

House File 2751 - Reprinted

HOUSE FILE 2751
BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO HF 2728)

(As Amended and Passed by the House April 6, 2026)

A BILL FOR

1 An Act relating to criminal acts against persons in certain
2 occupations, including testing for communicable diseases for
3 certain persons who have committed an assault against a member
4 of a protected occupation, certain public safety personnel,
5 including confidentiality of peer support communications for
6 public safety officers and civilian employees, and obstructing
7 first responders, and providing penalties.

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

1 Section 1. Section 708.3A, Code 2026, is amended by striking
2 the section and inserting in lieu thereof the following:

3 **708.3A Assaults on members of protected occupations.**

4 1. For purposes of this section, unless the context otherwise
5 requires:

6 a. "Assault" means the same as defined in section 708.1.

7 b. "Correctional staff" means a person, who is not a peace
8 officer, who is employed by the department of corrections or a
9 judicial district department of correctional services to work at
10 or in a correctional institution, community-based correctional
11 facility, or an institution under the management of the Iowa
12 department of corrections that is used for the purposes of
13 confinement of persons who have committed public offenses.

14 c. "Employee of the department of health and human services"
15 means a person who is an employee of an institution controlled
16 by the director of health and human services that is listed in
17 section 218.1, or who is an employee of the civil commitment
18 unit for sex offenders operated by the department of health and
19 human services. A person who commits an assault under this
20 section against an employee of the department of health and human
21 services at a department of health and human services institution
22 or unit is presumed to know that the person against whom the
23 assault is committed is an employee of the department of health
24 and human services.

25 d. "Employee of the department of revenue" means a person
26 who is employed as an auditor, agent, tax collector, or any
27 contractor or representative acting in the same capacity. The
28 employee, contractor, or representative shall maintain current
29 identification indicating that the person is an employee,
30 contractor, or representative of the department.

31 e. "Health care provider" means an emergency medical care
32 provider as defined in section 147A.1, or a person licensed
33 or registered under chapter 148, 148C, 148D, or 152, who is
34 providing or who is attempting to provide emergency medical
35 services as defined in section 147A.1, or anyone who is working,

1 volunteering, or participating in an educational course of
2 instruction at a hospital or rural emergency hospital as defined
3 in section 135B.1, or at a nursing facility as defined in section
4 135C.1. A person who commits an assault under this section
5 against a health care provider in a hospital, or at the scene
6 or during out-of-hospital patient transportation in an ambulance,
7 is presumed to know that the person against whom the assault is
8 committed is a health care provider.

9 *f.* "Jailer" means a person, who is not a peace officer,
10 who is employed by a county or other political subdivision of
11 the state to work at a county jail or other facility used for
12 purposes of the confinement of persons who have committed public
13 offenses.

14 *g.* "Member of a protection occupation" means a person who is
15 a peace officer; a jailer; correctional staff; juvenile detention
16 staff; a member or employee of the board of parole; a health
17 care provider; an employee of the department of health and human
18 services; an employee of the department of inspections, appeals,
19 and licensing who conducts investigations or inspections; an
20 employee of the department of revenue; a national guard member
21 engaged in national guard duty or state active duty; a civilian
22 employee of a law enforcement agency; a civilian employee of a
23 fire department; or a fire fighter, whether paid or volunteer.

24 *h.* "National guard" means the same as defined in section
25 29A.1.

26 *i.* "National guard duty" means the same as defined in section
27 29A.1.

28 *j.* "State active duty" means the same as defined in section
29 29A.1.

30 2. An assault against a member of a protected occupation
31 with the knowledge that the person against whom the assault is
32 committed is a member of a protected occupation is a class "C"
33 felony.

34 3. An assault against a member of a protected occupation
35 using or displaying a dangerous weapon is a class "C" felony.

1 4. An assault against a member of a protected occupation that
2 causes bodily injury or mental illness is a class "D" felony.

3 5. Any other assault, including an assault causing another to
4 come into contact with saliva by throwing, tossing, spitting, or
5 expelling the fluid, committed against a member of a protected
6 occupation is an aggravated misdemeanor. A person convicted of
7 violating this subsection shall serve a minimum term of seven
8 days of the sentence imposed by law, and shall not be eligible
9 for deferral or suspension of the minimum term of seven days.

10 6. a. A person who is a victim of an assault under
11 subsection 2, 3, 4, or 5 that resulted in the victim coming in
12 contact with the blood, seminal fluid, urine, saliva, or feces
13 of the person committing the assault, when there is reason to
14 believe that the person committing the assault has or may have
15 a communicable disease, may request that law enforcement make
16 application to the court for the issuance of a search warrant,
17 in accordance with chapter 808, for the purpose of requiring the
18 person committing the assault to submit to testing by a medical
19 professional for communicable diseases.

20 b. The medical professional conducting testing of the person
21 committing the assault for communicable diseases shall, as soon
22 as practicable upon receipt of the test results, contact the
23 victim of the assault with the test results.

24 Sec. 2. Section 80F.1, Code 2026, is amended by adding the
25 following new subsection:

26 NEW SUBSECTION. 2A. This section shall not be construed to
27 require the disclosure, use, or consideration of a confidential
28 communication protected under chapter 622C in any informal
29 inquiry, formal administrative investigation, disciplinary
30 proceeding, or Brady-Giglio determination.

31 Sec. 3. Section 622.10, subsection 9, paragraph a, Code 2026,
32 is amended to read as follows:

33 a. A peer support ~~group~~ counselor or individual present for a
34 individual or group crisis intervention who obtains information
35 from an officer or a civilian employee of a law enforcement

1 agency, emergency management agency, emergency medical services
2 agency, or fire department by reason of the counselor's capacity
3 as a peer support ~~group~~ counselor or an individual's presence for
4 a individual or group crisis intervention shall not be allowed,
5 ~~in giving testimony,~~ to disclose any confidential communication
6 properly entrusted to the counselor or individual present for
7 a group crisis intervention by the officer or civilian employee
8 while receiving counseling or group crisis intervention pursuant
9 to chapter 622C except as provided pursuant to section 622C.2,
10 subsection 3.

11 Sec. 4. NEW SECTION. **622C.1 Definitions.**

12 As used in this chapter, unless the context otherwise
13 requires:

14 1. "*Civilian employee*" means an employee of a law enforcement
15 agency, emergency management agency, emergency medical services
16 agency, or fire department who is not an officer.

17 2. "*Confidential communication*" means any oral, written, or
18 recorded communication made by an officer or civilian employee to
19 a peer support counselor while receiving peer support services
20 or crisis intervention, whether the communication is made
21 individually or in a group setting.

22 3. "*Officer*" means a certified law enforcement officer, fire
23 fighter, fire marshal, emergency medical technician, paramedic,
24 medical provider, corrections officer, detention officer, jailer,
25 probation or parole officer, public safety telecommunicator,
26 dispatcher, emergency management coordinator under chapter 29C,
27 or any other public safety employee certified by the Iowa law
28 enforcement academy or state fire marshal and employed by a city,
29 county, or state agency.

30 4. "*Peer support counselor*" means a law enforcement officer,
31 fire fighter, emergency medical services provider, public
32 safety telecommunicator, dispatcher, civilian employee of a law
33 enforcement or fire department, or a nonemployee counselor who
34 has been designated as a peer support counselor by a sheriff,
35 police chief, fire chief, emergency medical services director, or

1 department head of a public safety agency, and who has received
2 training to provide emotional and moral support, counseling, or
3 crisis intervention to officers and civilian employees affected
4 by stress or trauma arising from official duties.

5 Sec. 5. NEW SECTION. **622C.2 Confidential peer support**
6 **communications — exceptions.**

7 1. Except as provided in subsection 3, a peer support
8 counselor or individual who is present for a confidential
9 communication from an officer or civilian employee during a peer
10 support or crisis intervention session shall not be permitted
11 to testify or otherwise disclose any confidential communication
12 properly entrusted to the peer support counselor or individual,
13 or made in the peer support counselor's or individual's presence
14 by an officer or civilian employee receiving peer support
15 services.

16 2. Except as provided in subsection 3, a confidential
17 communication obtained by a peer support counselor during the
18 provision of peer support services or by an individual present
19 for a confidential communication shall not be used or introduced
20 in any formal administrative investigation, disciplinary
21 proceeding, or Brady-Giglio disclosure or proceeding.

22 3. A peer support counselor or an individual present for
23 a confidential communication may testify or otherwise disclose
24 a confidential communication if the confidential communication
25 includes any of the following:

26 a. A plan for the commission of a crime or information
27 related to the commission of a crime by the officer or civilian
28 employee.

29 b. An explicit threat of harm to the officer, civilian
30 employee, or to another person.

31 c. Information for which disclosure is otherwise required by
32 law, including but not limited to mandatory reporting of child
33 abuse or dependent adult abuse.

34 Sec. 6. NEW SECTION. **622C.3 Construction.**

35 1. This chapter shall not be construed to limit an employer's

1 authority to direct an employee to an employee assistance program
2 or to require a fitness-for-duty evaluation.

3 2. This chapter shall be construed liberally to promote
4 candid and confidential communications during peer support
5 services for public safety professionals.

6 Sec. 7. NEW SECTION. **719.1B Obstructing first responder**
7 **after warning.**

8 1. As used in this section:

9 a. "*First responder*" means a law enforcement officer, a
10 probation or parole officer, a fire fighter, or an emergency
11 medical care provider.

12 b. "*Harass*" means to willfully engage in a course of
13 conduct directed at a first responder that intentionally causes
14 substantial emotional distress in the first responder and serves
15 no legitimate purpose.

16 2. a. A person shall not, after receiving a verbal warning
17 not to approach from an individual the person knows or reasonably
18 should know is a first responder who is engaged in the lawful
19 performance of a legal duty, knowingly and willfully violate the
20 warning and approach or remain within twenty-five feet of the
21 first responder with the intent to do any of the following:

22 (1) Impede or interfere with the first responder's ability to
23 perform the first responder's duty.

24 (2) Threaten the first responder with physical harm.

25 (3) Harass the first responder.

26 b. A person who violates this section commits a serious
27 misdemeanor.