

Standing Appropriations Bill Senate File 578

Last Action:
**Senate Appropriations
Committee**
May 2, 2023

An Act relating to state finances, including by making, modifying, limiting, or reducing appropriations, distributions, or transfers, authorizing expenditure of certain unappropriated moneys, making corrections, and including effective date, applicability, and retroactive applicability provisions.

**Fiscal Services Division
Legislative Services Agency**

NOTES ON BILLS AND AMENDMENTS (NOBA)

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MAJOR INCREASES/DECREASES/TRANSFERS OF EXISTING PROGRAMS

Limits the FY 2024 General Fund appropriation to the Department of Education for nonpublic school transportation to \$9.0 million. Requires the appropriation to be prorated if the claims exceed the appropriation.	Page 1, Line 4
Suspends the General Fund standing appropriation of \$14.8 million to the Department of Education for the Instructional Support Program for FY 2024.	Page 1, Line 18
Reduces the FY 2024 State school aid funding to Area Education Agencies (AEAs) by \$22.1 million.	Page 3, Line 1

SIGNIFICANT CODE CHANGES

Transfers excess Economic Emergency Fund moneys to the General Fund. The amount transferred will be the difference between the total statewide foundation property tax initially calculated for FY 2024 and the total statewide foundation property tax in FY 2024 after the passage of Senate File 181 (Residential Assessment Limitations Act). The Department of Management will determine the amount to be transferred.	Page 2, Line 2
Requires a total equal to the difference between the actual net revenue for the General Fund for the fiscal year and the adjusted revenue estimate less the amount transferred to the General Fund for SF 181, as determined by the DOM, to be transferred to the Taxpayer Relief Fund. All remaining funds will be transferred to the General Fund.	
Adopts corrective provisions related to SE 514 (State Government Alignment Act).	Page 4, Line 3
Adopts corrections to various Acts enacted during the 2023 Legislative Session.	Page 10, Line 29

EFFECTIVE DATE

Specifies that Section 4 of the Bill, which distributes moneys from the Economic Emergency Fund for FY 2023, takes effect upon enactment.	Page 3, Line 30
Specifies that various sections of the Bill take effect upon enactment. <ul style="list-style-type: none">Senate File 75 (Rural Emergency Hospitals Act) was approved by the General Assembly on March 14, 2023, and signed by the Governor on March 28, 2023.Senate File 538 (Prohibition on Gender Identity Procedures for Minors Act) was approved by the General Assembly on March 8, 2023, and signed by the Governor on March 22, 2023.	Page 15, Line 8

EXECUTIVE SUMMARY
STANDING APPROPRIATIONS BILL

SENATE FILE 578

Specifies that Section 37 of the Bill which pertains to SF 75 (Rural Emergency Hospitals Act) applies retroactively to March 28, 2023.

Page 15, Line 14

Specifies that Section 39 of the Bill which amends SF 538 (Prohibition on Gender Identity Procedures for Minors Act) is applicable 180 days after March 22, 2023.

Page 15, Line 18

Senate File 578 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section
3	1	5	Add	257.35.17A
3	13	6	Amend	441.21.5.e.(1)
4	3	8	Amend	15.342A.2
4	11	9	Amend	15C.1.3.b
4	17	10	Amend	15C.2.3.b
4	26	11	Amend	22.7.31
4	35	12	Amend	92.5.11
5	4	13	Amend	100D.3.1.c
5	15	14	Amend	101.22.4
5	27	15	Amend	101.24.4.a
6	1	16	Amend	101A.2A.c.(4)
6	6	17	Amend	103.14
6	27	18	Amend	135.11A.1
7	14	20	Amend	135R.1.2
7	19	21	Amend	156.1A
7	32	22	Amend	249K.2.6
8	5	23	Amend	252D.16.1
8	10	24	Amend	252E.1.5
8	31	26	Amend	261G.4.5
9	2	27	Amend	303.3B.3
9	10	28	Amend	546.10.3.a
9	20	29	Amend	101A.2A.c.(4)
10	17	32	Amend	SF514.2605
10	23	33	Session Law	SF514.2605
10	30	34	Strike	12K.1.4.j
10	33	35	Add	12K.1.5

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

1 4 Section 1. LIMITATIONS OF STANDING APPROPRIATIONS — FY
 1 5 2023-2024. Notwithstanding the standing appropriation in the
 1 6 following designated section for the fiscal year beginning July
 1 7 1, 2023, and ending June 30, 2024, the amount appropriated from
 1 8 the general fund of the state pursuant to that section for the
 1 9 following designated purpose shall not exceed the following
 1 10 amount:
 1 11 For payment of claims for nonpublic school pupil
 1 12 transportation under section 285.2:
 1 13 \$ 8,997,091
 1 14 If total approved claims for reimbursement for nonpublic
 1 15 school pupil transportation exceed the amount appropriated in
 1 16 accordance with this section, the department of education shall
 1 17 prorate the amount of each approved claim.

CODE: Limits the FY 2024 General Fund appropriation to the Department of Education for nonpublic school transportation to \$8,997,091. Requires the appropriation to be prorated if total school district claims exceed the appropriation.

DETAIL: This is no change compared to estimated FY 2023. This also represents a decrease of \$4,277,414 compared to the estimated standing unlimited appropriation of \$13,274,505 based on current law.

1 18 Sec. 2. INSTRUCTIONAL SUPPORT STATE AID — FY 2023-2024. In
 1 19 lieu of the appropriation provided in section 257.20,
 1 20 subsection 2, the appropriation for the fiscal year
 1 21 beginning July 1, 2023, and ending June 30, 2024, for paying
 1 22 instructional support state aid under section 257.20 for the
 1 23 fiscal year is zero.

Suspends the General Fund standing appropriation of \$14,800,000 for the Instructional Support Program for FY 2024.

DETAIL: Although no State funding will be provided for the Instructional Support Program, school districts may use local property tax and income surtax to fund their portion of the Program. In FY 2023, 326 school districts implemented the Program and generated \$257,470,296 in local taxes (\$91,544,171 in income surtax and \$165,926,125 in property taxes). This Program has not been funded by the State since FY 2006.

1 24 Sec. 3. SPECIAL FUNDS — SALARY ADJUSTMENTS —
 1 25 UNAPPROPRIATED MONEYS — FY 2023-2024. For the fiscal
 1 26 year beginning July 1, 2023, and ending June 30, 2024,
 1 27 salary adjustments otherwise provided may be funded as
 1 28 determined by the department of management, subject to any
 1 29 applicable constitutional limitation, using unappropriated
 1 30 moneys remaining in the commerce revolving fund, the gaming
 1 31 enforcement revolving fund, the gaming regulatory revolving
 1 32 fund, the primary road fund, the road use tax fund, the fish
 1 33 and game protection fund, and the Iowa public employees'
 1 34 retirement fund, and in other departmental revolving, trust, or

Permits salary adjustments to be funded from non-General Fund moneys remaining in various revolving, trust, or special funds for FY 2024 for which the General Assembly has not established an operating budget.

1 35 special funds for which the general assembly has not made an
2 1 operating budget appropriation.

2 2 Sec. 4. DISTRIBUTIONS OF IOWA ECONOMIC EMERGENCY FUND
2 3 EXCESS — FY 2022-2023.

2 4 1. Notwithstanding section 8.55, subsection 2, paragraphs
2 5 “a” and “b”, for the fiscal year beginning July 1, 2022, and
2 6 ending June 30, 2023, moneys in excess of the maximum balance
2 7 of the Iowa economic emergency fund created in section 8.55
2 8 shall be distributed as follows:

2 9 a. An amount equal to the difference between the foundation
2 10 property tax statewide under section 257.3 for the fiscal year
2 11 beginning July 1, 2023, calculated using taxable valuations
2 12 for the assessment year beginning January 1, 2022, following
2 13 application of assessment limitations calculated under section
2 14 441.21, Code 2023, and the foundation property tax statewide
2 15 under section 257.3 for the fiscal year beginning July 1,
2 16 2023, calculated using taxable valuations for the assessment
2 17 year beginning January 1, 2022, following application of
2 18 assessment limitations calculated under section 441.21, Code
2 19 2023, as amended by 2023 Iowa Acts, Senate File 181, shall be
2 20 transferred to the general fund of the state to pay foundation
2 21 aid under chapter 257 as described in section 257.16 for the
2 22 fiscal year beginning July 1, 2023.

2 23 b. Of the remaining moneys, if any, the difference between
2 24 the actual net revenue for the general fund of the state for
2 25 the fiscal year and the adjusted revenue estimate for the
2 26 fiscal year, reduced by the amount transferred under paragraph
2 27 “a”, shall be transferred to the taxpayer relief fund created
2 28 in section 8.57E.

2 29 c. The remaining moneys, if any, shall be transferred to the
2 30 general fund of the state.

2 31 2. The amount to be transferred under subsection 1,
2 32 paragraph “a”, shall be determined by the department of
2 33 management on or before July 31, 2023. The department shall
2 34 notify the legislative services agency of the department's
2 35 determination.

3 1 Sec. 5. Section 257.35, Code 2023, is amended by adding the
3 2 following new subsection:

3 3 NEW SUBSECTION 17A. Notwithstanding subsection 1, and in
3 4 addition to the reduction applicable pursuant to subsection

CODE: Transfers excess Economic Emergency Fund moneys to the General Fund. The amount transferred will be the difference between the total statewide foundation property tax initially calculated for FY 2024 and the total statewide foundation property tax in FY 2024 after the passage of [Senate File 181](#) (Residential Assessment Limitations Act). The Department of Management will determine the amount to be transferred and notify the Legislative Services Agency.

Requires a total equal to the difference between the actual net revenue for the General Fund for the fiscal year and the adjusted revenue estimate less the amount transferred to the General Fund for SF 181 as determined by the DOM to be transferred to the Taxpayer Relief Fund. All remaining funds will be transferred to the General Fund.

CODE: Reduces the FY 2024 State school aid funding to Area Education Agencies (AEAs) by \$22,057,131.

DETAIL: In addition to the \$22,057,131 State aid reduction for FY

3 5 2, the state aid for area education agencies and the portion
 3 6 of the combined district cost calculated for these agencies
 3 7 for the fiscal year beginning July 1, 2023, and ending June
 3 8 30, 2024, shall be reduced by the department of management by
 3 9 twenty-two million fifty-seven thousand one hundred thirty-one
 3 10 dollars. The reduction for each area education agency shall be
 3 11 prorated based on the reduction that the agency received in the
 3 12 fiscal year beginning July 1, 2003.

2024, the AEAs have an annual statutory reduction of \$7,500,000. The State aid reduction to the AEAs will total \$29,557,131 for FY 2024. Funding was reduced by \$24,557,131 in FY 2023.

3 13 Sec. 6. Section 441.21, subsection 5, paragraph e,
 3 14 subparagraph (1), Code 2023, is amended to read as follows:
 3 15 (1) For the fiscal year beginning July 1, 2023, there
 3 16 is appropriated from the general fund of the state to the
 3 17 department of revenue the sum of one hundred twenty-two million
 3 18 three hundred fifty thousand dollars to be used for payments
 3 19 under this paragraph calculated as a result of the assessment
 3 20 limitations imposed under paragraph "b", subparagraph (2),
 3 21 subparagraph division (a), and paragraph "c", subparagraph (2),
 3 22 subparagraph division (a). For each fiscal year beginning on
 3 23 or after July 1, ~~2023~~ 2024, there is appropriated from the
 3 24 general fund of the state to the department of revenue the
 3 25 sum of one hundred twenty-five million dollars to be used
 3 26 for payments under this paragraph calculated as a result
 3 27 of the assessment limitations imposed under paragraph "b",
 3 28 subparagraph (2), subparagraph division (a), and paragraph "c",
 3 29 subparagraph (2), subparagraph division (a).

Appropriates \$122,350,000 to the Department of Revenue for the Business and Property Tax Credit.

DETAIL: This is a standing limited appropriation. Funding appropriated in this Bill reflects a decrease of \$2,650,000 compared to estimated FY 2023.

3 30 Sec. 7. EFFECTIVE DATE. The following, being deemed of
 3 31 immediate importance, takes effect upon enactment:
 3 32 The section of this division of this Act providing for
 3 33 distributions of moneys in excess of the maximum balance of the
 3 34 Iowa economic emergency fund.

Specifies that Section 4 of the Bill, which distributes moneys from the Economic Emergency Fund for FY 2023, takes effect upon enactment.

3 35 DIVISION II
 4 1 CORRECTIVE PROVISIONS
 4 2 CORRECTIONS ASSOCIATED WITH SENATE FILE 514

4 3 Sec. 8. Section 15.342A, subsection 2, Code 2023, as amended
 4 4 by 2023 Iowa Acts, Senate File 514, section 2219, is amended
 4 5 to read as follows:
 4 6 2. For the fiscal year beginning July 1, 2023, and for each
 4 7 fiscal year thereafter, there is annually appropriated from

Adopts corrective provisions related to [SF 514](#) (State Government Alignment Act) in Sections 7 through 33 of the Bill.

DETAIL: This Act was approved by the General Assembly on March 15, 2023, and signed by the Governor on April 4, 2023.

4 8 the workforce development fund account to the apprenticeship
4 9 training program fund created in section ~~15B.3 84D.3~~ three
4 10 million dollars for the purposes of chapter ~~15B 84D~~.
4 11 Sec. 9. Section 15C.1, subsection 3, paragraph b, Code 2023,
4 12 is amended to read as follows:
4 13 b. An apprenticeship sponsor receiving financial assistance
4 14 under chapter ~~15B 84D~~ or section ~~15C.2 84E.2~~ is ineligible for
4 15 financial assistance under this section during the same fiscal
4 16 year.
4 17 Sec. 10. Section 15C.2, subsection 3, paragraph b, Code
4 18 2023, is amended to read as follows:
4 19 b. An apprenticeship sponsor receiving financial assistance
4 20 under chapter ~~15B 84D~~ or section ~~15C.1 84E.1~~ is ineligible to
4 21 receive financial assistance under this section during the same
4 22 fiscal year. An apprenticeship sponsor who trains through
4 23 a lead apprenticeship sponsor that qualifies for financial
4 24 assistance under chapter ~~15B 84D~~ is ineligible to receive
4 25 financial assistance under this section.
4 26 Sec. 11. Section 22.7, subsection 31, Code 2023, is amended
4 27 to read as follows:
4 28 31. Memoranda, work products, and case files of a mediator
4 29 and all other confidential communications in the possession of
4 30 a mediator, as provided in ~~chapters 86 chapter 10A, subchapter~~
4 31 ~~III, and chapter~~ 216. Information in these confidential
4 32 communications is subject to disclosure only as provided in
4 33 sections ~~86.44 10A.332~~ and 216.15B, notwithstanding any other
4 34 contrary provision of this chapter.
4 35 Sec. 12. Section 92.5, subsection 11, Code 2023, is amended
5 1 to read as follows:
5 2 11. Other work approved by the rules adopted pursuant to
5 3 chapter 17A by the ~~labor commissioner~~ director.
5 4 Sec. 13. Section 100D.3, subsection 1, paragraph c, Code
5 5 2023, as amended by 2023 Iowa Acts, Senate File 514, section
5 6 1519, is amended to read as follows:
5 7 c. Has received a passing score on the national inspection,
5 8 testing, and certification star fire sprinkler mastery
5 9 exam or on an equivalent exam from a nationally recognized
5 10 third-party testing agency that is approved by the director,
5 11 or is certified at level one by the national institute for
5 12 certification in engineering technologies and as specified
5 13 by rule by the director, or is certified by another entity

5 14 approved by the ~~fire marshal~~ director.

5 15 Sec. 14. Section 101.22, subsection 4, Code 2023, as amended
5 16 by 2023 Iowa Acts, Senate File 514, section 1534, is amended
5 17 to read as follows:

5 18 4. The registration notice of the owner or operator to the
5 19 director under subsections 1 through 3 shall be accompanied
5 20 by an annual fee of twenty dollars for each tank included in
5 21 the notice. All moneys collected shall be retained by the
5 22 department of inspections, appeals, and licensing and are
5 23 appropriated for the use of the director. The annual renewal
5 24 fee applies to all owners or operators who file a registration
5 25 notice with the ~~state fire marshal~~ director pursuant to
5 26 subsections 1 through 3.

5 27 Sec. 15. Section 101.24, subsection 4, paragraph a, Code
5 28 2023, as amended by 2023 Iowa Acts, Senate File 514, section
5 29 1536, is amended to read as follows:

5 30 a. If the owner or operator of any property refuses
5 31 admittance, or if prior to such refusal the director
5 32 demonstrates the necessity for a warrant, the ~~state fire~~
5 33 ~~marshal~~ director may make application under oath or affirmation
5 34 to the district court of the county in which the property is
5 35 located for the issuance of a search warrant.

6 1 Sec. 16. Section 101A.1, subsection 2A, paragraph c,
6 2 subparagraph (4), as enacted by 2023 Iowa Acts, House File 202,
6 3 section 2, is amended to read as follows:

6 4 (4) Any device the ~~state fire marshal~~ director determines is
6 5 not likely to be used as a weapon or that is an antique.

6 6 Sec. 17. Section 103.14, Code 2023, as amended by 2023
6 7 Iowa Acts, Senate File 514, section 1562, is amended to read
6 8 as follows:

6 9 103.14 ALARM INSTALLATIONS.

6 10 A person who is not licensed pursuant to this chapter may
6 11 plan, lay out, or install electrical wiring, apparatus, and
6 12 equipment for components of alarm systems that operate at
6 13 seventy volt/amps (VA) or less, only if the person is certified
6 14 to conduct such work pursuant to chapter 100C. Installations
6 15 of alarm systems that operate at seventy volt/amps (VA) or less
6 16 are subject to inspection by state inspectors as provided in
6 17 section 103.31, except that reports of such inspections, if
6 18 the installation being inspected was performed by a person
6 19 certified pursuant to chapter 100C, shall be submitted to the

6 20 director and any action taken on a report of an inspection
6 21 of an installation performed by a person certified pursuant
6 22 to chapter 100C shall be taken by or at the direction of the
6 23 ~~state fire marshal~~ director, unless the installation has been
6 24 found to exceed the authority granted to the certificate holder
6 25 pursuant to chapter 100C and therefore to be in violation of
6 26 this chapter.

6 27 Sec. 18. Section 135.11A, subsection 1, Code 2023, as
6 28 amended by 2023 Iowa Acts, Senate File 514, section 1580, is
6 29 amended to read as follows:

6 30 1. Each board under ~~chapters~~ chapter 100C, 103, 103A,
6 31 105, or 147 that ~~are~~ is under the administrative authority
6 32 of the department, except the board of nursing, board of
6 33 medicine, dental board, and board of pharmacy, shall receive
6 34 administrative and clerical support from the department and
6 35 may not employ its own support staff for administrative and
7 1 clerical duties. The executive director of the board of
7 2 nursing, board of medicine, dental board, and board of pharmacy
7 3 shall be appointed pursuant to section 135.11B.

7 4 Sec. 19. Section 135B.34, subsection 7, Code 2023, as
7 5 amended by 2023 Iowa Acts, Senate File 514, section 166, is
7 6 amended to read as follows:

7 7 7. For the purposes of this section, ~~“comprehensive~~
7 8 ~~preliminary background check” and “record check evaluation~~
7 9 ~~system” mean:~~

7 10 a. “Comprehensive preliminary background check” means the
7 11 same as defined in section 135C.1.

7 12 b. “Record check evaluation system” means the same as
7 13 defined in section 135C.1.

7 14 Sec. 20. Section 135R.1, subsection 2, as enacted by 2023
7 15 Iowa Acts, Senate File 75, section 22, is amended to read as
7 16 follows:

7 17 2. “Department” means the department of inspections, ~~and~~
7 18 appeals, and licensing.

7 19 Sec. 21. Section 156.1A, Code 2023, as amended by 2023
7 20 Iowa Acts, Senate File 514, section 1632, is amended to read
7 21 as follows:

7 22 156.1A PROVISION OF SERVICES.

7 23 Nothing contained in this chapter shall be construed
7 24 as prohibiting the operation of any funeral home, funeral
7 25 establishment, or cremation establishment by any person,

7 26 heir, fiduciary, firm, cooperative burial association, or
7 27 corporation. However, each such person, firm, cooperative
7 28 burial association, or corporation shall ensure that all
7 29 mortuary science services are provided by a funeral director,
7 30 and shall keep the ~~towa~~ department of inspections, appeals, and
7 31 licensing advised of the name of the funeral director.

7 32 Sec. 22. Section 249K.2, subsection 6, Code 2023, as amended
7 33 by 2023 Iowa Acts, Senate File 514, section 820, is amended to
7 34 read as follows:

7 35 5. "New construction" means the construction of a new
8 1 nursing facility which does not replace an existing licensed
8 2 and certified facility and requires the provider to obtain a
8 3 certificate of need pursuant to chapter ~~135~~ 10A, subchapter ~~VI~~
8 4 VII.

8 5 Sec. 23. Section 252D.16, subsection 1, as enacted by 2023
8 6 Iowa Acts, Senate File 514, section 882, is amended to read as
8 7 follows:

8 8 1. "Child support services" means the same as child
8 9 ~~supported~~ support services created in section 252B.2.

8 10 Sec. 24. Section 252E.1, subsection 5, as enacted by 2023
8 11 Iowa Acts, Senate File 514, section 895, is amended to read as
8 12 follows:

8 13 5. "Child support services" means child support services
8 14 created in section ~~252B.1~~ 252B.2.

8 15 Sec. 25. Section 256.11, subsection 5A, paragraph a, if
8 16 enacted by 2023 Iowa Acts, Senate File 391, section 14, is
8 17 amended to read as follows:

8 18 a. The board of directors of a school district or the
8 19 authorities in charge of an accredited nonpublic school may
8 20 authorize a teacher who is appropriately licensed by the board
8 21 of educational examiners ~~under chapter 272~~ to teach two or more
8 22 sequential units of one subject area in the same classroom at
8 23 the same time in grades nine through twelve. The board of
8 24 directors of a school district or the authorities in charge
8 25 of an accredited nonpublic school shall award high school
8 26 credit to a student upon the student's successful completion of
8 27 the course. The teacher must meet the minimum certification
8 28 requirements of the national organization that administers the
8 29 advanced placement program if one of the units being offered
8 30 pursuant to this paragraph is an advanced placement course.

8 31 Sec. 26. Section 261G.4, subsection 5, Code 2023, as amended

8 32 by 2023 Iowa Acts, Senate File 514, section 2640, is amended
8 33 to read as follows:

8 34 5. Students attending a participating nonresident
8 35 institution are ineligible for state student financial aid
9 1 programs established under chapter 256, subchapter VII, part 4.

9 2 Sec. 27. Section 303.3B, subsection 3, Code 2023, as amended
9 3 by 2023 Iowa Acts, Senate File 514, section 2087, is amended
9 4 to read as follows:

9 5 3. The authority shall encourage development projects and
9 6 activities located in certified cultural and entertainment
9 7 districts through incentives under cultural grant programs
9 8 pursuant to section ~~303.3~~ 15.436, subchapter II, part 30, and
9 9 any other applicable grant programs.

9 10 Sec. 28. Section 546.10, subsection 3, paragraph a, Code
9 11 2023, as amended by 2023 Iowa Acts, Senate File 514, section
9 12 1704, is amended to read as follows:

9 13 a. The licensing and regulation examining boards included
9 14 in the ~~bureau~~ department pursuant to subsection 1 retain the
9 15 powers granted them pursuant to the chapters in which they are
9 16 created, except for budgetary and personnel matters which shall
9 17 be handled by the director. Each licensing board shall adopt
9 18 rules pursuant to chapter 17A. Decisions by a licensing board
9 19 are final agency actions for purposes of chapter 17A.

9 20 Sec. 29. Section 727.2, subsection 3, paragraph d, as
9 21 enacted by 2023 Iowa Acts, House File 202, section 7, is
9 22 amended to read as follows:

9 23 d. Any retailer or community group offering for sale
9 24 at retail any consumer fireworks shall do so in accordance
9 25 with the national fire protection association standard 1124,
9 26 published in the code for the manufacture, transportation,
9 27 storage, and retail sales of fireworks and pyrotechnic
9 28 articles, 2006 edition, and shall not be subject to any other
9 29 standards or requirements unless provided for by the ~~state fire~~
9 30 ~~marshal~~ director of the department of inspections, appeals, and
9 31 licensing under section ~~100.19~~ 10A.519.

9 32 Sec. 30. 2015 Iowa Acts, chapter 138, section 97, as amended
9 33 by 2023 Iowa Acts, Senate File 514, section 1710, is amended
9 34 to read as follows:

9 35 SEC. 97. RESIDENTIAL SWIMMING POOLS — PRIVATE SWIMMING
10 1 LESSONS. Notwithstanding any provision of law to the contrary,
10 2 the department of inspections, appeals, and licensing shall

10 3 require that a residential swimming pool used for private
10 4 swimming lessons for up to two hundred seven hours in a
10 5 calendar month, or the number of hours prescribed by local
10 6 ordinance applicable to such use of a residential swimming
10 7 pool, whichever is greater, be regulated as a residential
10 8 swimming pool used for commercial purposes pursuant to chapter
10 9 135I. The department of public health inspections, appeals,
10 10 and licensing may adopt rules to implement this section.

10 11 Sec. 31. 2021 Iowa Acts, chapter 45, section 5, is amended
10 12 to read as follows:

10 13 SEC. 5. APPLICABILITY. This Act applies to financial
10 14 assistance provided ~~by the economic development authority~~ to
10 15 apprenticeship sponsors and lead apprenticeship sponsors that
10 16 apply for financial assistance on or after July 1, 2021.

10 17 Sec. 32. 2023 Iowa Acts, Senate File 514, section 2605, is
10 18 amended to read as follows:

10 19 SEC. 2605. APPLICABILITY. This portion of this division
10 20 of this Act applies to individuals appointed as the executive
10 21 director of the board of educational examiners before, on, or
10 22 after the effective date of this division of this Act.

10 23 Sec. 33. 2023 Iowa Acts, Senate File 514, section 2643, is
10 24 amended to read as follows:

10 25 SEC. 2643. APPLICABILITY. This portion of this division
10 26 of this Act applies to individuals appointed as the executive
10 27 director of the college student aid commission before, on, or
10 28 after the effective date of this division of this Act.

10 29 MISCELLANEOUS CORRECTIONS

10 30 Sec. 34. Section 12K.1, subsection 4, paragraph j, if
10 31 enacted by 2023 Iowa Acts, Senate File 418, section 4, is
10 32 amended by striking the paragraph.

Adopts corrective provisions related to [SF 418](#) (IPERS, Chinese Investments Act).

DETAIL: This Act was approved by the General Assembly on April 19, 2023.

10 33 Sec. 35. Section 12K.1, if enacted by 2023 Iowa Acts, Senate
10 34 File 418, section 4, is amended by adding the following new
10 35 subsection:

11 1 NEW SUBSECTION 5. "Public fund" means the treasurer of
11 2 state, the state board of regents, the public safety peace
11 3 officers' retirement system created in chapter 97A, the Iowa

Adopts corrective provisions related to [SF 418](#) (IPERS, Chinese Investments Act).

DETAIL: This Act was approved by the General Assembly on April 19, 2023.

11 4 public employees' retirement system created in chapter 97B, the
 11 5 statewide fire and police retirement system created in chapter
 11 6 411, or the judicial retirement system created in chapter 602.

11 7 Sec. 36. 2023 Iowa Acts, Senate File 418, if enacted, is
 11 8 amended by adding the following new section:
 11 9 NEW SECTION SEC. 9A. Section 35A.13, subsection 4,
 11 10 paragraph a, Code 2023, is amended to read as follows:
 11 11 a. Notwithstanding subsection 5, moneys in the fund, except
 11 12 so much of the fund as may be necessary to be kept on hand
 11 13 for the making of disbursements under this section, shall
 11 14 be invested by the treasurer of state, in consultation with
 11 15 the commission and the public retirement systems committee
 11 16 established by section 97D.4, in any investments authorized for
 11 17 the Iowa public employees' retirement system in section 97B.7A,
 11 18 including common stock, and subject to the requirements of
 11 19 chapters 12F, 12H, ~~and 12J~~, and 12K, and the earnings therefrom
 11 20 shall be credited to the fund. The treasurer of state may
 11 21 execute contracts and agreements with investment advisors,
 11 22 consultants, and investment management and benefit consultant
 11 23 firms in the administration of investments of moneys in the
 11 24 fund.

Adopts corrective provisions related to [SF 418](#) (IPERS, Chinese Investments Act).

DETAIL: This Act was approved by the General Assembly on April 19, 2023.

11 25 Sec. 37. Section 135B.1, subsection 5, as enacted by 2023
 11 26 Iowa Acts, Senate File 75, section 1, is amended to read as
 11 27 follows:
 11 28 5. "Rural emergency hospital" means a facility that provides
 11 29 rural emergency hospital services in the facility twenty-four
 11 30 hours per day, seven days per week; does not provide any acute
 11 31 care inpatient services with the exception of any distinct
 11 32 part of the facility licensed as a skilled nursing facility
 11 33 providing posthospital extended care services; and meets the
 11 34 criteria specified in section ~~135B.1A~~ 135B.3A and the federal
 11 35 Consolidated Appropriations Act, Pub.L.No.116-260, §125.

Adopts corrective provisions related to [SF 75](#) (Rural Emergency Hospitals Act).

DETAIL: This Act was approved by the General Assembly on March 14, 2023, and signed by the Governor on March 28, 2023.

12 1 Sec. 38. Section 135R.3, subsections 1 and 2, as enacted by
 12 2 2023 Iowa Acts, Senate File 75, section 24, are amended to read
 12 3 as follows:
 12 4 1. An applicant for an ambulatory surgical center license
 12 5 shall submit an application to the department. Applications
 12 6 shall be upon such forms and shall include such information
 12 7 as the department may reasonably require, which may include

Adopts corrective provisions related to SF 75 (Rural Emergency Hospitals Act).

DETAIL: This Act was approved by the General Assembly on March 14, 2023, and signed by the Governor on March 28, 2023.

12 8 affirmative evidence of the ability to comply with reasonable
12 9 rules and standards prescribed under this chapter but which
12 10 shall not exceed the requirements for applications required by
12 11 Medicare or an accrediting organization with deeming authority
12 12 authorized by the centers for Medicare and Medicaid services of
12 13 the United States department of health and human services.

12 14 2. An applicant for an initial ambulatory surgical center
12 15 license that has been certified by Medicare or an accrediting
12 16 organization with deeming authority authorized by the centers
12 17 for Medicare and Medicaid services of the United States
12 18 department of health and human services shall be granted an
12 19 initial license.

12 20 Sec. 39. Section 147.164, subsection 2, paragraph a,
12 21 unnumbered paragraph 1, as enacted by 2023 Iowa Acts, Senate
12 22 File 538, section 1, is amended to read as follows:

12 23 Except as otherwise provided in paragraph “c”, a health
12 24 care professional shall not knowingly engage in or cause any
12 25 of the following practices to be performed on a minor if the
12 26 practice is performed for the purpose of attempting to alter
12 27 the appearance of, or affirm the minor’s perception of, the
12 28 minor’s gender or sex, if that appearance or perception is
12 29 inconsistent with the minor’s sex:.

12 30 Sec. 40. Section 476.1A, subsection 6, paragraph c, if
12 31 enacted by 2023 Iowa Acts, House File 599, section 1, is
12 32 amended to read as follows:

12 33 c. “Safety standards” means applicable regulations
12 34 promulgated by the United States occupational safety and health
12 35 administration and by ~~towa occupational safety and health~~
13 1 ~~by the administration~~ the labor commissioner under chapter
13 2 88. Safety standards for electric utilities subject to this
13 3 section also include outage notifications, safety standards
13 4 contained in the national electric safety code, as published
13 5 by the institute of electrical and electronic engineers, inc.,
13 6 and electric safety standards approved by the American national
13 7 standards institute.

13 8 Sec. 41. Section 521J.7, subsection 1, paragraph b,
13 9 subparagraph (1), if enacted by 2023 Iowa Acts, Senate File
13 10 549, section 10, is amended to read as follows:

13 11 (1) Subject to subparagraph (2), the ~~captive’s company~~

Adopts corrective provisions related to [SF 538](#) (Prohibition on Gender Identity Procedures for Minors Act).

DETAIL: This Act was approved by the General Assembly on March 8, 2023, and signed by the Governor on March 22, 2023.

Adopts corrective provisions related to [HF 599](#) (Municipal and Cooperative Utilities, Regulation and Jurisdiction Act).

DETAIL: This act was approved by the General Assembly on April 19, 2023.

Adopts corrective provisions related to [SF 549](#) (Captive Insurance Act).

13 12 captive company's report shall be filed no later than ninety
13 13 calendar days after the close of the company's fiscal year.

DETAIL: This Act was approved by the General Assembly on April 24, 2023.

13 14 Sec. 42. Section 521J.19, subsection 3, unnumbered
13 15 paragraph 1, if enacted by 2023 Iowa Acts, Senate File 549,
13 16 section 22, is amended to read as follows:

Adopts corrective provisions related to [SF 549](#) (Captive Insurance Act).

13 17 Notwithstanding chapter 507C or any other provision to of
13 18 law to the contrary, in the conservation, rehabilitation, or
13 19 liquidation of a protected cell captive company, all of the
13 20 following requirements shall be met:

DETAIL: This Act was approved by the General Assembly on April 24, 2023.

13 21 Sec. 43. Section 533C.305, subsection 4, if enacted by 2023
13 22 Iowa Acts, House File 675, section 14, is amended to read as
13 23 follows:

Adopts corrective provisions related to [HF 675](#) (Money Transmission Modernization Act).

13 24 4. If an applicant avails itself or is otherwise subject
13 25 to a multistate licensing process, the superintendent is
13 26 authorized and encouraged to accept the investigation results
13 27 of a lead investigative state for the purpose of subsection
13 28 3, if the lead investigative state has sufficient staffing,
13 29 expertise, and minimum standards. Additionally, if this
13 30 state is a lead investigative state, the superintendent is
13 31 authorized and encouraged to investigate the applicant pursuant
13 32 to subsection 3, and the time frames established by agreement
13 33 through the multistate licensing process, provided, that in no
13 34 case shall such time frame be noncompliant with the application
13 35 period in subsection 1, ~~paragraph "a"~~.

DETAIL: This Act was approved by the General Assembly on April 26, 2023.

14 1 Sec. 44. Section 533C.804, subsection 1, paragraph m,
14 2 subparagraph (1), subparagraph division (d), if enacted by 2023
14 3 Iowa Acts, House File 675, section 35, is amended to read as
14 4 follows:

Adopts corrective provisions related to [HF 675](#) (Money Transmission Modernization Act).

14 5 (d) Contain an issue date and expiration date, and expressly
14 6 provide for automatic extension, without written amendment,
14 7 for an additional period of one year from the present or each
14 8 future expiration date, unless the issuer of the letter of
14 9 credit notifies the superintendent in writing by certified
14 10 or registered mail or courier mail or other receipted means,
14 11 at least sixty days prior to any expiration date, that the
14 12 irrevocable letter of credit shall not be extended. In the
14 13 event of any notice of expiration or nonextension of a letter

DETAIL: This Act was approved by the General Assembly on April 26, 2023, and signed by the Governor on April 27, 2023.

14 14 of credit issued under this subparagraph division, the licensee
14 15 shall be required to demonstrate to the satisfaction of the
14 16 superintendent, fifteen days prior to expiration, that the
14 17 licensee maintains and will maintain permissible investments
14 18 in accordance with section 533C.803, subsection 1, upon the
14 19 expiration of the letter of credit. If the licensee is not
14 20 able to do so, the superintendent may draw on the letter of
14 21 credit in an amount up to the amount necessary to meet the
14 22 licensee's requirements to maintain permissible investments
14 23 in accordance with section 533C.803, subsection 1. Any
14 24 such draw shall be offset against the licensee's outstanding
14 25 money transmission obligations. The drawn funds shall be
14 26 held in trust by the superintendent or the superintendent's
14 27 designated agent, to the extent authorized by law, as agent for
14 28 the benefit of the purchasers and holders of the licensee's
14 29 outstanding money transmission obligations.

14 30 Sec. 45. Section 544C.1, subsection 1A, if enacted by 2023
14 31 Iowa Acts, Senate File 135, section 1, is amended to read as
14 32 follows:
14 33 NEW SUBSECTION 1A. "Building equipment" means any
14 34 mechanical, plumbing, electrical, or structural components,
14 35 including a conveyance, designed for or located in a building
15 1 or structure.

15 2 Sec. 46. CODE EDITOR DIRECTIVE. If House File 421 and House
15 3 File 652 are both enacted by the first session of the 90th
15 4 General Assembly, the Code editor shall change the term "barber
15 5 school or school of cosmetology arts and sciences" to "school
15 6 of barbering and cosmetology arts and sciences" wherever the
15 7 term is enacted in House File 421.

15 8 Sec. 47. EFFECTIVE DATE. The following, being deemed of
15 9 immediate importance, take effect upon enactment:
15 10 1. The section of this division of this Act amending section
15 11 135B.1, subsection 5.
15 12 2. The section of this division of this Act amending section
15 13 147.164, subsection 2, paragraph "a", unnumbered paragraph 1.

Adopts corrective provisions related to [SF 135](#) (Interior Designers Act).

DETAIL: This Act was approved by the General Assembly on April 3, 2023, and signed by the Governor on April 27, 2023.

Directs the Iowa Code Editor to change "barber school or school of cosmetology arts and sciences" to "school of barbering and cosmetology arts and sciences."

Specifies that Sections 37 and 39 of the Bill take effect upon enactment.

DETAIL: Enactment dates are as follows:

- [Senate File 75](#) (Rural Emergency Hospitals Act) was approved by the General Assembly on March 14, 2023, and signed by the Governor on March 28, 2023.
- [Senate File 538](#) (Prohibition on Gender Identity Procedures for Minors Act) was approved by the General Assembly on March

8, 2023, and signed by the Governor on March 22, 2023.

15 14 Sec. 48. RETROACTIVE APPLICABILITY. The following applies
15 15 retroactively to March 28, 2023:
15 16 The section of this division of this Act amending section
15 17 135B.1, subsection 5.

Specifies Section 37 of this Bill amending SF 75 (Rural Emergency Hospitals Act) applies retroactively to March 28, 2023.

15 18 Sec. 49. APPLICABILITY. The following applies one hundred
15 19 eighty days after March 22, 2023:
15 20 The section of this division of this Act amending section
15 21 147.164, subsection 2, paragraph "a", unnumbered paragraph 1.

Specifies that Section 39 of this Bill amending SF 538 (Prohibition on Gender Identity Procedures for Minors Act) is applicable 180 days after March 22, 2023.

Unassigned Standings - Draft

General Fund

	Actual FY 2022 (1)	Estimated FY 2023 (2)	Current Law (3)	FY 2024 Senate Approp FY 2024 (4)	Net Total (5)
<u>Administrative Services, Department of</u>					
State Accounting Trust Accounts					
Federal Cash Management - Standing	\$ 33,942	\$ 54,182	\$ 54,182	\$ 0	\$ 54,182
Unemployment Compensation - Standing	325,332	421,655	421,655	0	421,655
Total Administrative Services, Department of	\$ 359,274	\$ 475,837	\$ 475,837	\$ 0	\$ 475,837
<u>Education, Department of</u>					
Education, Dept. of					
State Foundation School Aid	\$ 3,407,942,706	\$ 3,568,620,773	\$ 3,712,717,174	\$ -22,057,131	\$ 3,690,660,043
Nonpublic School Transportation	8,997,091	8,997,091	13,274,505	-4,277,414	8,997,091
Instructional Support	0	0	14,800,000	-14,800,000	0
Sac and Fox Settlement Education	100,000	100,000	100,000	0	100,000
Education Savings Accounts - Standing	0	0	107,409,180	0	107,409,180
Charter Schools - Standing	0	3,200,000	3,200,000	0	3,200,000
Total Education, Department of	\$ 3,417,039,797	\$ 3,580,917,864	\$ 3,851,500,859	\$ -41,134,545	\$ 3,810,366,314
<u>Executive Council</u>					
Executive Council					
Court Costs	\$ 780,627	\$ 56,455	\$ 56,455	\$ 0	\$ 56,455
Public Improvements	0	9,575	9,575	0	9,575
Drainage Assessment	212,308	19,367	19,367	0	19,367
Total Executive Council	\$ 992,935	\$ 85,397	\$ 85,397	\$ 0	\$ 85,397
<u>Legislative Branch</u>					
Legislative Branch					
Legislative Branch	\$ 35,295,568	\$ 38,000,000	\$ 38,500,000	\$ 0	\$ 38,500,000
Total Legislative Branch	\$ 35,295,568	\$ 38,000,000	\$ 38,500,000	\$ 0	\$ 38,500,000
<u>Human Services, Department of</u>					
Assistance					
Rent Reimbursement	\$ 0	\$ 13,320,000	\$ 13,320,000	\$ 0	\$ 13,320,000
MHDS Regional Services Fund	50,039,410	121,234,022	127,723,160	0	127,723,160
MHDS Regions Incentive Fund	3,000,000	0	0	0	0
Total Human Services, Department of	\$ 53,039,410	\$ 134,554,022	\$ 141,043,160	\$ 0	\$ 141,043,160

Unassigned Standings - Draft

General Fund

	Actual FY 2022 (1)	Estimated FY 2023 (2)	Current Law (3)	Senate Approp FY 2024 (4)	Net Total (5)
<u>Management, Department of</u>					
Management, Dept. of					
Technology Reinvestment Fund	\$ 17,700,000	\$ 0	\$ 0	\$ 0	\$ 0
State Appeal Board Claims	21,521,768	4,501,794	4,501,794	0	4,501,794
Special Olympics Fund	100,000	100,000	100,000	0	100,000
Transportation Equity Fund	27,457,960	29,456,377	30,340,068	0	30,340,068
Total Management, Department of	\$ 66,779,728	\$ 34,058,171	\$ 34,941,862	\$ 0	\$ 34,941,862
<u>Public Defense, Department of</u>					
Public Defense, Dept. of					
Compensation and Expense	\$ 108,294	\$ 342,556	\$ 342,556	\$ 0	\$ 342,556
Total Public Defense, Department of	\$ 108,294	\$ 342,556	\$ 342,556	\$ 0	\$ 342,556
<u>Public Safety, Department of</u>					
Public Safety, Dept. of					
DPS - POR Unfunded Liabilities	\$ 5,000,000	\$ 5,000,000	\$ 5,000,000	\$ 0	\$ 5,000,000
Total Public Safety, Department of	\$ 5,000,000	\$ 5,000,000	\$ 5,000,000	\$ 0	\$ 5,000,000
<u>Revenue, Department of</u>					
Revenue, Dept. of					
Homestead Tax Credit Aid - GF	\$ 143,980,917	\$ 146,740,000	\$ 146,226,904	\$ 0	\$ 146,226,904
Elderly & Disabled Tax Credit	16,084,980	4,500,000	4,327,772	0	4,327,772
Ag Land Tax Credit - GF	39,099,697	39,100,000	39,100,000	0	39,100,000
Military Service Tax Exemption	1,626,940	1,580,000	1,580,000	0	1,580,000
Comm & Industrial Prop Tax Replacement	152,029,314	79,019,211	64,873,759	0	64,873,759
Business Property Tax Credit	125,000,000	125,000,000	125,000,000	-2,650,000	122,350,000
Total Revenue, Department of	\$ 477,821,847	\$ 395,939,211	\$ 381,108,435	\$ -2,650,000	\$ 378,458,435
Total Unassigned Standings	\$ 4,056,436,852	\$ 4,189,373,058	\$ 4,452,998,106	\$ -43,784,545	\$ 4,409,213,561