject to the merit system
15 provisions of [chapter 8A, subchapter IV](#). The salary of the
16 executive director shall be fixed by the board, within the
17 range established by ~~the general assembly~~ [section 8A.461](#). The
18 salary of the legal counsel shall be fixed by the board, within
19 a salary range established by the department of administrative
20 services for a position requiring similar qualifications and
21 experience.

22 Sec. 160. Section 99G.5, subsection 2, Code 2024, is amended
23 to read as follows:

24 2. The salary of the lottery administrator shall be set by
25 the governor within the applicable salary range established by
26 ~~the general assembly~~ [section 8A.461](#).

27 Sec. 161. Section 216B.3A, subsection 1, Code 2024, is
28 amended to read as follows:

29 1. The director of the department shall be appointed by
30 the governor, subject to confirmation by the senate, and shall
31 serve at the pleasure of the governor. The governor shall set
32 the salary of the director within the applicable salary range
33 established by ~~the general assembly~~ [section 8A.461](#).

34 Sec. 162. Section 256.81, subsection 1, Code 2024, is
35 amended to read as follows:

1 1. The public broadcasting division of the department of
2 education is created. The chief administrative officer of the
3 division is the administrator who shall be appointed by and
4 serve at the pleasure of the Iowa public broadcasting board.
5 The board shall set the division administrator's salary within
6 the applicable salary range established by ~~the general assembly~~
7 ~~unless otherwise provided by law~~ section 8A.461. Educational
8 programming shall be the highest priority of the division.
9 The division shall be governed by the national principles
10 of editorial integrity developed by the editorial integrity
11 project. The director of the department of education and the
12 state board of education are not liable for the activities of
13 the division of public broadcasting.

14 Sec. 163. Section 475A.3, subsection 3, Code 2024, is
15 amended to read as follows:

16 3. *Salaries, expenses, and appropriation.* The salary of the
17 consumer advocate shall be fixed by the attorney general within
18 the salary range set by ~~the general assembly~~ section 8A.461.
19 The salaries of employees of the consumer advocate shall be
20 at rates of compensation consistent with current standards in
21 industry. The reimbursement of expenses for the employees and
22 the consumer advocate is as provided by law. The appropriation
23 for the office of consumer advocate shall be a separate line
24 item contained in the appropriation from the commerce revolving
25 fund created in section 546.12.

26 Sec. 164. Section 524.201, subsection 2, Code 2024, is
27 amended to read as follows:

28 2. The superintendent shall receive a salary set by the
29 governor within a range established by ~~the general assembly~~
30 section 8A.461.

31 Sec. 165. Section 533.104, subsection 2, Code 2024, is
32 amended to read as follows:

33 2. The superintendent shall receive a salary set by the
34 governor within a range established by ~~the general assembly~~
35 section 8A.461.

1 Sec. 166. Section 904A.6, Code 2024, is amended to read as
2 follows:

3 **904A.6 Salaries and expenses.**

4 Each member of the board shall be paid a salary as ~~determined~~
5 set by the general assembly governor within a range established
6 by section 8A.461. Each member of the board and all employees
7 are entitled to receive, in addition to their salary, their
8 necessary maintenance and travel expenses while engaged in
9 official business.

10 Sec. 167. EFFECTIVE DATE. This division of this Act takes
11 effect June 21, 2024.

12 DIVISION XIII

13 OFFICE FOR STATE-FEDERAL RELATIONS

14 Sec. 168. Section 7F.1, subsection 3, Code 2024, is amended
15 to read as follows:

16 3. *Office established.* A state-federal relations office
17 is established as an independent agency. The office shall be
18 ~~located in Washington, D.C.,~~ attached to the office of the
19 governor for administrative purposes and shall be administered
20 by the director of the office who is appointed by the governor,
21 subject to confirmation by the senate, and who serves at
22 the pleasure of the governor. The office and its personnel
23 are exempt from the merit system provisions of chapter 8A,
24 subchapter IV.

25 DIVISION XIV

26 HISTORICAL SITES

27 Sec. 169. Section 8A.702, subsection 2, Code 2024, is
28 amended by striking the subsection and inserting in lieu
29 thereof the following:

30 2. Administer and care for historical sites under the
31 authority of the department and maintain collections within
32 these sites. For the purposes of this section, "*historical*
33 *site*" means any district, site, building, or structure listed
34 on the national register of historic sites or identified as
35 eligible for such status by the state historic preservation

1 officer or that is identified according to established criteria
2 by the state historic preservation officer as significant in
3 national, state, and local history, architecture, engineering,
4 archaeology, or culture.

5 Sec. 170. Section 8A.702, subsection 4, Code 2024, is
6 amended to read as follows:

7 4. Develop, in consultation with the state historic
8 preservation officer, standards and criteria for the
9 acquisition of historic properties and for the preservation,
10 restoration, maintenance, operation, and interpretation of
11 properties under the jurisdiction of the department.

12 Sec. 171. Section 15.121, subsection 2, Code 2024, is
13 amended by adding the following new paragraph:

14 NEW PARAGRAPH. e. Developing standards and criteria for the
15 preservation, restoration, and maintenance of historical sites.

16 Sec. 172. Section 15.121, Code 2024, is amended by adding
17 the following new subsection:

18 NEW SUBSECTION. 7. Before modifying a historical site in a
19 manner that could impact a site's listing on, or eligibility
20 for, the national register of historic places, a state agency
21 which owns, manages, or administers the historical site must
22 consult with the state historic preservation officer to ensure
23 the proper management, maintenance, and development of the
24 site. The state agency and the state historic preservation
25 officer may, at the discretion of the state historic
26 preservation officer, enter into an agreement relating to the
27 proper management, maintenance, and development of the site.
28 The authority may, in consultation with the state historic
29 preservation officer, adopt rules to implement this subsection.

30 DIVISION XV

31 DEPARTMENT OF MANAGEMENT — JUSTICE INFORMATION

32 Sec. 173. NEW SECTION. 8.100 Subchapter definitions.

33 As used in this subchapter, "department" means the department
34 of management.

35 Sec. 174. NEW SECTION. 8.101 Integrated justice information

1 **system.**

2 The department shall maintain a statewide integrated justice
3 information system that encourages and enables automated
4 information sharing in a common format between and for the
5 benefit of state and local justice agencies.

6 Sec. 175. NEW SECTION. **8.102 Administration of funds.**

7 In compliance with applicable state and federal laws,
8 rules, and other requirements, the department may administer
9 federal funds, funds appropriated to the department by the
10 general assembly for purposes of this subchapter, and funds
11 otherwise made available to the department in furtherance of
12 this subchapter.

13 Sec. 176. Section 216A.131A, Code 2024, is amended to read
14 as follows:

15 **216A.131A Criminal and juvenile justice planning.**

16 The department shall fulfill the responsibilities of
17 this subchapter, including the duties specified in sections
18 216A.135, ~~216A.136~~, ~~216A.137~~, ~~216A.138~~, and 216A.140.

19 Sec. 177. Section 216A.133, subsection 3, paragraph h, Code
20 2024, is amended by striking the paragraph.

21 Sec. 178. Section 216A.136, unnumbered paragraph 1, Code
22 2024, is amended to read as follows:

23 The department of management shall maintain an Iowa
24 statistical analysis center for the purpose of coordinating
25 with data resource agencies to provide data and analytical
26 information to federal, state, and local governments, and
27 assist agencies in the use of criminal and juvenile justice
28 data. Notwithstanding any other provision of state law, unless
29 prohibited by federal law or regulation, the department of
30 management shall be granted access, for purposes of research
31 and evaluation, to criminal history records, official juvenile
32 court records, juvenile court social records, and any other
33 data collected or under control of the board of parole,
34 department of corrections, department of workforce development,
35 department of health and human services, district departments

1 of correctional services, judicial branch, and department of
2 public safety. However, intelligence data and peace officer
3 investigative reports maintained by the department of public
4 safety shall not be considered data for the purposes of this
5 section. Any record, data, or information obtained by the
6 department of management under **this section** and the department
7 itself is subject to the federal and state confidentiality laws
8 and ~~regulations~~ rules which are applicable to the original
9 record, data, or information obtained by the department of
10 management and to the original custodian of the record, data,
11 or information. The access ~~shall include~~ includes but is not
12 limited to all of the following:

13 Sec. 179. Section 216A.136, subsection 13, Code 2024,
14 is amended by striking the subsection and inserting in lieu
15 thereof the following:

16 13. Child welfare records maintained under chapter 235.

17 Sec. 180. Section 216A.137, Code 2024, is amended to read
18 as follows:

19 **216A.137 Correctional policy project.**

20 1. The department of management shall maintain an Iowa
21 correctional policy project for the purpose of conducting
22 analyses of major correctional issues affecting the criminal
23 and juvenile justice system. The justice advisory board
24 established in section 216A.132 shall identify and prioritize
25 the issues and studies to be addressed by the department of
26 management through this project and shall report project
27 plans and findings annually ~~along with the report required in~~
28 ~~section 216A.135~~ to the department. Issues and studies to be
29 considered by the justice advisory board shall include but are
30 not limited to a review of the information systems available
31 to assess corrections trends and program effectiveness, the
32 development of an evaluation plan for assessing the impact of
33 corrections expenditures, and a study of the desirability and
34 feasibility of changing the state's sentencing practices, which
35 includes a prison population forecast.

1 2. The department of management may form subcommittees for
2 the purpose of addressing major correctional issues affecting
3 the criminal and juvenile justice system. The department ~~shall~~
4 of management may establish a subcommittee to address issues
5 specifically affecting the juvenile justice system.

6 Sec. 181. Section 216A.138, Code 2024, is amended to read
7 as follows:

8 **216A.138 Multiagency database information system concerning**
9 **juveniles juvenile and adult court records.**

10 1. The department of management shall coordinate the
11 development and maintenance of a multiagency ~~database~~
12 information system to track the progress of juveniles, and
13 adults who have been charged with a criminal offense, in
14 the court system through various state and local agencies
15 and programs. The department shall develop a ~~plan~~ system
16 which utilizes existing databases, including the Iowa court
17 information system, the Iowa corrections offender network,
18 information systems of the department of health and human
19 services, the federally mandated national adoption and
20 foster care information system, and the other state and local
21 databases pertaining to juveniles, and to adults who have been
22 charged with a criminal offense, in the court system, to the
23 extent possible.

24 2. The department of health and human services, department
25 of corrections, judicial branch, department of public safety,
26 department of education, local school districts, and other
27 state agencies and political subdivisions shall cooperate with
28 the department of management in the development of the ~~plan~~
29 system.

30 3. The ~~database~~ multiagency information system shall be
31 designed to count and track ~~the progress of juveniles in~~
32 ~~various programs~~ various decision points for juveniles in
33 the juvenile justice system and minors in the child welfare
34 system, evaluate the experiences of the juveniles and minors,
35 and evaluate the success of the services provided. The system

1 shall also be designed to count and track various decision
2 points for adults who have been charged with a criminal offense
3 in the court system, including dismissed charges, convictions,
4 and sentence information.

5 4. The department of management shall develop the plan
6 system within the context of existing federal privacy and
7 confidentiality requirements. The plan system shall build upon
8 existing resources and facilities to the extent possible.

9 5. The plan system shall include proposed guidelines for the
10 sharing of information by ~~case management teams, consisting of~~
11 ~~designated representatives of various state and local agencies~~
12 ~~and political subdivisions to coordinate the delivery of~~
13 ~~services to juveniles under the jurisdiction of the juvenile~~
14 ~~court~~ the department of management. The guidelines shall be
15 developed to structure and improve the information-sharing
16 ~~procedures of case management teams~~ established pursuant to any
17 applicable state or federal law or approved by the juvenile
18 ~~court with respect to a juvenile who is the recipient of the~~
19 ~~case management team services~~ judicial branch, department
20 of corrections, or other entities that supply data to the
21 multiagency information system. The plan system shall also
22 ~~contain~~ provide a process to recommend proposals for changes in
23 state laws or rules to facilitate the exchange of information
24 ~~among members of case management teams.~~

25 6. ~~The plan shall include development of a resource guide~~
26 ~~outlining successful programs and practices established~~
27 ~~within this state which are designed to promote positive youth~~
28 ~~development and that assist delinquent and other at-risk youth~~
29 ~~in overcoming personal and social problems. The guide shall be~~
30 ~~made publicly available.~~

31 7. 6. If the department of management has insufficient
32 funds and resources to implement this section, the department
33 shall determine what, if any, portion of this section may be
34 implemented, and the remainder of this section shall not apply.

35 Sec. 182. CODE EDITOR DIRECTIVE.

1 1. The Code editor is directed to make the following
2 transfers:

3 a. Section 216A.136 to section 8.103.

4 b. Section 216A.137 to section 8.104.

5 c. Section 216A.138 to section 8.105.

6 2. The Code editor shall correct internal references in the
7 Code and in any enacted legislation as necessary due to the
8 enactment of this section.

9 3. The Code editor shall make changes in any Code sections
10 amended or enacted in another Act to correspond with the
11 changes made in this division of this Act if there appears to
12 be no doubt as to the proper method of making the changes and
13 the changes would not be contrary to or inconsistent with the
14 purposes of this division of this Act.

15 4. The Code editor shall designate sections 8.100 through
16 8.105 as a new subchapter within chapter 8.

17 EXPLANATION

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

20 This bill relates to the organization, structure, and
21 functions of state and local governments, provides for salaries
22 of certain state officers, makes statutory corrections,
23 resolves inconsistencies, and removes ambiguities.

24 DIVISION I — NATURAL RESOURCES. Code section 233A.15
25 authorizes the director of the department of health and human
26 services (HHS) to assign certain children from the state
27 training school to perform services for the department of
28 natural resources (DNR) within the state parks, state game
29 and forest areas, and other lands under the jurisdiction of
30 DNR. The bill strikes a requirement that DNR provide permanent
31 housing for such children.

32 DIVISION II — DEPARTMENT OF INSPECTIONS, APPEALS, AND
33 LICENSING. The bill revises Code section 10A.309 to reflect
34 that the workers' compensation commissioner no longer has a
35 term of office and serves at the pleasure of the governor.

1 The bill changes a reference to "the director of the
2 department of workforce development" to the director of
3 inspections, appeals, and licensing to align with 2023 changes
4 to Code section 10A.310.

5 The bill strikes the requirement in Code section 10A.504
6 that the executive directors of the board of medicine, board
7 of nursing, dental board, and board of pharmacy be full-time
8 executive directors. Additionally, the bill amends Code
9 section 147.80 to provide that while the board of medicine,
10 board of pharmacy, dental board, and board of nursing shall
11 retain an executive director, an individual executive director
12 may be appointed and serve as the executive director of one
13 or more such boards. The bill also directs the executive
14 directors, to the extent possible, share administrative,
15 clerical, and investigative staff.

16 The bill amends Code section 91C.4 to specify that all
17 contractor registration fees collected under Code chapter
18 91C shall be deposited in the licensing and regulation fund
19 created in Code section 10A.507. The bill repeals Code section
20 91C.9, which created the contractor registration revolving fund
21 consisting of such fees. The bill provides for the transfer of
22 remaining moneys in the contractor registration revolving fund.

23 The bill amends Code section 135C.9(1)(b) to remove
24 a provision relating to the status of the director of
25 inspections, appeals, and licensing, and specifies that certain
26 activities of the director may be undertaken by the director's
27 designee.

28 The bill modifies authority for the establishment by rule of
29 specified fees collected by certain health-related professional
30 boards under Code section 147.80, to require approval of the
31 department of inspections, appeals, and licensing (DIAL), or
32 to require the board to adopt such rules if directed by DIAL.
33 The bill strikes language in Code section 147.80 providing
34 that the fees established by each board by rule for certain
35 functions are to be based on the costs of sustaining the board

1 and the actual costs of the service. The bill requires DIAL to
2 annually review and, if necessary, direct the boards to adjust
3 the schedule of fees to cover aggregate projected costs and
4 ensure fees are not greater than similar fees in other states.
5 Additionally, the bill requires DIAL to annually provide
6 each board a comparison of the amount of the board's fees as
7 compared to similar fees imposed by similar boards or agencies
8 in other states.

9 The bill changes an incorrect Code section reference in
10 Code section 231B.4 relating to the state plumbing code from
11 "135.11" to "105.4" in a provision governing elder group homes.

12 The bill adds the real estate appraiser examining board,
13 created pursuant to Code chapter 543D, to the definition of
14 "licensing board" or "board" under Code chapter 272C.

15 DIVISION III — DEPARTMENT OF TRANSPORTATION. The bill
16 amends Code section 321.383 by changing the rulemaking
17 authority for safety rules relating to movement of implements
18 of husbandry and animal-drawn vehicles on a roadway from the
19 department of transportation (DOT) to the department of public
20 safety.

21 Code chapter 307 governs general duties and authority of the
22 DOT and the director of the DOT.

23 The bill amends Code section 307.12 to change the deadline
24 by which the director must present the DOT's proposed budget
25 to the state transportation commission from December 31 of
26 each year to March 31 immediately preceding the applicable
27 fiscal year. The bill also provides the director with the
28 authority to establish divisions within the DOT as necessary
29 or desirable in addition to any departmental division required
30 or established by law.

31 The bill amends Code section 307.21, relating to
32 departmental operations and finances, by specifying the DOT
33 as the entity responsible for such activities rather than the
34 "department's administrator responsible for the operations and
35 finances of the department".

1 The bill amends Code section 307.22, relating to
2 departmental planning and programming, by specifying the DOT
3 as the entity responsible for such activities rather than the
4 "department's administrator responsible for transportation
5 planning and infrastructure program development". The bill
6 also strikes Code section 307.22(2), which specified that the
7 function of planning does not include the detailed design
8 of highways or other modal transportation facilities, but
9 is restricted to the needs of this state for multimodal
10 transportation systems.

11 The bill amends Code section 307.23(1)(b) to no longer
12 require the attorney general to provide all legal services for
13 the DOT.

14 The bill amends Code section 307.24, relating to highway
15 programs and activities, by specifying the DOT as the entity
16 responsible for such activities rather than the "department's
17 administrator responsible for highway programs and activities".

18 The bill amends Code section 307.26, relating to
19 departmental modal programs and activities, by specifying the
20 DOT as the entity responsible for such activities rather than
21 the "department's administrator responsible for modal programs
22 and activities".

23 The bill amends Code section 307.27, relating to
24 departmental enforcement and regulation of motor carriers,
25 registration of motor vehicles, and licensing of drivers,
26 by specifying the DOT as the entity responsible for such
27 activities rather than the "department's administrator
28 responsible for enforcement and regulation of motor carriers,
29 registration of motor vehicles, and licensing of drivers".

30 The bill also amends Code sections 307.47, 307.48, 327D.192,
31 and 327F.39 to eliminate references to specific administrator
32 titles within DOT.

33 DIVISION IV — DEPARTMENT OF EDUCATION. The bill modifies
34 provisions within Code section 259.9 governing the general
35 duties of the director of the department of education (DE).

1 The bill removes the higher education division of DE from the
2 general exception to the duties of the director and authorizes
3 the director to, in addition to establishing divisions of the
4 department, assign subject matter duties to divisions of DE in
5 a manner determined by the director. The bill also provides
6 that beginning July 1, 2024, the director may reassign within
7 DE the boards, commissions, bureaus, and duties specified in
8 Code sections 256.111 (innovation division) and 256.121 (higher
9 education division). The bill also modifies portions of Code
10 sections 256.111 and 256.121 governing the duties of the heads
11 of the innovation division and the higher education division.

12 Code section 256.10 provides that professional staff of DE
13 serve at the discretion of the director. The bill strikes that
14 provision and a provision of that Code section that prohibits
15 professional staff from being dismissed for cause without
16 appropriate due process procedures including a hearing. Code
17 section 256.10 is also amended by striking several references
18 to "professional" staff and makes such provisions apply to
19 "salaried" staff. The bill also strikes a provision in Code
20 section 256.9(4) that specifies that professional staff are
21 not subject to the merit system provisions of Code chapter 8A,
22 subchapter IV. The bill also modifies provisions governing how
23 the salaries and benefits of full-time salaried employees who
24 are employed for less than 12 months per year are paid.

25 The bill also authorizes the director of the department of
26 education to employ hourly staff for less than 12 months each
27 year, but such staff shall be employed by the director for at
28 least nine months of each year. The bill includes provisions
29 for how the wages and benefits of such employees are paid.

30 The bill amends Code section 256.103 to provide that Code
31 sections 279.19A and 279.19B, relating to extracurricular
32 contracts and coaching endorsements and authorizations, apply
33 to employees of the Iowa educational services for the blind
34 and visually impaired program and employees of the Iowa school
35 for the deaf, who are licensed pursuant to Code chapter 256,

1 subchapter VII, part 3.

2 The bill also enacts new Code section 256.103A, which
3 provides that salaried employees of the Iowa educational
4 services for the blind and visually impaired program and
5 employees of the Iowa school for the deaf who are employed on
6 a school year basis for less than 12 months per year shall be
7 exempt from the provisions of Code chapter 70A relating to
8 vacation leave. In lieu of vacation leave, the bill provides
9 that such employees shall accrue two personal leave days per
10 school year and may carry over up to one unused personal day
11 into a subsequent school year. Such employees shall not accrue
12 more than three personal leave days at any one time and such
13 leave shall not be paid out to the employee upon separation
14 from employment.

15 DIVISION V — DEPARTMENT OF CORRECTIONS. The bill
16 amends, repeals, and transfers various provisions relating
17 to the department of corrections (DOC) and judicial district
18 departments of correctional services.

19 The bill amends Code sections 80D.1 and 80D.11 to specify the
20 governing body when a reserve peace officer is employed by the
21 state of Iowa.

22 The bill amends Code section 125.93 by striking certain
23 language relating to employees of judicial district departments
24 of correctional services due to the movement of those entities
25 under the DOC following enactment of 2023 Iowa Acts, chapter
26 19.

27 The bill adds definitions of "community-based correctional
28 program", "community-based corrections facility", "district
29 advisory board", "district department", and "district director"
30 to Code chapter 904 that are similar to those definitions
31 repealed in the bill under Code chapter 905. The bill updates
32 references to those terms in Code chapter 904 and other
33 sections of the Code.

34 The bill adds community-based corrections facilities to the
35 list of institutions in Code section 904.102 over which the DOC

1 is responsible for the control, treatment, and rehabilitation
2 of offenders. The bill also amends other provisions of Code
3 chapter 904 to reflect changes to the DOC's authority over
4 district departments made in 2023 Iowa Acts, chapter 19.

5 The bill strikes Code section 904.103(1), relating to the
6 DOC's responsibility for the accreditation and funding of
7 community-based corrections programs.

8 The bill adds district directors to various provisions
9 governing the duties, authority, and compensation of
10 superintendents of other correctional institutions under the
11 DOC.

12 The bill strikes language from Code section 904.513 relating
13 to the DOC's cooperation with the district departments in
14 establishing a continuum of programming for the supervision and
15 treatment of offenders convicted of violating Code chapter 321J
16 who are sentenced to the custody of the director of the DOC.

17 The bill modifies Code section 904.904 by providing that
18 the DOC shall coordinate, rather than contract with, judicial
19 district departments of correctional services for quartering
20 and supervision of certain inmates after working hours.

21 The bill amends several sections of Code chapter 905 to
22 reflect terminology and definition changes in the bill and as
23 a result of Code section transfers required in the bill. The
24 bill also modifies the composition of district advisory boards,
25 which advise district directors, by striking the provision
26 governing citizen members appointed by the chief judge of the
27 judicial district.

28 The bill repeals Code sections 905.1, 905.7, 905.8, 905.9,
29 905.10, 905.12, 905.13, and 905.15. The bill directs the
30 Iowa Code editor to transfer the remaining sections in Code
31 chapter 905 to various locations in Code chapter 904 and to
32 correct internal references in the Code as necessary. The bill
33 corrects cross-references to various other Code sections to
34 reflect amendments and transfers made in this division of the
35 bill.

1 DIVISION VI — DEPARTMENT OF REVENUE. The bill modifies
2 several provisions relating to departmental divisions within
3 the department of revenue (DOR). Within Code chapter 99G,
4 "department" is defined as DOR and "division" is defined as the
5 Iowa lottery division of DOR.

6 The bill amends Code section 99G.7 by modifying provisions
7 governing the duties of the administrator of the Iowa lottery,
8 including striking a provision requiring the administrator
9 to report semiannually to the general assembly regarding the
10 operations of the division.

11 The bill amends Code section 99G.8 by designating the
12 administrator of the Iowa lottery, rather than the chief
13 executive officer, as the person other than the chairperson
14 who may call a meeting of the board of directors of the Iowa
15 lottery and strikes the word "major" from the provision
16 prohibiting a board member from having any interest in a major
17 procurement contract.

18 The bill amends Code section 99G.10 by striking a reference
19 to "officer of the division" in a provision relating to
20 background investigations of employees. The bill also amends
21 Code section 99G.11 by striking references to "officer" within
22 provisions relating to conflicts of interest.

23 The bill amends Code section 99G.12 to designate DOR,
24 instead of the former Iowa lottery authority, as having power
25 to operate self-service kiosks to dispense authorized lottery
26 tickets or products. The bill makes a similar change to Code
27 section 99G.21 from "authority" to "department".

28 The bill amends Code section 99G.22(1) by changing
29 "administrator" to "department" in a provision specifying the
30 duty to consult with the division of criminal investigation on
31 certain matters involving major procurement contracts.

32 The bill amends Code section 99G.23 by changing "division"
33 to "department" in several provisions governing procurement
34 and vendor requirements and by specifying that certain vendor
35 performance bond requirements only apply to major procurements.

1 The bill amends the portion of Code section 99G.24 relating
2 to selection of lottery retailers by replacing "officer of the
3 division" with "employee of the division" that has specified
4 job duties.

5 The bill amends portions of Code section 99G.27 relating
6 to cancellation, suspension, revocation, or termination of
7 a lottery retail license by striking certain references to
8 "division" and inserting "department".

9 The bill amends Code section 99G.28 relating to the handling
10 of proceeds from the sale of lottery tickets or shares by
11 striking references to "division" and inserting "department".

12 The bill amends Code section 99G.30A to eliminate
13 superfluous language.

14 The bill amends Code section 99G.31 to change a reference
15 from "division" to "department" in a provision governing the
16 award of prizes and strikes a reference to an "officer" of the
17 department.

18 The bill amends Code section 99G.34 by striking the term
19 "officers" and inserting the term "staff" in a provision
20 relating to security records pertaining to investigations and
21 intelligence-sharing information between lottery security
22 and other lotteries and law enforcement agencies. The bill
23 also amends Code section 99G.35 relating to lottery security
24 by striking references to "chief security officer and
25 investigators" and inserting "lottery security staff".

26 Code section 421.2 authorizes the director of revenue to
27 establish, abolish, and consolidate divisions within DOR
28 when necessary for the efficient performance of the various
29 functions and duties of DOR. The Iowa lottery division is
30 established by Code chapter 99G. The bill establishes an
31 exception for the Iowa lottery division within the director
32 of revenue's general authority to establish, abolish, and
33 consolidate divisions within DOR.

34 The bill amends Code section 421.9 relating to who may sign
35 an order, subpoena, warrant, or other document issued by DOR

1 by striking "deputy" and including a "department employee
2 designated by the director".

3 DIVISION VII — WORKFORCE DEVELOPMENT. The bill adds
4 the supplemental nutrition assistance program employment
5 and training program, administered jointly with HHS, to the
6 list of programs administered by the department of workforce
7 development (IWD) under Code section 84A.5(5).

8 Code section 84A.19 requires IWD and community colleges to
9 jointly implement adult education and literacy programs. The
10 bill removes the community colleges from the implementation
11 requirement. However, IWD must still consult with community
12 colleges when prescribing standards and adopting rules to
13 administer the program.

14 DIVISION VIII — DEPARTMENT OF PUBLIC SAFETY. The bill
15 strikes the requirement in Code section 80E.1(2)(b) that the
16 director of the office of drug control policy submit an annual
17 report to the governor and general assembly by November 1
18 of each year concerning the activities and programs of the
19 director and other departments related to drug enforcement,
20 substance use disorder treatment programs, and substance use
21 disorder prevention and education programs.

22 The bill strikes Code subunit references in Code section
23 100.41 and replaces them with references to Code chapter 10A,
24 subchapter V, part 2, where the applicable portions of law were
25 transferred to as the result of 2023 Iowa Acts, chapter 19.

26 DIVISION IX — ECONOMIC DEVELOPMENT AUTHORITY AND IOWA
27 FINANCE AUTHORITY — REPORTS. Code section 15.107B requires
28 the director of the economic development authority (IEDA) to,
29 on or before January 31 of each year, submit to the authority
30 board and the general assembly a report that describes the
31 activities of IEDA during the preceding fiscal year. The
32 bill provides that the director may include in the report any
33 other annual report relating to a program or activity required
34 to be prepared by IEDA, the director, or the IEDA board, and
35 submitted to the general assembly.

1 Code section 16.7 requires the director of the Iowa finance
2 authority (IFA) to, on or before January 15 of each year,
3 submit to the governor and the general assembly an annual
4 report. The bill provides that the director may include in
5 the report any other annual report relating to a program or
6 activity required to be prepared by IFA, the director, or the
7 IFA board, and submitted to the general assembly.

8 The bill makes corresponding changes to other provisions of
9 law requiring certain reports under Code chapters governing
10 IEDA and IFA to allow for the inclusion of such reports
11 in an annual report under Code section 15.107B or 16.7, as
12 applicable.

13 DIVISION X — ECONOMIC DEVELOPMENT AUTHORITY AND IOWA
14 FINANCE AUTHORITY — PROGRAMS. The bill strikes several
15 provisions of Code chapter 15 that require IEDA to establish
16 and administer certain internship programs for Iowa students.
17 The bill instead establishes similar Iowa student internship
18 program requirements under IWD, including establishment of an
19 Iowa student internship program fund.

20 The bill specifies that any internship or financial
21 assistance awarded under a program administered by IEDA
22 under Code section 15.411 prior to the bill is valid and
23 shall continue as provided in the terms of the internship or
24 financial assistance under Code section 84A.20, as enacted in
25 the bill.

26 DIVISION XI — DEPARTMENT OF HEALTH AND HUMAN SERVICES.
27 The bill amends various provisions relating to the duties and
28 authority of HHS and the council on health and human services.

29 The bill strikes Code section 125.7(6), which requires the
30 council to consider and approve or disapprove all applications
31 for a license and all cases involving the renewal, denial,
32 suspension, or revocation of a license.

33 The bill amends various provisions of Code chapter 125 by
34 changing the responsibility for certain duties relating to
35 licensing of substance use disorder programs from the council

1 to HHS.

2 The bill also amends Code section 217.30(3), relating to
3 the confidentiality of records for purposes of administering a
4 program of services, to also include evaluation of a program of
5 services. The bill also amends Code section 217.30 to specify
6 persons and officials to whom certain confidential information
7 may be disclosed.

8 The bill amends Code section 217.34, relating to debt
9 setoffs, to strike a reference to foster care services.

10 The bill amends Code section 218.94(1)(a) by specifying that
11 the director of HHS shall have the full power to engage in
12 specified real estate activities.

13 The bill amends Code section 252I.8(6) by modifying part of
14 the procedure for a request to withdraw a challenge by a child
15 support obligor by allowing the written request to be submitted
16 to child support services.

17 DIVISION XII — STATE SALARIES — APPOINTED STATE OFFICERS.

18 The bill establishes and codifies salary ranges for certain
19 appointed state officers for fiscal years beginning on or
20 after July 1, 2024. The bill provides that the governor shall
21 establish a salary for nonelected persons appointed by the
22 governor within the executive branch of state government. In
23 establishing a salary for a person holding certain positions
24 enumerated in the bill within the range provided, the governor
25 may consider, among other items, the experience of the person
26 in the position, changes in the duties of the position, the
27 incumbent's performance of assigned duties, and subordinates'
28 salaries. However, the attorney general shall establish the
29 salary of the consumer advocate, the chief justice of the
30 supreme court shall establish the salary of the state court
31 administrator, the ethics and campaign disclosure board shall
32 establish the salary of the executive director, the Iowa public
33 information board shall establish the salary of the executive
34 director, the board of regents shall establish the salary of
35 the executive director, and the Iowa public broadcasting board

1 shall establish the salary of the administrator of the public
2 broadcasting division of the department of education, each
3 within the applicable salary.

4 Range one positions shall be paid in a range set in
5 accordance with pay grade 32 of the pay plans published by
6 the department of administrative services (DAS) pursuant to
7 Code section 8A.413(3). Range two positions shall be paid in
8 a range set in accordance with pay grade 38 of the pay plans
9 published by DAS. Range three positions shall be paid in a
10 range set in accordance with pay grade 43 of the pay plans
11 published by DAS.

12 The annual salary ranges for specified appointed state
13 officers are effective for the fiscal year beginning July 1,
14 2024, effective for the pay period beginning June 21, 2024,
15 and for subsequent fiscal years. The governor or other person
16 designated in the bill shall determine the salary to be paid
17 to the person indicated at a rate within the applicable salary
18 range from moneys appropriated by the general assembly for that
19 purpose.

20 The division takes effect June 21, 2024.

21 DIVISION XIII — OFFICE FOR STATE-FEDERAL RELATIONS. The
22 bill amends Code section 7F.1, relating to the establishment
23 of an office for state-federal relations. The bill strikes
24 language requiring the office to be located in Washington,
25 D.C., and specifies that the state-federal relations office
26 is attached to the office of the governor for administrative
27 purposes.

28 DIVISION XIV — HISTORICAL SITES. The bill strikes and
29 rewrites Code section 8A.702(2), relating to administration and
30 care of historical sites, to remove language providing that
31 except for the state board of regents, a state agency which
32 owns, manages, or administers a historical site must enter into
33 an agreement with DAS under Code chapter 28E to ensure the
34 proper management, maintenance, and development of the site.

35 The bill requires DAS to consult with the state historic

1 preservation officer when developing standards and criteria
2 for the acquisition of historic properties and for the
3 preservation, restoration, maintenance, operation, and
4 interpretation of properties under the jurisdiction of the
5 department under Code section 8A.702(4).

6 The bill adds developing standards and criteria for the
7 preservation, restoration, and maintenance of historical sites
8 to the list of historic preservation activities undertaken by
9 the state historic preservation officer under Code section
10 15.121(2).

11 The bill also amends Code section 15.121 by requiring that
12 before modifying a historical site in a manner that could
13 impact a site's listing on, or eligibility for, the national
14 register of historic places, a state agency which owns,
15 manages, or administers the historical site must consult with
16 the state historic preservation officer to ensure the proper
17 management, maintenance, and development of the site. The
18 bill also authorizes the state agency and the state historic
19 preservation officer to enter into an agreement relating to the
20 proper management, maintenance, and development of the site.
21 The bill authorizes IEDA to, in consultation with the state
22 historic preservation officer, adopt rules to implement this
23 new provision.

24 DIVISION XV — DEPARTMENT OF MANAGEMENT — JUSTICE
25 INFORMATION. The bill requires the department of management
26 (DOM) to maintain a statewide integrated justice information
27 system, and transfers from HHS to DOM the duties to maintain an
28 Iowa statistical analysis center, an Iowa correctional policy
29 project, and a multiagency information system for juvenile and
30 adult court records.

31 The bill makes conforming changes and provides Code editor
32 directives.