

Senate Study Bill 3208 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
APPROPRIATIONS BILL BY
CHAIRPERSON KRAAYENBRINK)

A BILL FOR

1 An Act relating to state government and finances, including by
2 making, modifying, limiting, or reducing appropriations,
3 distributions, or transfers, authorizing expenditure of
4 unappropriated moneys in special funds, providing for
5 properly related matters including the state government
6 efficiency review committee and teacher salary supplement
7 district cost per pupil calculations, making corrections,
8 and including effective date, applicability, and retroactive
9 applicability provisions.
10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 DIVISION I
2 APPROPRIATIONS, DISTRIBUTIONS, TRANSFERS, AND EXPENDITURE
3 AUTHORITY

4 Section 1. DEPARTMENT OF EDUCATION — EDUCATION SUPPORT
5 PERSONNEL SALARY SUPPLEMENT — FY 2024-2025. There is
6 appropriated from the general fund of the state to the
7 department of education for the fiscal year beginning July
8 1, 2024, and ending June 30, 2025, the following amount, or
9 so much thereof as is necessary, to be used for the purposes
10 designated:

11 To supplement education support personnel compensation, as
12 described in 2024 Iowa Acts, House File 2612, section 52:
13 \$ 14,000,000

14 Moneys appropriated in this section are miscellaneous income
15 as defined in section 257.2 and shall not be included in any
16 computation of district cost under chapter 257 for any budget
17 year.

18 Sec. 2. LIMITATIONS OF STANDING APPROPRIATIONS — FY
19 2024-2025. Notwithstanding the standing appropriation in the
20 following designated section for the fiscal year beginning July
21 1, 2024, and ending June 30, 2025, the amount appropriated from
22 the general fund of the state pursuant to that section for the
23 following designated purpose shall not exceed the following
24 amount:

25 For payment of claims for nonpublic school pupil
26 transportation under [section 285.2](#):
27 \$ 8,997,091

28 If total approved claims for reimbursement for nonpublic
29 school pupil transportation exceed the amount appropriated in
30 accordance with this section, the department of education shall
31 prorate the amount of each approved claim.

32 Sec. 3. INSTRUCTIONAL SUPPORT STATE AID — FY 2024-2025. In
33 lieu of the appropriation provided in section 257.20,
34 subsection 2, the appropriation for the fiscal year
35 beginning July 1, 2024, and ending June 30, 2025, for paying

1 instructional support state aid under section 257.20 for the
2 fiscal year is zero.

3 Sec. 4. DEPARTMENT OF PUBLIC SAFETY. There is appropriated
4 from the general fund of the state to the department of public
5 safety for the fiscal year beginning July 1, 2024, and ending
6 June 30, 2025, the following amount, or so much thereof as is
7 necessary, to be used for the purposes designated:

8 For providing personnel to conduct coordination, oversight,
9 technical assistance, and investigatory assistance to current
10 or new task forces to address the rise in illegal immigration
11 and related criminal conduct such as drug trafficking and
12 human trafficking, or as assigned by the commissioner of
13 public safety, and for not more than the following full-time
14 equivalent positions:

15	\$	2,000,000
16	FTEs	12.00

17 Sec. 5. SPECIAL FUNDS — SALARY ADJUSTMENTS — FY
18 2024-2025. For the fiscal year beginning July 1, 2024, and
19 ending June 30, 2025, salary adjustments otherwise provided
20 may be funded as determined by the department of management,
21 subject to any applicable constitutional limitation, using
22 unappropriated moneys remaining in the commerce revolving
23 fund, the gaming enforcement revolving fund, the gaming
24 regulatory revolving fund, the primary road fund, the road
25 use tax fund, the fish and game protection fund, and the Iowa
26 public employees' retirement fund, and in other departmental
27 revolving, trust, or special funds for which the general
28 assembly has not made an operating budget appropriation.

29 Sec. 6. DISTRIBUTIONS OF IOWA ECONOMIC EMERGENCY FUND
30 EXCESS — FY 2023-2024. Notwithstanding section 8.55,
31 subsection 2, paragraphs "a" and "b", for the fiscal year
32 beginning July 1, 2023, and ending June 30, 2024, moneys in
33 excess of the maximum balance of the Iowa economic emergency
34 fund created in section 8.55 shall be distributed as follows:

35 1. a. Based on the application of assessment limitations

1 calculated under section 441.21 due to the enactment of 2023
2 Iowa Acts, chapter 5, of the amount that is the difference
3 between the actual net revenue for the general fund of the
4 state for the fiscal year and the adjusted revenue estimate for
5 the fiscal year, up to \$8,000,000 is transferred to the general
6 fund of the state to be used in lieu of a like amount of other
7 general fund moneys to pay foundation aid under chapter 257 as
8 described in section 257.16 for the fiscal year beginning July
9 1, 2024. The remaining amount, if any, is transferred to the
10 taxpayer relief fund created in section 8.57E.

11 b. If the amount transferred to the general fund of the
12 state under paragraph "a" is less than \$8,000,000, an amount
13 equal to the difference is transferred from the taxpayer relief
14 fund created in section 8.57E to the general fund of the state
15 for the purposes specified in paragraph "a".

16 2. The remaining moneys in excess of the maximum balance of
17 the Iowa economic emergency fund, if any, are transferred to
18 the general fund of the state.

19 Sec. 7. TAXPAYER RELIEF FUND — TRANSFER.

20 1. There is transferred from the taxpayer relief fund
21 created in section 8.57E to the general fund of the state, the
22 following amount:

23 \$ 13,881,303

24 2. The transfer made in this section is based on the
25 application of assessment limitations calculated under section
26 441.21 due to the enactment of 2023 Iowa Acts, chapter 5. The
27 transferred moneys shall be used in lieu of a like amount
28 of other general fund moneys to pay foundation aid under
29 chapter 257 as described in section 257.16 for the fiscal year
30 beginning July 1, 2024.

31 Sec. 8. Section 257.35, subsection 2, Code 2024, as amended
32 by 2024 Iowa Acts, House File 2612, section 30, is amended to
33 read as follows:

34 2. Notwithstanding the deduction and payment under
35 subsection 1, the amounts specified for school districts and

1 area education agencies in subsection 1, paragraph "a", for the
2 fiscal year beginning July 1, 2024, and each succeeding fiscal
3 year, shall be reduced by the department of management by seven
4 million five hundred thousand dollars. The department of
5 management shall calculate a reduction such that such amounts
6 shall be reduced proportionally to the amount that the district
7 or agency would otherwise have received under this section
8 if the reduction imposed pursuant to this subsection did not
9 apply.

10 Sec. 9. Section 257.35, Code 2024, is amended by adding the
11 following new subsection:

12 NEW SUBSECTION. 18A. Notwithstanding subsection 1, and in
13 addition to the reduction applicable pursuant to subsection 2,
14 the amounts specified for school districts and area education
15 agencies in subsection 1, paragraph "a", for the fiscal year
16 beginning July 1, 2024, and ending June 30, 2025, shall be
17 reduced by the department of management by fifteen million
18 dollars and, in addition, as a result of appropriations made
19 pursuant to 2024 Iowa Acts, Senate File 2435, if enacted, shall
20 be reduced by the department of management by ten million
21 dollars. The reductions for each district or agency shall be
22 prorated based on the proportional reduction that the district
23 or agency receives under subsection 2.

24 Sec. 10. EFFECTIVE DATE. The following, being deemed of
25 immediate importance, take effect upon enactment:

26 1. The section of this division of this Act providing for
27 distributions of moneys in excess of the maximum balance of the
28 Iowa economic emergency fund.

29 2. The section of this division of this Act amending section
30 257.35, subsection 2.

31 Sec. 11. APPLICABILITY. The following applies July 1, 2024,
32 for school budget years beginning on or after that date:

33 The section of this division of this Act amending section
34 257.35, subsection 2.

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DIVISION II

CORRECTIVE PROVISIONS

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Sec. 12. Section 135.194, subsection 3, paragraph h, if enacted by 2024 Iowa Acts, Senate File 477, section 4, is amended to read as follows:

h. "Legal guardian" means a person appointed by a court as the guardian of a minor pursuant to chapter ~~633~~ 232D, or the parent or other person responsible for the care of the minor.

Sec. 13. Section 148J.2, subsection 1, paragraph a, if enacted by 2024 Iowa Acts, Senate File 477, section 2, is amended to read as follows:

a. The board shall grant a provisional license to practice medicine and surgery or osteopathic medicine and surgery in this state to an international physician with an offer for employment as a physician at a health care facility in this state. However, the board shall not grant a license pursuant to this subsection to an international physician who does not possess a federal immigration status allowing the international ~~medical graduate~~ physician to practice as a physician in the United States, or to an international physician who fails to obtain a passing score on the United States medical licensing examination.

Sec. 14. Section 204.7, subsection 8, paragraph a, subparagraph (3), Code 2024, as amended by 2024 Iowa Acts, House File 2605, section 4, if enacted, is amended to read as follows:

(3) The consumable hemp product complies with packaging and labeling requirements, which shall be established by rules adopted by the department of health and human services. Each container storing a consumable hemp product shall be affixed with a notice advising consumers regarding the risks associated with its use. The department of health and human services shall adopt rules regarding the language of the notice and its display on the container.

Sec. 15. Section 204.14A, subsection 1B, if enacted by 2024 Iowa Acts, House File 2605, section 8, is amended to read as

1 follows:

2 1B. A person required to be registered to manufacture or
3 sell a consumable hemp product under section 204.7 shall not
4 manufacture, produce, distribute, market, or sell a synthetic
5 consumable hemp product, as defined by rules adopted by the
6 department of health and human services.

7 Sec. 16. Section 514C.3C, subsection 5, as enacted by 2024
8 Iowa Acts, House File 2400, section 1, is amended to read as
9 follows:

10 5. *Rules.* The commissioner may adopt rules pursuant to
11 chapter 17A to administer this ~~chapter~~ section.

12 Sec. 17. Section 521A.14, subsection 1, paragraph a, Code
13 2024, as amended by 2024 Iowa Acts, House File 2490, section 6,
14 if enacted, is amended to read as follows:

15 a. For purposes of this section, "*domestic mutual insurance*
16 *company*" includes a company qualified and licensed in this
17 state pursuant to ~~chapters~~ chapter 518 ~~and or~~ 518A. A domestic
18 mutual insurance company, upon approval of the commissioner,
19 may reorganize by forming an insurance holding company based
20 upon a mutual plan and continuing the corporate existence
21 of the reorganizing insurance company as a stock insurance
22 company. The commissioner, after a public hearing as provided
23 in section 521A.3, subsection 4, paragraph "b", if satisfied
24 that the interests of the policyholders are properly protected
25 and that the plan of reorganization is fair and equitable
26 to the policyholders, may approve the proposed plan of
27 reorganization and may require as a condition of approval
28 such modifications of the proposed plan of reorganization
29 as the commissioner finds necessary for the protection of
30 the policyholders' interests. The commissioner may retain
31 consultants as provided in section 521A.3, subsection 4,
32 paragraph "d". A reorganization pursuant to this section
33 is subject to section 521A.3, subsections 1, 2, and 3. The
34 commissioner shall retain jurisdiction over a mutual insurance
35 holding company organized pursuant to this section to assure

1 that policyholder interests are protected.

2 Sec. 18. Section 554H.4, subsections 4, 5, and 6, if enacted
3 by 2024 Iowa Acts, House File 2464, section 4, are amended to
4 read as follows:

5 4. Upon receipt of notice under subsection 2 3, the person
6 shall have sixty calendar days to cease the violation.

7 5. If the violation persists after the expiration of the
8 sixty-day period under subsection 3 4, the attorney general
9 shall bring civil action in district court to enjoin further
10 violations by a person found to be in violation of this
11 chapter.

12 6. If a person knowingly or willfully fails to comply with
13 an injunction issued under subsection 4 5, after sixty calendar
14 days of the date the person is served with the injunction, the
15 attorney general shall petition the district court to impose
16 civil penalties in an amount not to exceed one thousand dollars
17 per violation of the injunction, taking into consideration the
18 financial resources of the violator and the harm or risk of
19 harm to the violator's rights under the second amendment to the
20 Constitution of the United States and Article I, section 1A, of
21 the Constitution of the State of Iowa.

22 Sec. 19. 2024 Iowa Acts, House File 2421, section 1, if
23 enacted, is amended by striking the section and inserting in
24 lieu thereof the following:

25 SECTION 1. Section 683.1, subsection 1, Code 2024, is
26 amended by adding the following new paragraphs:

27 NEW PARAGRAPH. *Ob.* "Federal firearms licensee" means any
28 person engaged in the business of importing, manufacturing, or
29 dealing in firearms as defined by the federal National Firearms
30 Act, 26 U.S.C. §5841, and who currently holds a valid license
31 according to provisions of the federal Gun Control Act of 1968,
32 18 U.S.C. §921.

33 NEW PARAGRAPH. *c.* "Firearm hold agreement" means a
34 private transaction between a federal firearms licensee and an
35 individual owner where the licensee takes possession of the

1 owner's lawfully possessed firearm at the owner's request,
2 holds the firearm for an agreed period of time, and returns the
3 firearm according to the terms of the transaction.

4 Sec. 20. Section 714.2B, subsection 4, as enacted by 2024
5 Iowa Acts, House File 2594, section 1, is amended to read as
6 follows:

7 4. The value of the retail merchandise received by the
8 defendant in violation of this section within any six-month
9 period may be aggregated and the defendant charged accordingly
10 in applying the provisions of this ~~subdivision~~ section,
11 provided that when two or more offenses are committed by
12 the same person in two or more counties, the accused may
13 be prosecuted in any county in which one of the offenses
14 was committed for all of the offenses aggregated under this
15 ~~subdivision~~ section.

16 Sec. 21. Section 715D.3, subsection 1, paragraph b, if
17 enacted by 2024 Iowa Acts, House File 572, section 3, is
18 amended to read as follows:

19 b. Controls the flight of remotely piloted aircraft over
20 a secure farmstead area, if the secure ~~farm~~ farmstead area is
21 not owned or leased by the person, and the remotely piloted
22 aircraft remains over the secure farmstead area.

23 Sec. 22. Section 715D.4, subsection 1, paragraph b, if
24 enacted by 2024 Iowa Acts, House File 572, section 4, is
25 amended to read as follows:

26 b. Controls the flight of a remotely piloted aircraft
27 equipped with a surveillance device over a secure farmstead
28 area, if the secure ~~farm~~ farmstead area is not owned or leased
29 by the person, and the remotely piloted aircraft remains over
30 the secure farmstead area.

31 Sec. 23. Section 718C.4, subsection 6, as enacted by 2024
32 Iowa Acts, Senate File 2340, section 4, is amended to read as
33 follows:

34 6. An order issued under this ~~article~~ section must be filed
35 with the county clerk of the county in which the person was

1 arrested for an order described by subsection 1, or with the
2 clerk of the court exercising jurisdiction in the case for an
3 order described by subsection 2 or 4.

4 Sec. 24. Section 805.8C, subsection 3, paragraph d,
5 subparagraph (4), if enacted by 2024 Iowa Acts, House File
6 2605, section 16, is amended to read as follows:

7 (4) Notwithstanding section 805.12, any civil penalty paid
8 under this ~~subsection~~ paragraph shall be retained by the city
9 or county enforcing the violation.

10 Sec. 25. Section 811.1, subsection 3, Code 2024, as amended
11 by 2024 Iowa Acts, House File 2661, section 5, if enacted, is
12 amended as follows:

13 d. Notwithstanding paragraphs "b" and "c", a defendant
14 awaiting judgment of conviction and sentencing following either
15 a plea or verdict of guilty of, or appealing a conviction of,
16 any felony offense included in section 708.11, subsection
17 3, or a felony offense under [chapter 124](#) not provided for
18 in ~~subsection 1 or 2~~ paragraph "b" or "c", is presumed to be
19 ineligible to be admitted to bail unless the court determines
20 that such release reasonably will not result in the person
21 failing to appear as required and will not jeopardize the
22 personal safety of another person or persons.

23 Sec. 26. 2024 Iowa Acts, House File 2326, section 4, if
24 enacted, is amended to read as follows:

25 SEC. 4. RETROACTIVE APPLICABILITY. This division of this
26 Act applies to proceedings before the real estate commission
27 created in section 543B.8, other administrative proceedings
28 before a state agency or department, and judicial proceedings
29 before a court, that are not finally adjudicated or are
30 otherwise pending on the effective date of this division of
31 this Act, except to the extent such application would affect a
32 person's contractual or vested rights.

33 Sec. 27. EFFECTIVE DATE. The following, being deemed of
34 immediate importance, take effect upon enactment:

35 1. The section of this division of this Act amending section

1 714.2B.

2 2. The section of this division of this Act amending 2024
3 Iowa Acts, House File 2326, section 4.

4 Sec. 28. EFFECTIVE DATE. The following takes effect January
5 1, 2025:

6 The section of this division of this Act amending section
7 148J.2.

8 Sec. 29. RETROACTIVE APPLICABILITY. The following applies
9 retroactively to April 10, 2024:

10 The section of this division of this Act amending section
11 714.2B.

12 Sec. 30. RETROACTIVE APPLICABILITY. The following applies
13 retroactively to the effective date of 2024 Iowa Acts, House
14 File 2326, section 4, if enacted:

15 The section of this division of this Act amending 2024 Iowa
16 Acts, House File 2326, section 4.

17 DIVISION III

18 SEARCH WARRANTS — CODE HARMONIZATION

19 Sec. 31. Section 808.4, Code 2024, as amended by 2024 Iowa
20 Acts, House File 2190, section 1, if enacted, is amended to
21 read as follows:

22 **808.4 Issuance.**

23 Upon a finding of probable cause for grounds to issue a
24 search warrant, the magistrate shall issue a warrant, signed by
25 the magistrate with the magistrate's name of office, directed
26 to any peace officer, commanding that peace officer forthwith
27 to search the named person, place, or thing within the state
28 for the property specified, and to ~~bring a list of any property~~
29 seized before file with the magistrate or clerk of the district
30 court, a written inventory itemizing all seized property.

31 DIVISION IV

32 STATE GOVERNMENT EFFICIENCY REVIEW COMMITTEE

33 Sec. 32. Section 4A.1, subsections 3, 4, 5, and 6, if
34 enacted by 2024 Iowa Acts, Senate File 2385, section 43, are
35 amended by striking the subsections.

1 Sec. 33. Section 4A.6, subsection 2, paragraph c, if enacted
2 by 2024 Iowa Acts, Senate File 2385, section 48, is amended to
3 read as follows:

4 c. The committee shall elect a chairperson and vice
5 chairperson from the legislative members of the committee.

6 Sec. 34. REPEAL. Sections 4A.7, 4A.8, 4A.9, and 4A.10, if
7 enacted by 2024 Iowa Acts, Senate File 2385, sections 49, 50,
8 51, and 52, are repealed.

9

DIVISION V

10 TEACHER SALARY SUPPLEMENT DISTRICT COST PER PUPIL

11 Sec. 35. Section 257.10, subsection 9, paragraph a,
12 subparagraph (2), subparagraph division (c), subparagraph
13 subdivision (i), as enacted by 2024 Iowa Acts, House File 2612,
14 section 46, is amended to read as follows:

15 (i) To support school districts with meeting the minimum
16 teacher starting salary requirement of forty-seven thousand
17 five hundred dollars and the minimum teacher salary requirement
18 for full-time teachers with, as of July 1, 2024, at least
19 twelve years of experience of sixty thousand dollars under
20 chapter 284 and other costs associated with such salary
21 requirements, as identified in subparagraph subdivision (ii),
22 the department of management shall calculate and assign to
23 all school districts in a tier established under subparagraph
24 division (b), a teacher salary supplement district cost per
25 pupil in an amount based in part on the average cost to school
26 districts within the tier to meet the requirements.

27 Sec. 36. Section 257.10, subsection 9, paragraph a,
28 subparagraph (3), subparagraph division (c), subparagraph
29 subdivision (i), as enacted by 2024 Iowa Acts, House File 2612,
30 section 46, is amended to read as follows:

31 (i) To support school districts with meeting the minimum
32 teacher starting salary requirement of fifty thousand dollars
33 and the minimum teacher salary requirement for full-time
34 teachers with, as of July 1, 2025, at least twelve years of
35 experience of sixty-two thousand dollars under chapter 284

1 and other costs associated with such salary requirements, as
2 identified in subparagraph subdivision (ii), the department of
3 management shall calculate and assign to all school districts
4 in a tier established under subparagraph division (b), a
5 teacher salary supplement district cost per pupil in an amount
6 based in part on the average cost to school districts within
7 the tier to meet the requirements.

8

EXPLANATION

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

11 APPROPRIATIONS, DISTRIBUTIONS, TRANSFERS, AND EXPENDITURE
12 AUTHORITY. This bill appropriates moneys from the general fund
13 of the state to the department of education for FY 2024-2025 to
14 supplement education support personnel compensation and limits
15 or reduces the standing appropriations for FY 2024-2025 for
16 payment of claims for nonpublic school pupil transportation,
17 instructional support state aid, and state aid for area
18 education agencies and school districts under Code section
19 257.35.

20 The bill appropriates moneys from the general fund of the
21 state to the department of public safety for personnel to
22 conduct coordination, oversight, technical assistance, and
23 investigatory assistance to current or new task forces to
24 address the rise in illegal immigration and related criminal
25 conduct such as drug trafficking and human trafficking.

26 The bill authorizes salary adjustments to be funded as
27 determined by the department of management from unappropriated
28 moneys in certain special funds.

29 The bill provides that for FY 2023-2024, moneys in excess of
30 the maximum balance of the Iowa economic emergency fund shall
31 not be distributed as provided in Code section 8.55(2), but
32 shall instead be distributed as provided in the bill. Under
33 the bill, of the amount that is the difference between the
34 actual net revenue for the general fund of the state for the
35 fiscal year and the adjusted revenue estimate for the fiscal

1 year, up to \$8 million is transferred to the general fund of
2 the state based on the application of assessment limitations
3 calculated under Code section 441.21 due to the enactment
4 of 2023 Iowa Acts, chapter 5, to be used in lieu of a like
5 amount of other general fund moneys to pay foundation aid under
6 Code chapter 257 for FY 2024-2025. The amount that would be
7 distributed to the taxpayer relief fund under current law is
8 reduced by the transferred amount. The bill also transfers
9 moneys from the taxpayer relief fund to the general fund of the
10 state for the same purposes.

11 CORRECTIVE PROVISIONS. The bill makes technical corrections
12 to, or as the result of, legislation enacted or considered
13 during the 2024 legislative session. Certain provisions take
14 effect or apply retroactively based on the underlying 2024
15 legislation.

16 SEARCH WARRANTS — CODE HARMONIZATION. The bill harmonizes
17 amendments to Code section 808.4 (issuance of search warrants)
18 made by 2024 Iowa Acts, House File 2190, and 2017 Iowa Acts,
19 chapter 37. Under current law, the 2017 legislation takes
20 effect if the Iowa supreme court prescribes rules to establish
21 processes and procedures for the application and issuance of a
22 search warrant by electronic means.

23 STATE GOVERNMENT EFFICIENCY REVIEW COMMITTEE. The bill
24 requires the chairperson and vice chairperson of the state
25 government efficiency review committee, as modified by 2024
26 legislation, to be legislative members of the committee. The
27 bill repeals provisions relating to the committee's review of
28 regulation of unregulated professions.

29 TEACHER SALARY SUPPLEMENT DISTRICT COST PER PUPIL. 2024
30 Iowa Acts, House File 2612, requires the department of
31 management to categorize school districts into not more than
32 10 tiers by enrollment in order to calculate and assign to all
33 school districts in a tier a teacher salary supplement district
34 cost per pupil in an amount based in part on the average cost
35 to school districts to meet new teacher salary requirements

1 established by the Act, including certain minimum teacher
2 salary requirements for full-time teachers with at least 12
3 years of experience. The bill modifies these provisions to
4 provide that, when determining the salary requirements for
5 full-time teachers with at least 12 years of experience, a
6 teacher's years of experience is measured as of July 1, 2024,
7 for the FY 2024-2025 calculation, and as of July 1, 2025, for
8 the FY 2025-2026 calculation.