

Senate Study Bill 3135 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
LOCAL GOVERNMENT BILL BY
CHAIRPERSON WEBSTER)

A BILL FOR

1 An Act transferring the powers and duties of local boards
2 of health and local health departments to county boards
3 of health and district boards of health, and including
4 applicability and effective date provisions.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I

HEALTH CARE DISTRICTS

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Section 1. Section 137.101, Code 2026, is amended to read as follows:

137.101 Title and purpose.

This chapter shall be known and may be cited as the "*Local Public Health Governance Act*". ~~The purpose of this chapter is to define the structure, powers, and duties of local boards of health. This chapter also provides an optional process for counties to merge to form a district board of health in order to increase efficiencies and enhance the delivery and availability of public health services.~~

Sec. 2. Section 137.102, Code 2026, is amended to read as follows:

137.102 Definitions.

As used in ~~this chapter~~ unless the context otherwise requires:

- ~~1. "City board" means a city board of health in existence prior to July 1, 2010.~~
- ~~2. "City health department" refers to the personnel and property under the jurisdiction of a city board in existence prior to July 1, 2010.~~
- 1. "Board of health" means a county board or a district board.
- ~~3.~~ 2. "Council" means the council on health and human services.
- ~~4.~~ 3. "County board" means a county board of established to address public health within the county the board represents.
- ~~5. "County health department" refers to the personnel and property under the jurisdiction of a county board.~~
- 4. "Department" means the department of health and human services.
- ~~6.~~ 5. "Director" means the director of health and human services.
- ~~7.~~ 6. "District" means any two or more geographically a

1 geographic area formed by any number of contiguous counties
2 pursuant to section 137.106.

3 ~~8. 7. "District board" means a board established to~~
4 ~~address public health representing at least two geographically~~
5 ~~contiguous counties formed with approval of the state~~
6 ~~department in accordance with this chapter, or any district~~
7 ~~board of health in existence prior to July 1, 2010 within the~~
8 ~~district the board represents.~~

9 ~~9. 8. "District health Health department" refers to the~~
10 ~~personnel and property under the jurisdiction of a district~~
11 ~~board of health.~~

12 ~~10. "Local board of health" means a city, county, or~~
13 ~~district board of health.~~

14 ~~11. "Officers" means a local board of health chairperson,~~
15 ~~vice chairperson, and secretary, and other officers which may~~
16 ~~be named at the discretion of the local board of health.~~

17 ~~12. "State department" or "department" means the department~~
18 ~~of health and human services.~~

19 Sec. 3. Section 137.103, Code 2026, is amended by striking
20 the section and inserting in lieu thereof the following:

21 **137.103 County boards.**

22 1. If a county is not part of a district, that county shall
23 establish a county board to oversee public health matters
24 within the county.

25 2. a. The county shall create a fiscal plan for the
26 county's county board that includes an estimate of proposed
27 expenditures and revenues and a funding plan that details how
28 the county board will receive funding.

29 b. If a city is located within the jurisdiction of more
30 than one board of health, each county or district in which the
31 city is located and the city shall create a contribution plan
32 for the city that details how the city will contribute to each
33 board of health's funding plan.

34 3. a. A county board shall execute an agreement with each
35 county hospital located in the county that the county board

1 represents to allow for sharing of facilities, health care
2 services, and administrative resources.

3 *b.* A county board may apply for a waiver with the department
4 to waive the requirement in paragraph "a" by providing the
5 department evidence of all of the following:

6 (1) The county board has access to an alternative means of
7 providing health services comparable to those provided by the
8 county hospital with which the county board would otherwise be
9 required to contract.

10 (2) The alternative means of providing health services is
11 more cost-effective for the county board than contracting with
12 the county hospital.

13 *c.* A county board that applies for a waiver under paragraph
14 "b" must submit a letter explaining the county board's decision
15 to apply for the waiver to each city council of a city that is
16 located in the county board's county.

17 4. A county may subsequently request to be added to an
18 existing district pursuant to section 137.113, or request to
19 form a district pursuant to section 137.106.

20 Sec. 4. Section 137.104, Code 2026, is amended to read as
21 follows:

22 **137.104 ~~Local boards~~ Boards of health — powers and duties.**

23 ~~Local boards of health shall have the following powers and~~
24 ~~duties:~~

25 1. A ~~local~~ board of health shall:

26 *a.* Enforce state health laws and the department's rules and
27 ~~lawful orders of the state department.~~

28 *b.* ~~Make~~ Adopt and enforce ~~such reasonable rules and~~
29 ~~regulations~~ not inconsistent with any state or federal law
30 and the rules of the department as ~~may be~~ necessary for the
31 protection and improvement of the public health.

32 ~~(1) Rules of a city board shall become effective upon~~
33 ~~approval by the city council and publication in a newspaper~~
34 ~~having general circulation in the city.~~

35 ~~(2)~~ (1) Rules of a county board shall become effective

1 upon approval by the county board of supervisors by a motion or
2 resolution as defined in [section 331.101, subsection 13](#), and
3 publication in a newspaper having general circulation in the
4 county.

5 ~~(3)~~ (2) Rules of a district board shall become effective
6 upon approval by the district board and publication in a
7 newspaper having general circulation in the district that the
8 district board represents.

9 ~~(4)~~ (3) Before approving any a rule ~~or regulation~~ the
10 ~~local~~, a board of health shall hold a public hearing on the
11 proposed rule. Any citizen may appear and be heard at the
12 public hearing. A notice of the public hearing, stating the
13 time and place of the hearing and the general nature of the
14 proposed rule, ~~or regulation~~ shall be published in a newspaper
15 ~~having general circulation~~ as provided in [section 331.305](#) in
16 the ~~area served by the local~~ jurisdiction that the board of
17 health represents.

18 c. Employ persons as necessary for the efficient discharge
19 of ~~its~~ the board of health's duties. Employment practices
20 shall meet the requirements of [chapter 8A, subchapter IV](#), ~~or~~
21 ~~any civil service provision adopted under~~ [chapter 400](#).

22 d. Provide the names of all ~~local~~ members of the board of
23 health ~~members and officers~~ to the state department.

24 e. Provide minutes of ~~local~~ board of health meetings
25 and reports of the ~~local~~ board of health's operations and
26 activities to the state department as may be required by the
27 director, by rule, or by contract.

28 2. A ~~local~~ board of health may do all of the following:

29 a. Provide ~~such~~ population-based and personal health
30 services as ~~may be deemed~~ necessary for the promotion and
31 protection of the public health ~~of the public~~ and charge
32 reasonable fees for personal health services. A ~~person~~ An
33 individual shall not be denied necessary services within the
34 limits of available resources because of inability to pay the
35 cost of such services.

1 ~~b.~~ Provide ~~such~~ environmental health services as ~~may be~~
2 ~~deemed~~ necessary for the protection and improvement of the
3 public health ~~and issue.~~

4 c. Issue licenses and permits and charge reasonable fees in
5 relation to the construction or operation of nonpublic water
6 supplies or private sewage disposal systems.

7 ~~e.~~ d. Engage in joint operations and contract with
8 individuals, county hospitals, colleges and universities, the
9 ~~state department,~~ and other public, private, and nonprofit
10 agencies, ~~and individuals or form a district health department~~
11 to provide personal and population-based public health
12 services.

13 ~~d.~~ e. By written agreement with the city council of any
14 city within ~~its~~ the board of health's jurisdiction, enforce
15 appropriate ordinances of the city relating to public health.

16 ~~e.~~ f. Demand that a raw milk producer provide the board
17 of health with all records required to be retained by the raw
18 milk producer as provided in [section 195.6](#), including any of
19 the following:

20 (1) The coliform count and standard plate count of dairy
21 animals maintained at a raw milk dairy owned or operated by the
22 raw milk producer.

23 (2) The administration of antibiotic drugs to dairy animals
24 maintained at a raw milk dairy owned or operated by the raw
25 milk producer.

26 Sec. 5. Section 137.105, Code 2026, is amended to read as
27 follows:

28 137.105 ~~Local boards~~ Boards of health — membership and
29 meetings.

30 ~~1. Membership, terms, compensation, and vacancies.~~

31 ~~a.~~ All members of a city board shall be appointed by the
32 city council.

33 ~~b.~~ All members of a county board shall be appointed by the
34 county board of supervisors.

35 ~~e.~~ 1. a. The membership of a county board shall consist

1 of the following:

2 (1) Two members appointed as agreed upon by a majority of
3 the cities within the county.

4 (2) Two members appointed by the county board of
5 supervisors.

6 (3) One member appointed as agreed upon by a majority of the
7 cities within the county and the county board of supervisors.

8 b. All members of a district board shall be appointed by the
9 county board of supervisors from each county represented by the
10 district board. Each county board of supervisors shall appoint
11 ~~at least one but no more than three~~ two members ~~to the district~~
12 ~~board~~.

13 ~~d. c.~~ Local boards of health shall consist of at least five
14 ~~members~~. At least one board of health member shall be licensed
15 as a physician under chapter 148, a physician assistant under
16 chapter 148C, an advanced registered nurse practitioner under
17 chapter 152, or an advanced practice registered nurse under
18 chapter 152E.

19 ~~e. d.~~ Each board of health member shall serve for
20 a term of three years. ~~A member is,~~ and shall be eligible for
21 reappointment.

22 ~~f. e.~~ Each board of health member shall serve
23 without compensation, but may be reimbursed for necessary
24 expenses in accordance with rules established by the department
25 ~~or the applicable jurisdiction~~.

26 ~~g. f.~~ As soon as practicable after a vacancy
27 occurs, a board of health member ~~vacancy due to death,~~
28 ~~resignation, or other cause shall be filled as soon as possible~~
29 after shall fill the vacancy ~~exists~~ for the unexpired term of
30 the original appointment.

31 2. Meetings. A majority of the members of a ~~local~~ board
32 of health shall be considered a quorum and an affirmative vote
33 of the majority of the members present ~~is~~ shall be necessary
34 for a board to take action ~~taken by a local board of health~~.
35 The majority shall not include any member who has a conflict

1 of interest in the matter being voted on, and a statement by a
2 member that the member ~~that~~ has a conflict of interest exists
3 shall be conclusive for this purpose.

4 Sec. 6. Section 137.106, Code 2026, is amended to read as
5 follows:

6 ~~137.106 District boards of health~~ Districts — request to
7 form.

8 1. The county ~~boards~~ board of supervisors of any ~~two or~~
9 ~~more~~ number of geographically contiguous counties may at any
10 time submit a request to form a district board to the state
11 department. The ~~formation~~ request shall be ~~in writing~~, shall
12 be executed by the county ~~boards~~ board of supervisors and ~~the~~
13 ~~county boards of health~~ for of each county comprising the
14 proposed district board, and shall include but not be limited
15 to all of the following ~~required~~ elements:

16 ~~1. a.~~ a. A ~~written~~ narrative that explains how a district
17 board will ~~attain the capability to~~ provide population-based
18 and personal public health services.

19 ~~2.~~ 2. ~~The composition of the district board, including the~~
20 ~~number of members each county shall appoint pursuant to section~~
21 ~~137.105 and the total number of members on the district board.~~

22 ~~3.~~ 3. ~~Proof of approval by all county boards of supervisors~~
23 ~~and county boards of health involved in the request to form a~~
24 ~~district board and of the elements included in the formation~~
25 ~~plan.~~

26 ~~4. b.~~ b. The proposed district's service delivery plan.

27 ~~5. c.~~ c. The ~~budget and~~ fiscal plan for the proposed district
28 board. The ~~budget~~ fiscal plan shall include ~~an~~ all of the
29 following:

30 (1) An estimate of proposed expenditures and revenues and
31 an allocation for the district.

32 (2) An estimate of the revenue responsibilities of fiscal
33 contributions each of the counties county participating in
34 the proposed district board will contribute to the proposed
35 district.

1 ~~6. d.~~ An organization.

2 ~~7. A personnel system description, including identification~~
3 chart that includes the name of the proposed district treasurer
4 and, the proposed district auditor, and a section which
5 addresses the employment issues contained in actions the
6 proposed district will take to maintain compliance with section
7 137.110.

8 ~~8. e.~~ The location of the proposed district board offices
9 and workforce throughout the jurisdiction district personnel.

10 ~~9. f. (1)~~ An inventory of the property and equipment in
11 the custody of each county board and a description as to of
12 whether such the property and equipment shall remain in the
13 custody of owned by the county or ownership of the property
14 shall be transferred transfer to the proposed district board to
15 become property of the district board.

16 (2) If property or equipment is to remain owned by the
17 county, a proposed agreement between the county and the
18 proposed district for joint use and maintenance of the property
19 or equipment in a manner that allows both the county and the
20 district board to perform the county's and the district board's
21 respective duties.

22 ~~10. g.~~ A timeline for the adoption of district board the
23 proposed district's rules and regulations.

24 h. Whether the individual counties or the district will
25 be responsible for payment of unemployment compensation for
26 each county employee employed by a county board at the time of
27 formation of the proposed district, but not employed by the
28 district board following formation of the district.

29 i. A description of how property in the proposed district's
30 custody will be divided if a county withdraws from the proposed
31 district or the proposed district dissolves.

32 ~~11. j.~~ Other criteria as established by the department by
33 rule of the state department.

34 2. The department shall review each request, approve the
35 formation of a district if the request meets the requirements

1 of this section, and notify each county board of supervisors
2 that submitted the request of the department's decision.

3 3. Upon receipt of notice of approval as a district, the
4 district shall establish a district board and district board
5 members shall be appointed as specified in section 137.105.

6 Sec. 7. Section 137.109, Code 2026, is amended to read as
7 follows:

8 137.109 ~~Organizational structure of district board~~ District
9 boards and district health departments — tort liability and open
10 records.

11 A district board is a governing body for purposes of chapter
12 670, and a ~~district~~ health department is a municipality for
13 purposes of [chapter 670](#). All meetings of a district board
14 shall comply with the requirements of [chapter 21](#), and all
15 records of a district board and a ~~district~~ health department
16 shall be maintained in accordance with [chapter 22](#).

17 Sec. 8. Section 137.110, Code 2026, is amended to read as
18 follows:

19 137.110 District personnel.

20 1. A district board may employ ~~persons~~ individuals as
21 necessary for the efficient discharge of ~~its~~ the district
22 board's duties. ~~A district board and~~ shall have all the same
23 duties and powers in employing ~~such persons~~ individuals as a
24 county board of supervisors ~~is granted~~ pursuant to section
25 331.324, with the exception of the authority to provide for
26 support of the civil service commission for deputy sheriffs
27 ~~as specified in [section 331.324, subsection 1](#), paragraph "k".~~

28 A district board ~~may employ persons~~ shall give individuals
29 who were employed by one of the counties represented by the
30 district board at the time of the formation of the district
31 board by the counties represented by the district board, or
32 may employ persons who were not employed by such counties
33 preference when hiring new district personnel. ~~The county~~
34 ~~boards involved shall specify in the request submitted pursuant~~
35 ~~to [section 137.106](#) whether the individual counties or the~~

1 ~~district board will be responsible for payment of unemployment~~
2 ~~compensation for any county employees employed by the county~~
3 ~~board at the time of formation of the district board but not~~
4 ~~employed by the district board following formation.~~

5 2. If the district board employs persons an individual who
6 ~~were~~ was employed by one of the counties represented by the
7 district board at the time of formation of the district board,
8 the district board shall recognize the term of service of the
9 former county ~~employees~~ employee for purposes of all employee
10 benefits offered by the district board to ~~such employees~~ the
11 employee and ~~such employees~~ the employee shall not forfeit
12 accrued vacation, accrued sick leave, or longevity ~~by becoming~~
13 ~~district board employees.~~

14 3. ~~Persons~~ An individual who ~~were~~ was covered by county
15 employee life insurance, accident insurance, and health
16 insurance ~~plans~~ prior to becoming a district board ~~employees~~
17 employee pursuant to this ~~chapter~~ section shall be permitted to
18 apply, prior to becoming a district board ~~employees~~ employee,
19 for life, accident, and health insurance ~~plans~~ that ~~are~~ is
20 available to district board employees so that ~~those persons do~~
21 the individual does not suffer a lapse of insurance coverage as
22 ~~a result of becoming district board employees.~~

23 4. The district board may employ or contract with legal
24 counsel, which may include the county attorney of a county
25 within the district, to enforce this chapter and district board
26 rules, represent and defend the district board and ~~its officers~~
27 and the district board's employees, provide legal advice to the
28 district board, and perform any other legal duties required by
29 law ~~or~~ and as assigned by the district board. ~~The district~~
30 ~~board may employ or contract with the county attorney of a~~
31 ~~county within its jurisdiction.~~

32 Sec. 9. Section 137.111, Code 2026, is amended to read as
33 follows:

34 **137.111 District Board of health treasurer and auditor.**

35 Upon establishment of a ~~district~~ board of health, the

1 ~~district~~ board of health shall designate a ~~treasurer~~ an
2 individual to serve as treasurer of the ~~district~~ board of
3 health's health department, and shall designate an ~~auditor~~
4 individual to serve as auditor of the ~~district~~ board of
5 health's health department. A ~~treasurer or auditor of any~~
6 ~~county within the district may also serve in the capacity~~
7 ~~of treasurer or auditor of the district health department,~~
8 ~~respectively, or the district board may contract with a third~~
9 ~~party to act as the treasurer or auditor of the district health~~
10 ~~department.~~ A county treasurer's or county auditor's official
11 bond may extend to cover ~~their~~ the county treasurer's or county
12 auditor's respective duties performed on behalf of ~~the district~~
13 a board of health's health department.

14 Sec. 10. Section 137.112, Code 2026, is amended to read as
15 follows:

16 137.112 ~~District public~~ Public health fund — budget.

17 1. The ~~district~~ treasurer designated under section
18 137.111 shall establish a ~~district~~ public health fund from
19 which disbursements may be made in the manner specified ~~for~~
20 ~~disbursements~~ by law for the disbursement of county funds.

21 2. a. All moneys received by a ~~district~~ board ~~or district~~
22 ~~health department for local public health purposes from of~~
23 health including federal appropriations, state appropriations,
24 local appropriations, fees, gifts, grants, bequests, or other
25 sources shall be deposited in the ~~district~~ public health fund.
26 ~~Expenditures~~ The board of health shall ~~be made from~~ use moneys
27 in the fund ~~on order of the district board~~ for the purpose of
28 carrying out ~~its~~ the board of health's duties.

29 b. No more than twenty percent of the unexpended balance
30 remaining in the public health fund at the end of each fiscal
31 year shall be maintained in the ~~district public health~~ fund.
32 The remainder of the unexpended balance shall ~~revert~~ be
33 transferred as follows:

34 (1) For a county board, to each city that contributed to
35 the county board's annual budget in an amount proportionate to

1 the amount the city contributed to the county board's annual
2 budget.

3 (2) For a district board, to the general funds of the each
4 member counties county in the manner determined by an amount
5 proportionate to the amount the member county contributed to
6 the district board board's annual budget.

7 3. 2. a. The district Each board of health shall adopt and
8 certify an annual budget in accordance compliance with section
9 sections 24.17 relating to certification of budgets and section
10 24.27 relating to protesting budgets and based on the board of
11 health's fiscal plan created in section 137.103, subsection 2,
12 or section 137.106, subsection 1, paragraph "c".

13 4. b. (1) (a) This section does not apply to any district
14 board of health or district health department in existence
15 prior to July 1, 2010 A county board shall submit a proposed
16 annual budget to the county board's county board of supervisors
17 and each city that contributes to the county board's annual
18 budget.

19 (b) A proposed annual budget shall be considered certified
20 when two-thirds of the entities that contribute to the county
21 board's annual budget approve the proposed annual budget.
22 If fewer than three entities contribute to a county board's
23 budget, a proposed annual budget shall be considered certified
24 when all entities that contribute to the county board's annual
25 budget approve the proposed annual budget.

26 (2) (a) A district board shall submit a proposed annual
27 budget to each member county that contributes to the district
28 board's annual budget.

29 (b) A proposed annual budget shall be considered certified
30 when two-thirds of the member counties that contribute to the
31 district board's annual budget approve the proposed annual
32 budget. If fewer than three counties contribute to a district
33 board's budget, a proposed annual budget shall be considered
34 certified when all member counties that contribute to the
35 district board's annual budget approve the proposed annual

1 budget.

2 Sec. 11. Section 137.113, Code 2026, is amended to read as
3 follows:

4 **137.113 Adding additional counties to a district.**

5 1. A county may request to be added to an existing district
6 board by submission and approval of submitting a request, as
7 specified in [sections pursuant to section 137.106](#) and ~~137.107.~~

8 2. Upon approval under section 137.106 for a county to join
9 a district, all of the following shall occur:

10 a. The powers and responsibilities of the county's county
11 board shall immediately transfer to the district board that
12 represents the district.

13 b. All property and equipment in the custody of the
14 county board shall be divided as provided in section 137.106,
15 subsection 1, paragraph "f".

16 c. The county's county board shall be dissolved.

17 Sec. 12. Section 137.114, Code 2026, is amended to read as
18 follows:

19 **137.114 ~~Withdrawal~~ County withdrawal from a district.**

20 1. A county may request to withdraw from an existing a
21 district board upon submission of by submitting a request
22 for withdrawal to and approval by the state department. The
23 A request to withdraw shall include a plan to reform its
24 reestablish the requesting county's county board or join a
25 different district board, information specified in section
26 137.106, and written approval of the request by from the
27 district board that represents the district from which the
28 county is requesting to withdraw. Any county choosing to
29 withdraw from the district board shall commit to the continuity
30 of services in its county by reestablishing its county board
31 or joining a different district board. The remaining counties
32 in the district

33 2. Upon approving a county's request to withdraw from a
34 district, the district board that approved the withdrawal shall
35 submit an application including the information specified in

1 section 137.106 to the state department for review as provided
2 in ~~section 137.107~~ the district as it will exist without the
3 withdrawing county.

4 3. If only one county will remain in a district after the
5 withdrawal of a county, the district shall be dissolved and the
6 remaining county's county board shall be reestablished.

7 Sec. 13. Section 137.116, Code 2026, is amended to read as
8 follows:

9 **137.116 Emergency request for funds moneys.**

10 A ~~local~~ board of health may, during a public health
11 disaster, as that term is defined in section 135.140, or
12 in preparation for or response to such disaster, request
13 additional ~~appropriations~~ moneys which may, upon approval of
14 the director, be ~~allotted~~ allocated from the ~~funds reserved~~
15 moneys appropriated for that purpose to the extent that ~~funds~~
16 moneys are ~~appropriated~~ and available. Upon termination of
17 the public health disaster response, the ~~local~~ board of health
18 shall report ~~its~~ to the director on the expenditures by the
19 board of emergency funds to the director the additional moneys.

20 Sec. 14. Section 137.117, Code 2026, is amended to read as
21 follows:

22 **137.117 Penalties — criminal and civil.**

23 1. Any A person who violates ~~any provision of~~ this chapter
24 ~~or the rules of a local rule adopted by a board of health or any~~
25 ~~lawful order of the board, its officers, or authorized agents~~
26 is guilty of a simple misdemeanor. Each additional day of
27 ~~neglect or failure~~ a person fails to comply with such provision
28 this chapter, rule or a rule adopted by a board of health, or
29 ~~lawful order~~ after ~~notice~~ being notified of the violation by
30 the ~~local~~ board of health shall constitute a separate offense.

31 2. A ~~local~~ board of health may impose a civil penalty not
32 to exceed seven hundred fifty dollars for each violation of
33 this chapter or ~~the rules of~~ a rule adopted by the local board
34 ~~of health or any lawful order of the board, its officers, or~~
35 ~~authorized agents. If the violation is a repeat offense, A~~

1 board of health may impose a civil penalty not up to exceed one
2 thousand dollars may be imposed for a violation if the board
3 finds the person who committed the violation has previously
4 committed the same violation. The ~~local~~ board of health shall
5 impose and enforce such penalties in the manner provided in
6 section 331.307 for county infractions.

7 Sec. 15. NEW SECTION. 137.118A **City public health**
8 **functions.**

9 1. A city shall perform all public health functions through
10 the county board or district board that represents the city.

11 2. If a city is located within the jurisdiction of
12 multiple boards of health, each county board of supervisors
13 that represents the city, and the city, shall enter into an
14 agreement that details how public health services will be
15 provided to the city.

16 Sec. 16. Section 137.119, Code 2026, is amended to read as
17 follows:

18 137.119 **Adoption of rules.**

19 1. The department shall adopt rules pursuant to chapter 17A
20 to implement and administer this chapter. ~~The department is~~
21 ~~vested with discretionary authority to interpret the provisions~~
22 ~~of this chapter.~~

23 2. A board of health shall not adopt a rule that creates a
24 requirement that is more stringent than what is required by the
25 state unless each city within a county board's jurisdiction,
26 or each county board of supervisors within a district board's
27 jurisdiction, agree to the more stringent requirement.

28 Sec. 17. NEW SECTION. 137.120 **Interpretation of chapter.**

29 This chapter shall not be construed to prohibit a county
30 from entering into contracts not contemplated by this chapter
31 to provide necessary public health services in a manner not
32 prohibited by law.

33 Sec. 18. Section 143.1, Code 2026, is amended to read as
34 follows:

35 143.1 **Authority to employ.**

1 ~~Any local~~ A board of health as defined in section 137.102,
2 area education agency board, or the school board of any school
3 district may employ public health nurses ~~at periods each~~
4 ~~year and in numbers~~ as deemed advisable. ~~The council of any~~
5 city A board of health, or the school board of any school
6 district, or any ~~of them~~ board of health and school board of a
7 school district acting in cooperation, may contract with any a
8 nonprofit nurses' association for public health nursing ~~service~~
9 services. The compensation and expenses shall be paid out of
10 the general fund of the political subdivision ~~employing nurses~~
11 contracting for public health nursing services.

12 Sec. 19. REPEAL. Sections 137.107, 137.108, and 137.115,
13 Code 2026, are repealed.

14 Sec. 20. EFFECTIVE DATE. This division of this Act takes
15 effect July 1, 2027.

16 DIVISION II

17 TRANSITION PROVISIONS

18 Sec. 21. CITY BOARDS OF HEALTH — TRANSITION TO COUNTY
19 BOARDS AND DISTRICT BOARDS.

20 1. For purposes of this division:

21 a. "City board" means a city board of health.

22 b. "County board", "district", and "district board" mean
23 the same as defined in section 137.102, as enacted in division
24 I of this Act.

25 c. "Public health fund" means a fund established pursuant to
26 section 137.112, as enacted in division I of this Act.

27 d. "Transition period" means the period beginning on the
28 date of enactment of this division of this Act and concluding
29 on June 30, 2027.

30 2. During the transition period, each city board shall
31 cooperate with each county board of supervisors representing
32 the counties in which the city board is located to transition
33 the city board's responsibilities to a county board or a
34 district board.

35 3. During the transition period, each county shall have the

1 authority to create a county board or form a district as if
2 division I of this Act were enacted.

3 4. During the transition period, each county board created
4 and each district board formed under subsection 3 shall have
5 the authority to do all of the following:

6 a. Establish and maintain a public health fund.

7 b. Perform public health functions for the jurisdiction the
8 county board or district board represents.

9 c. Establish policies as necessary to ensure efficient
10 transfer of responsibilities from a city board to the county
11 board or the district board.

12 d. Execute contracts as necessary to establish, implement,
13 and maintain public health functions a city board is
14 transferring to the county board or the district board.

15 e. As permitted by existing contracts, assume contractual
16 obligations on behalf of a city board that is transferring
17 responsibilities to the county board or district board.

18 5. a. At the conclusion of the transition period, all
19 property held by a city board, including all unencumbered and
20 unobligated moneys remaining in a fiscal account maintained by
21 the city board, shall be transferred to the county board or the
22 district board that represents the city in which the city board
23 is located.

24 b. If a city located in a city board's jurisdiction is
25 located in multiple counties, property shall be transferred
26 according to an agreement executed between the city and each
27 county board of supervisors that represents the city.

28 6. City boards shall identify each contract that will be
29 impacted by this division of this Act. On or before June 30,
30 2027, each city board that is a party to a contract identified
31 by a city board under this subsection shall exercise the
32 option, if available pursuant to the terms of the contract,
33 to terminate the contract. Contracts identified under this
34 subsection that do not provide for termination shall not be
35 renewed or extended at the end of the current contract term.

1 7. Unless otherwise provided in this division of this Act, a
2 city board shall not enter into, renew, or extend any contract
3 related to the city board's responsibilities if the term period
4 of the contract would be effective, or the deliverables under
5 the contract would be provided, beyond June 30, 2027.

6 8. a. Each city board is dissolved at the end of the
7 transition period.

8 b. When a city board of health is dissolved, the fiscal
9 plan for the board of health assuming the public health duties
10 of the dissolved city board of health must include a statement
11 of whether the city the dissolved city board of health
12 represented, or the board of health, will be responsible for
13 payment of unemployment compensation for each employee employed
14 by the city board of health at the time the city board of health
15 was dissolved, but not employed by the board of health at the
16 end of the transition period.

17 9. The board of health assuming the public health duties
18 of a dissolved city board of health shall give preference when
19 hiring new board of health personnel to individuals employed
20 by the city board of health at the time of the city board
21 of health's dissolution. If the board of health employs an
22 individual employed by a city board of health at the time of
23 the city board of health's dissolution, the board of health
24 shall do all of the following:

25 a. Recognize the term of service of the individual for
26 purposes of all benefits offered by the board of health
27 to the individual, and the individual shall not forfeit
28 the individual's accrued vacation, accrued sick leave, or
29 longevity.

30 b. If the individual had employee life insurance, accident
31 insurance, and health insurance made available by the city
32 board of health, the individual shall be permitted to apply,
33 prior to becoming a board of health employee, for life,
34 accident, and health insurance that is available to board of
35 health employees so that the individual does not suffer a lapse

1 of coverage.

2 Sec. 22. EFFECTIVE DATE. This division of this Act, being
3 deemed of immediate importance, takes effect upon enactment.

4 DIVISION III

5 HEALTH CARE DISTRICTS CONFORMING CHANGES

6 Sec. 23. Section 10A.531, subsection 7, Code 2026, is
7 amended to read as follows:

8 7. As necessary to avoid duplication and promote
9 coordination of public health inspection and enforcement
10 activities, the department may enter into agreements with local
11 boards of health ~~to provide~~, as defined in section 137.102,
12 for inspection of tattooing establishments and enforcement
13 activities in accordance with the rules and criteria
14 implemented under this section.

15 Sec. 24. Section 10A.533, subsections 1 and 2, Code 2026,
16 are amended to read as follows:

17 1. If ~~any local~~ a board of health, as defined in section
18 ~~135.1~~ 135.102, ~~shall fail~~ fails to enforce the department's
19 ~~rules of the department~~ adopted under this part, or carry
20 out the department's lawful directions under this part,
21 the department may ~~enforce the same within the territorial~~
22 ~~jurisdiction of such local board, and for that purpose it may~~
23 ~~exercise all of the powers given by statute to the local board~~
24 assume control of the board's duties, exercise all powers
25 granted to the board, and may employ the necessary assistants
26 personnel to carry out its lawful directions enforce the
27 department's rules and directions and carry out the district
28 board's duties.

29 2. ~~All~~ A board of health shall be responsible for the
30 payment of any expenses incurred by the department in
31 ~~determining whether its rules are enforced by a local~~ the board
32 ~~under this part~~, and in enforcing the same when a local board
33 has failed to do so, shall be paid in the same manner as the
34 expenses of enforcing such rules when enforced by the local
35 board failed to enforce the department's rules, and in taking

1 the actions necessary to correct the board's failure.

2 Sec. 25. Section 11.41, subsection 3, Code 2026, is amended
3 to read as follows:

4 3. If the information, records, instrumentalities, and
5 properties sought by the auditor of state are required by law
6 to be kept confidential, the auditor of state shall have access
7 to the information, records, instrumentalities, and properties,
8 but shall maintain the confidentiality of all such information
9 and is subject to the same penalties as the lawful custodian of
10 the information for dissemination of the information. However,
11 the auditor of state shall not have access to the income
12 tax returns of individuals or information in a report to the
13 department of health and human services, ~~to~~ or a local board of
14 health, ~~or to a local health department~~ as that term is defined
15 in section 137.102, that identifies a person infected with a
16 reportable disease.

17 Sec. 26. Section 22.7, subsection 16, Code 2026, is amended
18 to read as follows:

19 16. Information in a report to the department of health and
20 human services, ~~to~~ or a local board of health, ~~or to a local~~
21 ~~health department~~ as that term is defined in section 137.102,
22 which identifies a person infected with a reportable disease.

23 Sec. 27. Section 28G.4, subsection 4, Code 2026, is amended
24 to read as follows:

25 4. Require the use of the resource recovery facilities or
26 of facilities necessary to implement solid waste management
27 projects as defined in [section 28G.2](#), by any person who can be
28 effectively served by the facilities. However, [this subsection](#)
29 does not prohibit a private agency from dumping or depositing
30 solid waste resulting from its own residential, farming,
31 manufacturing, mining, or commercial activities on land owned
32 or leased by it if the action does not violate any statute of
33 this state or rules adopted by the environmental protection
34 commission, ~~or local~~ boards of health as that term is defined
35 in section 137.102, or local ordinances.

1 Sec. 28. Section 135.1, Code 2026, is amended by adding the
2 following new subsection:

3 NEW SUBSECTION. 01. "*Board of health*" means the same as
4 defined in section 137.102.

5 Sec. 29. Section 135.1, subsection 2, Code 2026, is amended
6 to read as follows:

7 2. "*Health officer*" means ~~the~~ a physician, physician
8 assistant, advanced registered nurse practitioner, or advanced
9 practice registered nurse who is the health officer of ~~the~~
10 ~~local~~ a board of health.

11 Sec. 30. Section 135.1, subsection 3, Code 2026, is amended
12 by striking the subsection.

13 Sec. 31. Section 135.11, subsection 10, Code 2026, is
14 amended to read as follows:

15 10. Administer healthy aging and essential public health
16 services by approving grants and allocations of state funds
17 to the ~~local~~ boards of health for the purposes of promoting
18 healthy aging throughout the lifespan and enhancing health
19 promotion and disease prevention services, and by providing
20 guidelines for the approval of the grants and allocation of the
21 state funds. Guidelines, evaluation requirements, and formula
22 allocation procedures for the services shall be established by
23 the department by rule.

24 Sec. 32. Section 135.17, subsection 3, Code 2026, is amended
25 to read as follows:

26 3. By May 31 annually, each ~~local~~ board of health shall
27 furnish the department with evidence that each student enrolled
28 in any public or nonpublic school within the ~~local~~ board's
29 jurisdiction has met the dental screening requirement in this
30 section.

31 Sec. 33. Section 135.19, subsection 2, Code 2026, is amended
32 to read as follows:

33 2. The department shall establish by rule a list of
34 individuals by category who are at increased risk for viral
35 hepatitis exposure. The list shall be consistent with

1 recommendations developed by the centers for disease control
2 and prevention of the United States department of health and
3 human services, and shall be developed in consultation with
4 the Iowa viral hepatitis task force and the Iowa department of
5 veterans affairs. The department shall also establish by rule
6 what information is to be distributed and the form and manner
7 of distribution. The rules shall also establish a vaccination
8 and testing program, to be coordinated by the department
9 through ~~local health departments and~~ boards of health, clinics,
10 and other appropriate locations.

11 Sec. 34. Section 135.27, subsections 1 and 4, Code 2026, are
12 amended to read as follows:

13 1. *Program goals.* The department shall establish a grant
14 program to energize local communities to transform the existing
15 culture into a culture that promotes healthy lifestyles and
16 leads collectively, community by community, to a healthier
17 state. The grant program shall expand an existing healthy
18 communities initiative to assist ~~local~~ boards of health, in
19 collaboration with existing community resources, to build
20 community capacity in addressing the prevention of chronic
21 disease that results from risk factors including overweight and
22 obesity conditions.

23 4. *Eligibility.* ~~Local boards~~ Boards of health representing
24 a coalition of health care providers and community and private
25 organizations are eligible to submit applications.

26 Sec. 35. Section 135.33, Code 2026, is amended to read as
27 follows:

28 **135.33 Refusal of board to enforce rules.**

29 If any ~~local~~ a board shall fail of health fails to enforce
30 the department's rules ~~of the state department~~ or carry out its
31 ~~lawful~~ the department's directions, the department may enforce
32 ~~the same within the territorial jurisdiction of such local~~
33 ~~board, and for that purpose it may exercise all of the powers~~
34 ~~given by statute to the local board~~ assume control of the
35 board's duties, exercise all powers granted to the board, and

1 ~~may~~ employ the necessary ~~assistants~~ personnel to ~~carry out its~~
2 ~~lawful directions~~ enforce the department's rules and directions
3 and carry out the board's duties.

4 Sec. 36. Section 135.34, Code 2026, is amended to read as
5 follows:

6 **135.34 Expenses for enforcing rules.**

7 ~~All~~ A board of health shall be responsible for the payment of
8 any expenses incurred by the state department in determining
9 whether ~~its rules are enforced by a local~~ the board, and in
10 ~~enforcing the same when a local board has failed to do so,~~
11 ~~shall be paid in the same manner as the expenses of enforcing~~
12 ~~such rules when enforced by the local board~~ failed to enforce
13 the department's rules, and in taking the required actions to
14 correct the board's failure.

15 Sec. 37. Section 135.39D, subsection 2, paragraph b, Code
16 2026, is amended to read as follows:

17 *b.* A vision screening conducted at a pediatrician's or
18 family practice physician's office, a free clinic, a child
19 care center, a ~~local public~~ health department as that term is
20 defined in section 137.102, a public or accredited nonpublic
21 school, or a community-based organization, or by an advanced
22 registered nurse practitioner or physician assistant.

23 Sec. 38. Section 135.102, subsection 6, Code 2026, is
24 amended to read as follows:

25 6. Model regulations for lead hazard remediation to be used
26 in instances in which a child is confirmed as lead poisoned.
27 The department shall make the model regulations available
28 to ~~local~~ boards of health and shall promote the adoption of
29 the regulations at the local level, in cities and counties
30 implementing lead hazard remediation programs. ~~Nothing in~~
31 ~~this~~ This subsection shall not be construed as requiring the
32 adoption of the model regulations.

33 Sec. 39. Section 135.103, Code 2026, is amended to read as
34 follows:

35 **135.103 Grant program.**

1 The department shall implement a childhood lead poisoning
2 prevention grant program which provides federal, state, or
3 other ~~funds~~ moneys to ~~local boards~~ each board of health ~~or~~
4 ~~cities~~ for the program after standards and requirements for
5 the ~~local~~ program are developed. The department may also
6 use federal, state, or other ~~funds~~ moneys provided for the
7 childhood lead poisoning prevention grant program to purchase
8 environmental and blood testing services from a public health
9 laboratory.

10 Sec. 40. Section 135.104, unnumbered paragraph 1, Code
11 2026, is amended to read as follows:

12 ~~The program by a local~~ A board of health ~~or city~~ receiving
13 funding for an approved childhood lead poisoning prevention
14 grant program shall include:

15 Sec. 41. Section 135.105B, subsection 3, Code 2026, is
16 amended to read as follows:

17 3. Following development of the voluntary guidelines,
18 ~~cities or counties~~ a city or county may elect to utilize the
19 guidelines in developing and administering local programs
20 ~~through city or county health departments on a city, county,~~
21 ~~or multicounty basis or may request that the state develop~~
22 ~~and administer the local program~~ through the board of health
23 for the jurisdiction in which the city or county is located.
24 However, ~~cities and counties are~~ a city or a county is not
25 required to develop and administer a local programs program
26 based upon the guidelines.

27 Sec. 42. Section 135.107, subsection 1, Code 2026, is
28 amended to read as follows:

29 1. Provide technical planning assistance to rural
30 communities and counties exploring innovative means of
31 delivering rural health services through community health
32 services assessment, planning, and implementation, including
33 but not limited to hospital conversions, cooperative agreements
34 among hospitals, physician and health practitioner support,
35 recruitment and retention of primary health care providers,

1 public health services, emergency medical services, medical
2 assistance facilities, rural health care clinics, and
3 alternative means which may be included in the long-term
4 community health services assessment and developmental plan.
5 The department shall encourage collaborative efforts of ~~the~~
6 ~~local~~ boards of health, hospital governing boards, and other
7 public and private entities located in rural communities to
8 adopt a long-term community health services assessment and
9 developmental plan pursuant to rules adopted by the department
10 and perform the duties required of the department in section
11 135B.33.

12 Sec. 43. Section 135.119, subsection 2, paragraph d, Code
13 2026, is amended to read as follows:

14 d. The program plan shall incorporate a multiyear,
15 collaborative approach for implementation of the plan. The
16 plan shall address how to involve those who regularly work
17 with parents and persons responsible for the care of a
18 child, including but not limited to child abuse prevention
19 programs, child care resource and referral programs, child care
20 providers, family support programs, programs receiving funding
21 through the early childhood Iowa initiative, public and private
22 schools, health care providers, ~~local health departments~~ boards
23 of health, birth centers, and birthing hospitals.

24 Sec. 44. Section 135.146, subsection 3, Code 2026, is
25 amended to read as follows:

26 3. The department shall establish first responder
27 notification procedures regarding the existence of the
28 program by rule, and shall develop, and distribute to first
29 responders, educational materials on methods of preventing
30 exposure to infectious diseases. In administering the program,
31 the department may contract with ~~county and local health~~
32 ~~departments~~ boards of health, not-for-profit home health care
33 agencies, hospitals, physicians, and military unit clinics.

34 Sec. 45. Section 135A.2, subsection 3, Code 2026, is amended
35 to read as follows:

1 3. "*Designated ~~local~~ public health agency*" means an entity
2 that is either governed by or contractually responsible to a
3 ~~local~~ board of health and designated by the ~~local~~ board.

4 Sec. 46. Section 135A.2, subsection 4, Code 2026, is amended
5 to read as follows:

6 4. "*Governmental public health system*" means ~~local~~ boards of
7 health, the council on health and human services, designated
8 ~~local~~ public health agencies, the state hygienic laboratory,
9 and the department.

10 Sec. 47. Section 135A.2, subsection 5, Code 2026, is amended
11 by striking the subsection.

12 Sec. 48. Section 135A.8, subsections 2, 3, and 4, Code 2026,
13 are amended to read as follows:

14 2. The fund is established to assist ~~local~~ boards of health
15 and the department with the provision of governmental public
16 health system organizational capacity and public health service
17 delivery and to achieve and maintain voluntary accreditation.
18 At least seventy percent of the funds shall be made available
19 to ~~local~~ boards of health and up to thirty percent of the funds
20 may be utilized by the department.

21 3. Moneys in the fund may be allocated by the department
22 to a ~~local~~ board of health for organizational capacity and
23 service delivery. Such allocation may be made on a matching,
24 dollar-for-dollar basis for the acquisition of equipment,
25 or by providing grants to achieve and maintain voluntary
26 accreditation.

27 4. A ~~local~~ board of health seeking matching funds or
28 grants under [this section](#) shall apply to the department. The
29 department shall adopt rules concerning the application and
30 award process for the allocation of moneys in the fund and
31 shall establish the criteria for the allocation of moneys in
32 the fund if the moneys are insufficient to meet the needs of
33 ~~local~~ boards of health.

34 Sec. 49. Section 135B.33, subsection 1, unnumbered
35 paragraph 1, Code 2026, is amended to read as follows:

1 Subject to availability of funds, the department of health
2 and human services shall provide technical planning assistance
3 to ~~local~~ boards of health and hospital or rural emergency
4 hospital governing boards to ensure access to such services in
5 rural areas. The department shall encourage the ~~local~~ boards
6 of health and hospital or rural emergency hospital governing
7 boards to adopt a long-term community health services and
8 developmental plan including the following:

9 Sec. 50. Section 135C.1, subsection 19, Code 2026, is
10 amended to read as follows:

11 19. *"Physician"* ~~has the meaning assigned that term by means~~
12 the same as defined in section 135.1, subsection 4.

13 Sec. 51. Section 135D.2, subsection 20, Code 2026, is
14 amended to read as follows:

15 20. *"Public health agency"* means an entity that is governed
16 by or contractually responsible to a ~~local~~ board of health or
17 the department to provide services focused on the health status
18 of population groups and their environments.

19 Sec. 52. Section 135I.1, Code 2026, is amended by adding the
20 following new subsection:

21 NEW SUBSECTION. 01. *"Board of health"* means the same as
22 defined in section 137.102.

23 Sec. 53. Section 135I.1, subsection 2, Code 2026, is amended
24 by striking the subsection.

25 Sec. 54. Section 135I.2, Code 2026, is amended to read as
26 follows:

27 **135I.2 Applicability.**

28 This chapter applies to all spray pads, swimming pools,
29 and spas owned or operated by local or state government, or
30 commercial interests or private entities including but not
31 limited to facilities operated by cities, counties, public or
32 private school corporations, hotels, motels, camps, apartments,
33 condominiums, and health or country clubs. **This chapter** does
34 not apply to facilities intended for single family use or to
35 a spray pad, swimming pool, or spa operated by a homeowners'

1 association or housing cooperative representing seventy-two
2 or fewer dwelling units if the bylaws of the association or
3 cooperative, which also apply to a rental agreement relative
4 to any of the dwelling units, include an exemption from the
5 requirements of [this chapter](#), provide for inspection of the
6 spray pad, swimming pool, or spa by an entity other than
7 the department or ~~local~~ board of health, and assume any
8 liability associated with operation of the spray pad, swimming
9 pool, or spa. [This chapter](#) does not apply to a spray pad,
10 swimming pool, or spa used exclusively for therapy under the
11 direct supervision of qualified medical personnel. To avoid
12 duplication and promote coordination of inspection activities,
13 the department may enter into written agreements with a ~~local~~
14 board of health to provide for inspection and enforcement in
15 accordance with [this chapter](#).

16 Sec. 55. Section 135I.4, subsections 4 and 6, Code 2026, are
17 amended to read as follows:

18 4. Establish and collect fees to defray the cost of
19 administering [this chapter](#). It is the intent of the general
20 assembly that fees collected under [this chapter](#) be used to
21 defray the cost of administering [this chapter](#). However, the
22 portion of fees needed to defray the costs of a ~~local~~ board of
23 health in implementing [this chapter](#) shall be established by the
24 ~~local~~ board of health. A fee imposed for the inspection of a
25 spray pad, swimming pool, or spa shall not be collected until
26 the inspection has actually been performed.

27 6. Enter into agreements with a ~~local~~ board of health
28 to implement the inspection and enforcement provisions of
29 this chapter. The agreements shall provide that the fees
30 established by the ~~local~~ board of health for inspection and
31 enforcement shall be retained by the ~~local~~ board. However,
32 inspection fees shall not be charged by the department for
33 facilities which are inspected by third-party authorities.
34 Third-party authorities shall be approved by the department.
35 The department shall monitor and certify the inspection and

1 enforcement programs of ~~local~~ boards of health and approved
2 third-party authorities.

3 Sec. 56. Section 135I.6, Code 2026, is amended to read as
4 follows:

5 **135I.6 Enforcement.**

6 If the department, or a ~~local~~ board of health acting pursuant
7 to agreement with the department, determines that a provision
8 of **this chapter** or a rule adopted pursuant to **this chapter**
9 has been or is being violated, the department may withhold
10 or revoke the registration of a spray pad, swimming pool, or
11 spa, or the department or the ~~local~~ board of health may order
12 that a facility or item of equipment not be used, until the
13 necessary corrective action has been taken. The department or
14 the ~~local~~ board of health may request the county attorney to
15 bring appropriate legal proceedings to enforce **this chapter**,
16 including an action to enjoin violations. The attorney general
17 may also institute appropriate legal proceedings at the request
18 of the department. This remedy is in addition to any other
19 legal remedy available to the department or a ~~local~~ board of
20 health.

21 Sec. 57. Section 136A.5B, subsection 1, unnumbered
22 paragraph 1, Code 2026, is amended to read as follows:

23 In accordance with the duties prescribed in **section 136A.3**,
24 the department shall collaborate with ~~state and local health~~
25 agencies boards of health and other public and private
26 organizations to develop and publish or approve and publish
27 informational materials to educate and raise awareness of
28 cytomegalovirus and congenital cytomegalovirus among women who
29 may become pregnant, expectant parents, parents of infants,
30 attending health care providers, and others, as appropriate.
31 The materials shall include information regarding all of the
32 following:

33 Sec. 58. Section 136A.9, Code 2026, is amended to read as
34 follows:

35 **136A.9 Cooperation of other agencies.**

1 ~~All state, district, county, and city health or welfare~~
2 ~~agencies~~ The department and boards of health, as that term is
3 defined in section 137.102, shall cooperate and participate in
4 the administration of this chapter.

5 Sec. 59. Section 136D.3, subsection 2, Code 2026, is amended
6 to read as follows:

7 2. This chapter shall not supersede or duplicate the
8 authority and programs of any other agency of the state or the
9 United States. To avoid duplication and promote coordination
10 of radiation protection activities, the department may
11 enter into written agreements with other state or federal
12 agencies, with ~~local~~ boards of ~~public~~ health, or with private
13 organizations or individuals, to administer this chapter.

14 Sec. 60. Section 137C.2, subsection 6, Code 2026, is amended
15 by striking the subsection.

16 Sec. 61. Section 137C.2, subsection 8, Code 2026, is amended
17 to read as follows:

18 8. "*Regulatory authority*" means the department or a ~~local~~
19 board of health that has entered into an agreement with the
20 director pursuant to section 137C.6 for authority to enforce
21 the Iowa hotel sanitation code in ~~its~~ the board of health's
22 jurisdiction.

23 Sec. 62. Section 137C.6, subsections 2, 3, and 4, Code 2026,
24 are amended to read as follows:

25 2. If a municipal corporation wants ~~its local~~ the municipal
26 corporation's board of health to license, inspect, and
27 otherwise enforce the Iowa hotel sanitation code within ~~its~~
28 the board's jurisdiction, the municipal corporation may enter
29 into an agreement to do so with the director. The director
30 may enter into the agreement if the director finds that the
31 ~~local~~ board of health has adequate resources to perform the
32 required functions. A municipal corporation may only enter
33 into an agreement to enforce the Iowa hotel sanitation code if
34 it also agrees to enforce the rules setting minimum standards
35 to protect consumers from foodborne illness adopted pursuant

1 to [section 137F.2](#).

2 3. A ~~local~~ board of health that is responsible for enforcing
3 the Iowa hotel sanitation code within ~~its~~ the board of health's
4 jurisdiction pursuant to an agreement shall make an annual
5 report to the director providing the following information:

6 a. The total number of hotel licenses granted or renewed
7 during the year.

8 b. The amount of money collected in license fees during the
9 year.

10 c. Other information the director requests.

11 4. The director shall monitor ~~local boards~~ each board
12 of health to determine if ~~they are~~ the board of health is
13 enforcing the Iowa hotel sanitation code within ~~their~~ the
14 board of health's respective jurisdictions. If the director
15 determines that the Iowa hotel sanitation code is enforced by a
16 ~~local~~ board of health, such enforcement shall be accepted in
17 lieu of enforcement by the department in that jurisdiction.
18 If the director determines that the Iowa hotel sanitation
19 code is not enforced by a ~~local~~ board of health, the director
20 may rescind the agreement after reasonable notice and an
21 opportunity for a hearing. If the agreement is rescinded, the
22 director shall assume responsibility for enforcement in the
23 jurisdiction involved.

24 Sec. 63. Section 137C.16, subsection 2, Code 2026, is
25 amended to read as follows:

26 2. A hotel beyond the reach of a central water or sewerage
27 system shall be served by on-site facilities which meet the
28 technical requirements of the ~~local~~ board of health and the
29 department of natural resources.

30 Sec. 64. Section 137C.35, subsection 1, Code 2026, is
31 amended to read as follows:

32 1. [This chapter](#) does not apply to bed and breakfast homes as
33 defined in [section 137F.1](#). However, a bed and breakfast home
34 shall have a smoke detector in proper working order in each
35 sleeping room and a fire extinguisher in proper working order

1 on each floor. A bed and breakfast home which does not receive
2 its drinking water from a public water supply shall have its
3 drinking water tested at least annually by the state hygienic
4 laboratory or the ~~local~~ board of health.

5 Sec. 65. Section 137F.13, Code 2026, is amended to read as
6 follows:

7 **137F.13 Water and waste treatment.**

8 If a food establishment or food processing plant is served
9 by privately owned water or waste treatment facilities, those
10 facilities shall meet the technical requirements of the ~~local~~
11 board of health and the department of natural resources.

12 Sec. 66. Section 138.12, subsection 2, Code 2026, is amended
13 to read as follows:

14 2. Written application for such variations shall be filed
15 with the director and ~~local~~ board of health serving the area in
16 which the migrant labor camp is situated. No such variation
17 shall be effective until granted in writing by the director.

18 Sec. 67. Section 138.14, Code 2026, is amended to read as
19 follows:

20 **138.14 Communicable diseases reported.**

21 The camp operator shall report immediately to the ~~local~~
22 board of health the name and address of any individual in
23 the camp known to have or suspected of having a communicable
24 disease. Whenever there shall occur in any camp, or portion
25 thereof, a case of suspected food poisoning or an unusual
26 prevalence of any illness in which fever, diarrhea, sore
27 throat, vomiting, or jaundice is a prominent symptom, the
28 camp operator shall report immediately the existence of the
29 condition to the ~~local~~ board of health and the director.

30 Sec. 68. Section 139A.2, Code 2026, is amended by adding the
31 following new subsections:

32 NEW SUBSECTION. 1A. "*Board of health*" means the same as
33 defined in section 137.102.

34 NEW SUBSECTION. 14A. "*Health department*" means the same as
35 defined in section 137.102.

1 Sec. 69. Section 139A.2, subsections 17 and 18, Code 2026,
2 are amended by striking the subsections.

3 Sec. 70. Section 139A.3, Code 2026, is amended to read as
4 follows:

5 **139A.3 Reports to department — immunity — confidentiality
6 — investigations.**

7 1. The health care provider or public, private, or
8 hospital clinical laboratory attending a person infected
9 with a reportable disease shall immediately report the case
10 to the department. ~~However, when a case occurs within the~~
11 ~~jurisdiction of a local department, the report shall be made to~~
12 ~~the local department~~ board of health and to the department. A
13 health care provider or public, private, or hospital clinical
14 laboratory who files such a report which identifies a person
15 infected with a reportable disease shall assist in ~~the~~ an
16 investigation commenced by the department, ~~a local~~ or the
17 ~~board, or a local department~~ of health. The department shall
18 publish and distribute instructions concerning the method of
19 reporting. Reports shall be made in accordance with rules
20 adopted by the department and shall require inclusion of all
21 the following information:

- 22 *a.* The patient's name.
23 *b.* The patient's address.
24 *c.* The patient's date of birth.
25 *d.* The sex of the patient.
26 *e.* The race and ethnicity of the patient.
27 *f.* The patient's marital status.
28 *g.* The patient's telephone number.
29 *h.* The name and address of the laboratory.
30 *i.* The date the test was found to be positive and the
31 collection date.
32 *j.* The name of the health care provider who performed the
33 test.
34 *k.* If the patient is female, whether the patient is
35 pregnant.

1 2. A state or local agency employee or agent shall not
2 have access to personally identifiable information included in
3 a reportable disease report provided to or maintained by the
4 department, or a local board, or a local department, of health
5 unless the employee or agent has completed data confidentiality
6 training.

7 3. a. Any person who, acting reasonably and in good faith,
8 files a report, releases information, or otherwise cooperates
9 with an investigation under **this chapter** is immune from any
10 liability, civil or criminal, which might otherwise be incurred
11 or imposed for such action.

12 b. A report or other information provided to or maintained
13 by the department, or a local board, or a local department,
14 of health which identifies a person infected with or exposed
15 to a reportable or other disease or health condition, is
16 confidential and shall not be accessible to the public.

17 c. Notwithstanding paragraph "b", information contained in
18 the report may be reported in public health records in a manner
19 which prevents the identification of any person or business
20 named in the report. If information contained in the report
21 concerns a business, information disclosing the identity of
22 the business may be released to the public when the state
23 epidemiologist or the director determines such a release of
24 information necessary for the protection of the health of the
25 public.

26 4. A health care provider or public, private, or hospital
27 clinical laboratory shall provide the department, ~~local~~ or
28 the board, or local department of health with all information
29 reasonably necessary to conduct an investigation pursuant to
30 this chapter upon request of the department, ~~local~~ or the
31 board, or local department of health. The department may also
32 subpoena records, reports, and any other evidence necessary to
33 conduct an investigation pursuant to **this chapter** from other
34 persons, facilities, and entities pursuant to rules adopted by
35 the department.

1 Sec. 71. Section 139A.4, subsections 2 and 4, Code 2026, are
2 amended to read as follows:

3 2. The department and ~~the local boards~~ each board of health
4 may impose and enforce isolation and quarantine restrictions.

5 4. The department and ~~local boards~~ each board of health
6 may impose and enforce area quarantine restrictions according
7 to rules adopted by the department. Area quarantine shall be
8 imposed by the least restrictive means necessary to prevent or
9 contain the spread of the suspected or confirmed quarantinable
10 disease or suspected or known hazardous or toxic agent.

11 Sec. 72. Section 139A.6, Code 2026, is amended to read as
12 follows:

13 **139A.6 Communicable diseases.**

14 If a person, whether or not a resident, is infected with a
15 communicable disease dangerous to the public health, the ~~local~~
16 board of health shall issue orders in regard to the care of the
17 person as necessary to protect the public health. The orders
18 shall be executed by the designated officer as the ~~local~~ board
19 of health directs or provides by rules.

20 Sec. 73. Section 139A.7, Code 2026, is amended to read as
21 follows:

22 **139A.7 Diseased persons moving — record forwarded.**

23 If a person known to be suffering from a communicable disease
24 dangerous to the public health moves from the jurisdiction
25 of a ~~local~~ board of health into the jurisdiction of another
26 ~~local~~ board of health, the ~~local~~ board of health from whose
27 jurisdiction the person moves shall notify the ~~local~~ board of
28 health into whose jurisdiction the person is moving.

29 Sec. 74. Section 139A.8, subsections 6, 7, and 8, Code 2026,
30 are amended to read as follows:

31 6. The ~~local~~ board of health shall furnish the department,
32 within sixty days after the first official day of school,
33 evidence that each person enrolled in any elementary or
34 secondary school has been immunized as required in **this section**
35 subject to **subsection 4**. The department shall adopt rules

1 pursuant to [chapter 17A](#) relating to the reporting of evidence
2 of immunization.

3 7. ~~Local boards~~ A board of health shall provide the required
4 immunizations to children in areas where no local provision of
5 these services exists.

6 8. The department, in consultation with the director
7 of the department of education, shall adopt rules for the
8 implementation of [this section](#) and shall provide those rules to
9 local school boards and ~~local~~ boards of health.

10 Sec. 75. Section 139A.8A, subsections 1 and 2, Code 2026,
11 are amended to read as follows:

12 1. In the event of a shortage of a vaccine, or in the event
13 a vaccine shortage is imminent, the department may issue an
14 order controlling, restricting, or otherwise regulating the
15 distribution and administration of the vaccine. The order may
16 designate groups of persons which shall receive priority in
17 administration of the vaccine and may prohibit vaccination of
18 persons who are not included in a priority designation. The
19 order shall include an effective date, which may be amended or
20 rescinded only through a written order of the department. The
21 order shall be applicable to health care providers, hospitals,
22 clinics, pharmacies, health care facilities, ~~local~~ boards of
23 health, public health agencies, and other persons or entities
24 that distribute or administer vaccines.

25 2. A health care provider, hospital, clinic, pharmacy,
26 health care facility, ~~local~~ board of health, public health
27 agency, or other person or entity that distributes or
28 administers vaccines shall not be civilly liable in any action
29 based on a failure or refusal to distribute or administer a
30 vaccine to any person if the failure or refusal to distribute
31 or administer the vaccine was consistent with a department
32 order issued pursuant to [this section](#).

33 Sec. 76. Section 139A.9, Code 2026, is amended to read as
34 follows:

35 **139A.9 Forcible removal — isolation — quarantine.**

1 The forcible removal and isolation or quarantine of any
2 infected person shall be accomplished according to the rules
3 ~~and regulations~~ of the ~~local~~ board of health or the rules of
4 the department.

5 Sec. 77. Section 139A.10, Code 2026, is amended to read as
6 follows:

7 **139A.10 Fees for removing.**

8 The officers designated shall receive reasonable
9 compensation for their services as determined by the ~~local~~
10 board of health. The amount determined shall be certified and
11 paid in the same manner as other expenses incurred under this
12 chapter.

13 Sec. 78. Section 139A.11, Code 2026, is amended to read as
14 follows:

15 **139A.11 Services and supplies — isolation — quarantine.**

16 If the person under isolation or quarantine or the person
17 liable for the support of the person, in the opinion of the
18 ~~local~~ board of health, is financially unable to secure proper
19 care, provisions, or medical attendance, the ~~local~~ board shall
20 furnish supplies and services during the period of isolation or
21 quarantine and may delegate the duty, by rules, to ~~one of its~~
22 ~~designated officers~~ board of health personnel.

23 Sec. 79. Section 139A.12, Code 2026, is amended to read as
24 follows:

25 **139A.12 County liability for care, provisions, and medical**
26 **attendance.**

27 The ~~local~~ board of health shall provide proper care,
28 provisions, and medical attendance for any person removed
29 and isolated or quarantined in a separate house or hospital
30 for detention and treatment, and the care, provisions, and
31 medical attendance shall be paid for by the county in which the
32 infected person has residence, if the patient or legal guardian
33 is unable to pay.

34 Sec. 80. Section 139A.13A, subsection 1, Code 2026, is
35 amended to read as follows:

1 1. An employer shall not discharge an employee, or take
2 or fail to take action regarding an employee's promotion or
3 proposed promotion, or take action to reduce an employee's
4 wages or benefits for actual time worked, due to the compliance
5 of an employee with a quarantine or isolation order or
6 voluntary confinement request issued by the department, a
7 ~~local~~ board of health, or the centers for disease control and
8 prevention of the United States department of health and human
9 services.

10 Sec. 81. Section 139A.14, Code 2026, is amended to read as
11 follows:

12 **139A.14 Services or supplies — authorization.**

13 All services or supplies furnished to persons under this
14 chapter must be authorized by the ~~local board or an officer~~
15 ~~of the local~~ board of health, and a written order designating
16 the person employed to furnish such services or supplies,
17 issued before the services or supplies are furnished, shall be
18 attached to the bill when presented for audit and payment.

19 Sec. 82. Section 139A.15, Code 2026, is amended to read as
20 follows:

21 **139A.15 Filing of bills.**

22 All bills incurred under **this chapter** in establishing,
23 maintaining, and terminating isolation and quarantine, in
24 providing a necessary house or hospital for isolation or
25 quarantine, and in making terminal cleanings, shall be filed
26 with the ~~local~~ board of health. The ~~local~~ board of health
27 at its next regular meeting or special meeting called for
28 this purpose shall examine and audit the bills and, if found
29 correct, approve and certify the bills to the county board of
30 supervisors for payment.

31 Sec. 83. Section 139A.17, Code 2026, is amended to read as
32 follows:

33 **139A.17 Approval and payment of claims.**

34 ~~The A~~ board of supervisors is not bound by the action of the
35 ~~local~~ board of health in approving the bills, but shall pay the

1 bills for a reasonable amount and within a reasonable time.

2 Sec. 84. Section 139A.25, subsection 1, Code 2026, is
3 amended to read as follows:

4 1. Unless otherwise provided in this chapter, a person who
5 knowingly violates any provision of this chapter, or of the
6 rules of the department or a ~~local~~ board of health, or any
7 lawful order, written or oral, of the department or board, ~~or~~
8 ~~of their officers or authorized agents,~~ of health is guilty of
9 a simple misdemeanor.

10 Sec. 85. Section 139A.31, Code 2026, is amended to read as
11 follows:

12 **139A.31 Report to department.**

13 1. Immediately after the first examination or treatment
14 of any person infected with any sexually transmitted disease
15 or infection, the health care provider who performed the
16 examination or treatment shall transmit a report to the board
17 of health of the county in which the infected person resides.
18 The board shall immediately forward the information to the
19 department a.

20 2. A report ~~stating the~~ under this section shall state all
21 of the following:

22 a. The name of the infected person, ~~the.~~

23 b. The address of the infected person, ~~the.~~

24 c. The infected person's date of birth, ~~the.~~

25 d. The sex of the infected person, ~~the.~~

26 e. The race and ethnicity of the infected person, ~~the.~~

27 f. The infected person's marital status, ~~the.~~

28 g. The infected person's telephone number, ~~if.~~

29 h. If the infected person is female, whether the infected
30 person is pregnant, ~~the.~~

31 i. The name and address of the laboratory that performed the
32 test, ~~the~~ confirming the sexually transmitted disease.

33 j. The date the test confirming the sexually transmitted
34 disease was found to be positive and the collection date, ~~and~~
35 the.

1 k. The name of the health care provider who performed the
2 test confirming the sexually transmitted disease. ~~However,~~
3 ~~when a case occurs within the jurisdiction of a local~~
4 ~~department, the report shall be made directly to the local~~
5 ~~department which shall immediately forward the information to~~
6 ~~the department.~~

7 3. Reports under this section shall be made in accordance
8 with rules adopted by the department.

9 4. Reports under this section shall be confidential.

10 5. Any person filing a report of a sexually transmitted
11 disease or infection under this section who is acting
12 reasonably and in good faith is immune from any liability,
13 civil or criminal, which might otherwise be incurred or imposed
14 as a result of ~~such~~ filing the report.

15 Sec. 86. Section 139A.33, subsection 3, Code 2026, is
16 amended to read as follows:

17 3. The department may delegate its partner notification
18 duties under this section to ~~local health authorities~~ a board
19 of health or a physician or other health care provider, as
20 provided by rules adopted by the department.

21 Sec. 87. Section 139A.34, Code 2026, is amended to read as
22 follows:

23 **139A.34 Examination of persons suspected.**

24 ~~The local~~ A board of health shall cause an examination to
25 be made of every person reasonably suspected, on the basis
26 of epidemiological investigation, of having any sexually
27 transmitted disease or infection in the infectious stages to
28 ascertain if such person is infected and, if infected, to
29 cause such person to be treated. A person who is under the
30 care and treatment of a health care provider for the suspected
31 condition shall not be subjected to such examination. If a
32 person suspected of having a sexually transmitted disease or
33 infection refuses to submit to an examination voluntarily,
34 application may be made by the ~~local~~ board of health to the
35 district court for an order compelling the person to submit to

1 examination and, if infected, to treatment. The person shall
2 be treated until certified as no longer infectious to the ~~local~~
3 board of health or to the department. If treatment is ordered
4 by the district court, the attending health care provider shall
5 certify that the person is no longer infectious.

6 Sec. 88. Section 163.17, Code 2026, is amended to read as
7 follows:

8 **163.17 ~~Local boards~~ Boards of health.**

9 ~~All local boards of health~~ Each board of health, as that
10 term is defined in section 137.102, shall assist the department
11 in the prevention, suppression, control, and eradication of
12 contagious and infectious diseases among animals, whenever
13 requested to do so.

14 Sec. 89. Section 195.10, subsection 1, unnumbered paragraph
15 1, Code 2026, is amended to read as follows:

16 The department of health and human services acting under
17 chapter 135, or a ~~local~~ board of health acting under chapter
18 137, may demand that a raw milk producer provide it with
19 all records required to be kept by the raw milk producer as
20 provided in [section 195.6](#), including any of the following:

21 Sec. 90. Section 237A.4, Code 2026, is amended to read as
22 follows:

23 **237A.4 Inspection and evaluation.**

24 The department shall make periodic inspections of licensed
25 centers to ensure compliance with licensing requirements
26 provided in [this chapter](#), and ~~the local boards~~ each board of
27 health, as that term is defined in section 137.102, may make
28 periodic inspections of licensed centers to ensure compliance
29 with health-related licensing requirements provided in this
30 chapter. The department may inspect records maintained by
31 a licensed center and may inquire into matters concerning
32 these centers and the persons in charge. The department
33 shall require that the center be inspected by the director
34 of the department of inspections, appeals, and licensing or
35 a designee for compliance with rules relating to fire safety

1 before a license is granted or renewed. The department or a
2 designee may periodically visit registered child development
3 homes for the purpose of evaluation of an inquiry into matters
4 concerning compliance with rules adopted under [section 237A.12](#).
5 Evaluation of child development homes under [this section](#) may
6 include consultative services provided pursuant to section
7 237A.6.

8 Sec. 91. Section 238.21, Code 2026, is amended to read as
9 follows:

10 **238.21 Other inspecting agencies.**

11 Authorized agents of ~~the local~~ a board of health, as that
12 term is defined in section 137.102, in whose jurisdiction a
13 licensed child-placing agency is located may make inspection of
14 the premises.

15 Sec. 92. Section 238.24, subsection 2, paragraph a, Code
16 2026, is amended to read as follows:

17 *a.* Disclosure made upon inquiry before a court of law,
18 or before some other tribunal, or for the information of the
19 governor, general assembly, medical examiners, director, or
20 ~~local~~ board of health as that term is defined in section
21 137.102, in the jurisdiction where the agency is located.

22 Sec. 93. Section 239B.12, subsection 1, Code 2026, is
23 amended to read as follows:

24 1. To the extent feasible, the department shall determine
25 the immunization status of children receiving assistance under
26 this chapter. The status shall be determined in accordance
27 with the immunization recommendations adopted under section
28 139A.8, including the exemption provisions in section 139A.8,
29 subsection 4. If the department determines a child is not
30 in compliance with the immunization recommendations, the
31 department shall refer the child's parent or guardian to a
32 ~~local public health agency~~ board of health, as that term is
33 defined in section 137.102, for immunization services for the
34 child and other members of the child's family.

35 Sec. 94. Section 256A.5, subsection 1, Code 2026, is amended

1 to read as follows:

2 1. The board of directors of a school district shall appoint
3 an advisory committee for each family support program. The
4 members shall include participating parents and members of the
5 community which participates in the program, such as members
6 of the district's local early childhood education committees
7 and representatives of local businesses, service organizations,
8 educators, head start educators, parents, private child care
9 providers, county home extension economists, area education
10 agencies, the school board, the community education advisory
11 board, local social services organizations, the ~~local~~ board
12 of health as that term is defined in section 137.102, public
13 health care practitioners, maternal and child health care
14 providers, and persons knowledgeable about developmentally
15 appropriate learning and parent or family education programs.
16 The committee shall be responsible for assessing current
17 programs and services for expectant parents and parents of
18 children who are less than six years of age. The committee
19 shall also assist the board of directors of a school district
20 in developing, planning, and monitoring the program and shall
21 submit any recommendations in a report to the board.

22 Sec. 95. Section 263.7, Code 2026, is amended to read as
23 follows:

24 **263.7 State hygienic laboratory — investigations.**

25 The state hygienic laboratory shall be a permanent part of
26 the state university of Iowa. It shall make or cause to be made
27 microbiological and chemical examinations and other necessary
28 investigations by both laboratory and field work in the
29 determination of the causes of disease, shall suggest methods
30 of overcoming and preventing the recurrence of the disease,
31 and shall evaluate environmental effects and scientific
32 needs, whenever requested to do so by any state agency, state
33 institution, or ~~local~~ board of health as that term is defined
34 in section 137.102 when the investigation or evaluation is
35 necessary in the interest of environmental quality and public

1 health and for the purpose of preventing epidemics of disease.

2 Sec. 96. Section 263.8, subsection 3, Code 2026, is amended
3 to read as follows:

4 3. The state hygienic laboratory is authorized to perform
5 such other laboratory determinations as may be requested by
6 any state institution, citizen, school, municipality, or ~~local~~
7 board of health as that term is defined in section 137.102,
8 and the laboratory is authorized to charge fees covering
9 transportation of samples and the costs of examinations
10 performed upon their request.

11 Sec. 97. Section 331.304, subsection 9, Code 2026, is
12 amended to read as follows:

13 9. A county shall not adopt or enforce any ordinance
14 imposing any registration or licensing system or registration
15 or license fees for or relating to owner-occupied manufactured
16 or mobile homes including the lots, lands, or manufactured
17 home community or mobile home park upon or in which they are
18 located. A county shall not adopt or enforce any ordinance
19 imposing any registration or licensing system, or registration
20 or license fees, or safety or sanitary standards for rental
21 manufactured or mobile homes unless similar registration or
22 licensing system, or registration or license fees, or safety
23 or sanitary standards are required for other rental properties
24 intended for human habitation. **This subsection** does not
25 preclude the investigation and abatement of a nuisance or
26 the enforcement of a tiedown system, or the enforcement of
27 any rules of the department of health and human services or
28 ~~local~~ board of health, as that term is defined in section
29 137.102, if those rules apply to other rental properties or to
30 owner-occupied housing intended for human habitation.

31 Sec. 98. Section 331.321, subsection 1, paragraph c, Code
32 2026, is amended to read as follows:

33 c. The members of the a county board of health in accordance
34 with or a district board as provided in section 137.105.

35 Sec. 99. Section 346A.1, subsection 3, Code 2026, is amended

1 to read as follows:

2 3. "Project" means the acquisition by purchase or
3 construction of health centers, additions thereto and
4 facilities therefor, the reconstruction, completion, equipment,
5 improvement, repair or remodeling of health centers, additions
6 thereto and facilities therefor, and the acquisition of
7 property therefor of every kind and description, whether real,
8 personal or mixed, by gift, purchase, lease, condemnation or
9 otherwise and the improvement of the property. "Project" also
10 means the use of funds for the provision of health services
11 by ~~local~~ boards of health pursuant to [chapter 137](#) and the
12 provision of health, welfare or social services which a county
13 is permitted or required by law to provide.

14 Sec. 100. Section 351.36, Code 2026, is amended to read as
15 follows:

16 **351.36 Enforcement.**

17 ~~Local health~~ Each board of health, as that term is defined in
18 section 137.102, and law enforcement officials shall enforce
19 the provisions of [sections 351.33, 351.35, this section,](#) and
20 sections 351.37 through 351.43 relating to vaccination and
21 impoundment of dogs. ~~Such public officials, and~~ shall not be
22 responsible for any accident or disease of a dog resulting from
23 ~~the such enforcement of the provisions of said sections.~~

24 Sec. 101. Section 351.37, subsections 1 and 2, Code 2026,
25 are amended to read as follows:

26 1. A dog shall be apprehended and impounded by a ~~local~~ board
27 of health, as that term is defined in section 137.102, or a law
28 enforcement official if the dog is running at large and the
29 dog is not wearing a valid rabies vaccination tag or a rabies
30 vaccination certificate is not presented to the ~~local~~ board of
31 health or law enforcement official.

32 2. The ~~local~~ board of health, as that term is defined in
33 section 137.102, or law enforcement official shall provide
34 written notice to the owner if the ~~local~~ board of health or law
35 enforcement official can reasonably determine the owner's name

1 and current address by accessing a tag or other device that
2 is on or a part of the dog. The notice shall be sent within
3 two days after the dog has been impounded. The notice shall
4 provide that if the owner does not redeem the dog within seven
5 days from the date that the notice is delivered, the dog may be
6 humanely destroyed or otherwise disposed of in accordance with
7 law. For purposes of **this section**, notice is delivered when
8 the ~~local~~ board of health or law enforcement official mails the
9 notice which may be by regular mail. An owner may redeem a
10 dog by having it immediately vaccinated and paying the cost of
11 impoundment.

12 Sec. 102. Section 351.38, Code 2026, is amended to read as
13 follows:

14 **351.38 Owner's duty.**

15 It shall be the duty of the owner of any dog, cat or other
16 animal which has bitten or attacked a person or any person
17 having knowledge of such bite or attack to report this act to
18 a local health or law enforcement official. It shall be the
19 duty of physicians and veterinarians to report to the ~~local~~
20 board of health, as that term is defined in section 137.102,
21 the existence of any animal known or suspected to be suffering
22 from rabies.

23 Sec. 103. Section 351.39, Code 2026, is amended to read as
24 follows:

25 **351.39 Confinement.**

26 If a ~~local~~ board of health, as defined in section 137.102,
27 receives information that an animal has bitten a person or
28 that a dog or animal is suspected of having rabies, the board
29 shall order the owner to confine such animal in the manner it
30 directs. If the owner fails to confine such animal in the
31 manner directed, the animal shall be apprehended and impounded
32 by such board, and after ten days the board may humanely
33 destroy the animal. If such animal is returned to its owner,
34 the owner shall pay the cost of impoundment. **This section**
35 shall not apply if a police service dog or a horse used by a law

1 enforcement agency and acting in the performance of its duties
2 has bitten a person.

3 Sec. 104. Section 351.40, Code 2026, is amended to read as
4 follows:

5 **351.40 Quarantine.**

6 If a ~~local~~ board of health, as that term is defined in
7 section 137.102, believes rabies to be epidemic, or believes
8 there is a threat of epidemic, in ~~its~~ the board of health's
9 jurisdiction, it may declare a quarantine in all or part of
10 the area under its jurisdiction and such declaration shall
11 be reported to the department of health and human services.
12 During the period of quarantine, any person owning or having a
13 dog in the person's possession in the quarantined area shall
14 keep such animal securely enclosed or on a leash for the
15 duration of the quarantine period.

16 Sec. 105. Section 364.3, subsection 5, Code 2026, is amended
17 to read as follows:

18 5. A city shall not adopt or enforce any ordinance imposing
19 any registration or licensing system or registration or license
20 fees for or relating to owner-occupied manufactured or mobile
21 homes including the lots, lands, or manufactured home community
22 or mobile home park upon or in which they are located. A
23 city shall not adopt or enforce any ordinance imposing any
24 registration or licensing system, or registration or license
25 fees, or safety or sanitary standards for rental manufactured
26 or mobile homes unless a similar registration or licensing
27 system, or registration or license fees, or safety or sanitary
28 standards are required for other rental properties intended
29 for human habitation. **This subsection** does not preclude the
30 investigation and abatement of a nuisance or the enforcement of
31 a tiedown system, or the enforcement of any rules ~~of~~ adopted by
32 the department of health and human services or ~~local~~ board of
33 health, as defined in section 137.102, if those rules apply to
34 other rental properties or to owner-occupied housing intended
35 for human habitation.

1 Sec. 106. Section 455B.134, subsection 8, Code 2026, is
2 amended to read as follows:

3 8. Consider complaints of conditions reported to, or
4 considered likely to, constitute air pollution, and investigate
5 such complaints upon receipt of the written petition of any
6 state agency, the governing body of a political subdivision,
7 a ~~local~~ board of health as that term is defined in section
8 137.102, or twenty-five affected residents of the state.

9 Sec. 107. Section 455B.172, subsection 7, paragraph b, Code
10 2026, is amended to read as follows:

11 b. A ~~local~~ board of health, as defined in section 137.102,
12 is the agency to regulate the construction, reconstruction
13 and abandonment of water wells not otherwise regulated by
14 the department. The ~~local~~ board of health shall not adopt
15 standards relative to the construction, reconstruction and
16 abandonment of wells less stringent than those adopted by the
17 department.

18 Sec. 108. Section 455B.174, subsection 1, Code 2026, is
19 amended to read as follows:

20 1. Conduct investigations of alleged water pollution or of
21 alleged violations of [this part 1 of subchapter III](#), chapter
22 459, subchapter III, [chapter 459A](#), or [chapter 459B](#), or any
23 rule adopted or any permit issued pursuant to this part 1 of
24 subchapter III, [chapter 459](#), subchapter III, [chapter 459A](#),
25 or [chapter 459B](#), upon written request of any state agency,
26 political subdivision, ~~local~~ board of health as that term
27 is defined in section 137.102, twenty-five residents of the
28 state, as directed by the department, or as may be necessary
29 to accomplish the purposes of [this part 1 of subchapter III](#),
30 chapter 459, subchapter III, [chapter 459A](#), or [chapter 459B](#).

31 Sec. 109. Section 455B.303, subsection 2, Code 2026, is
32 amended to read as follows:

33 2. ~~Local boards of health~~ A board of health, as defined
34 in section 137.102, shall cooperate in the enforcement of the
35 provisions of this part 1 of subchapter IV and the director may

1 seek ~~their~~ a board of health's aid and delegate administrative
2 duties of the department to the ~~local boards of health~~ board of
3 health in matters relating to solid waste and sanitary disposal
4 projects.

5 Sec. 110. Section 455B.305, subsection 1, paragraphs a and
6 b, Code 2026, are amended to read as follows:

7 a. A permit shall be issued by the director or, at the
8 director's direction, by a ~~local~~ board of health, as that term
9 is defined in section 137.102, for each sanitary disposal
10 project operated in this state. The permit shall be issued in
11 the name of the city or county or, where applicable, in the
12 name of the public or private agency operating the project.
13 Permits issued pursuant to [this section](#) are in addition to any
14 other licenses, permits, or waivers authorized or required by
15 law, including but not limited to [chapter 335](#).

16 b. Each sanitary disposal project shall be inspected
17 periodically by the department or a ~~local~~ board of health, as
18 that term is defined in section 137.102.

19 Sec. 111. REPEAL. Section 135.100, Code 2026, is repealed.

20 Sec. 112. EFFECTIVE DATE. This division of this Act takes
21 effect July 1, 2027.

22 EXPLANATION

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

25 This bill transfers duties from local boards of health and
26 local health departments to county boards of health (county
27 boards) and district boards of health (district boards).

28 DIVISION I — HEALTH CARE DISTRICTS. The bill eliminates
29 local boards of health and local health departments. Instead,
30 each county must either create its own county board or join
31 with any number of geographically contiguous counties, with
32 approval from the department of health and human services
33 (HHS), to form a district overseen by a district board. The
34 bill requires cities to perform all public health functions
35 through a county board or a district board (board of health).

1 The bill details the composition of board of health
2 members, the process by which boards of health make their
3 annual budgets, how counties will create funding plans to
4 detail how a county board will be funded, how a city's public
5 health functions will be divided if the city is within the
6 jurisdiction of multiple boards of health, and how a board of
7 health must get approval from cities and member counties for
8 approval of the board of health's proposed budget.

9 The bill requires a county board to enter into an agreement
10 with each county hospital located in the county board's county
11 to provide for the sharing of facilities, health care services,
12 and administrative resources. A county board of health may
13 apply with HHS for a waiver of this requirement by sending HHS
14 evidence of an alternative means of providing health services
15 as detailed in the bill. A county board that applies for such
16 a waiver must submit a letter explaining the county board's
17 decision to apply for the waiver to each city council of a city
18 that is located in the county board's county.

19 The bill details the process by which counties may join to
20 form a district to oversee public health in the counties; how
21 powers, duties, and property are transferred from county boards
22 to district boards; how county board property will remain
23 available for district board use if not transferred to the
24 district board; how counties may withdraw from a district; and
25 how counties may apply to join an existing district.

26 The bill requires a district board to give employment
27 preference to individuals who were employed by one of the
28 counties represented by the district board at the time of the
29 district board's formation.

30 The bill shall not be construed to prohibit a county from
31 creating agreements not contemplated in the bill to provide
32 public health services in a manner not prohibited by law.

33 The bill provides that only a board of health, school board,
34 or area education board (board) may employ a public health
35 nurse.

1 The bill repeals Code sections 137.107 (request reviewed by
2 state department), 137.108 (initial appointment of district
3 board of health), and 137.115 (dissolution of county boards).

4 This division of the bill takes effect July 1, 2027.

5 DIVISION II — TRANSITION PROVISIONS. The bill provides
6 definitions used in the division, including defining
7 "transition period" as the period beginning on the date of
8 enactment of the division to June 30, 2027.

9 The bill details the process by which city boards of health
10 (city boards) will transfer the city boards' property, public
11 health responsibilities, and contractual responsibilities
12 to one or more county boards or district boards during the
13 transition period. The bill prohibits city boards from
14 extending or creating new contracts if the term would end,
15 or deliverables under the contract would be provided, beyond
16 June 30, 2027. Each city board is dissolved at the end of the
17 transition period.

18 This division of the bill is effective upon enactment.

19 DIVISION III — HEALTH CARE DISTRICTS CONFORMING CHANGES.

20 This division makes conforming changes to Code sections
21 10A.531, 10A.533, 11.41, 22.7, 28G.4, 135.1, 135.11, 135.17,
22 135.19, 135.27, 135.33, 135.34, 135.39D, 135.102, 135.103,
23 135.104, 135.105B, 135.107, 135.119, 135.146, 135A.2, 135A.8,
24 135B.33, 135C.1, 135D.2, 135I.1, 135I.2, 135I.4, 135I.6,
25 136A.5B, 136A.9, 136D.3, 137C.2, 137C.6, 137C.16, 137C.35,
26 137F.13, 138.12, 138.14, 139A.2, 139A.3, 139A.4, 139A.6 through
27 139A.12, 139A.13A through 139A.15, 139A.17, 139A.25, 139A.31,
28 139A.33, 139A.34, 163.17, 195.10, 237A.4, 238.21, 238.24,
29 239B.12, 256A.5, 263.7, 263.8, 331.304, 331.321, 346A.1,
30 351.36, 351.37 through 351.40, 364.3, 455B.134, 455B.172,
31 455B.174, 455B.303, and 455B.305.

32 The bill repeals Code section 135.100 (lead poisoning
33 prevention program — definitions).

34 This division of the bill takes effect July 1, 2027.