

**Department of Management, Records,
Funds, and Contracts Bill
House File 1028**

*As amended by House amendment S-5152
(Strike everything after the enacting clause)*

Last Action:
House Floor Second
April 1, 2026

**An Act relating to matters under the purview of the Department of Management,
and including effective date and applicability provisions.**

**Fiscal Services Division
Legislative Services Agency**

NOTES ON BILLS AND AMENDMENTS (NOBA)

Available online at www.legis.iowa.gov/publications/information/appropriationBillAnalysis

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FUNDING SUMMARY

Directs appropriated moneys in the Technology Reinvestment Fund (TRF) to the Department of Management (DOM) beginning in FY 2028 to be used for the implementation of State information technology projects and requires the DOM to prioritize projects based on criteria enumerated in the Bill. Page 2, Line 12

Repeals the \$17.5 million standing appropriation to the TRF found in Iowa Code section [8.57C](#) beginning in FY 2027. Page 2, Line 29

NEW PROGRAMS, SERVICES, OR ACTIVITIES

Provides a list of prohibited terms for a contract entered into by the DOM or a supported entity. Inclusion of the prohibited terms voids those provisions of the contract. Page 5, Line 21

Requires certain provisions to be included in a contract entered into by the DOM or a supported entity. Page 7, Line 24

Allows the Director of the DOM to include contractual limitations of vendor liability in information technology goods and services contracts. Page 8, Line 28

Requires all communication between the Chief Information Security Officer and other entities concerning security issues to be confidential, except under specified circumstances. Page 9, Line 17

Authorizes the DOM to maintain an integrated information system for data sharing that enables automated data sharing among the Executive Branch, the Judicial Branch, and local agencies. Page 10, Line 19

Designates the DOM as the Iowa statistical analysis center for the purpose of coordinating with data resource agencies to provide data and analytical information to federal, State, and local agencies. Allows the DOM to have access to criminal justice information, except that of intelligence data and peace officer investigation reports maintained by the Department of Public Safety (DPS). Page 10, Line 23

Allows the DOM to provide data analysis and reporting on issues that may affect the State's correctional population. Page 11, Line 29

Allows the DOM to maintain a multiagency information system to track the progress of juveniles and adults who have been charged with a criminal offense. Page 12, Line 2

EXECUTIVE SUMMARY

S5152

DEPARTMENT OF MANAGEMENT, RECORDS, FUNDS, AND CONTRACTS BILL - AS AMENDED

Allows the DOM to count and track decision points for persons in the juvenile justice system, the welfare system, and the court system.	Page 12, Line 15
Specifies the DOM is not the lawful custodian of records that the DOM maintains for another department or establishment.	Page 12, Line 28
Requires the DOM to deny a request for records for which the DOM has determined it is not the lawful custodian.	Page 13, Line 6
Requires the DOM to provide assistance to the lawful custodian of records to comply with production obligations of Iowa Code chapter 22 .	Page 13, Line 14
Requires the DOM to notify the lawful custodian and the Attorney General's Office if the DOM receives a subpoena for records for which the DOM is not the lawful custodian and to cooperate in any efforts to resist the associated subpoena.	Page 13, Line 18

STUDIES AND INTENT

Intent

Allows the DOM to determine which authorized tasks of the Iowa statistical analysis center to perform if the DOM lacks sufficient moneys or resources to implement the specified tasks.	Page 12, Line 24
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Nonreversion

Requires any unencumbered moneys in the TRF to remain available for expenditure until the close of the fiscal year that ends two years after the end of the fiscal year that the appropriation was made. Interest or earnings on moneys in the TRF are credited to the TRF.	Page 4, Line 3
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Required Report

Requires the DOM to report to the General Assembly the status of all projects funded from the TRF by January 15 of each year.	Page 4, Line 11
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SIGNIFICANT CODE CHANGES

The sum of an interdepartmental transfer in a fiscal year to an appropriation that is not an entitlement appropriation cannot exceed 100.0% of the moneys of the appropriation as enacted by the General Assembly.	Page 1, Line 11
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DEPARTMENT OF MANAGEMENT, RECORDS, FUNDS, AND CONTRACTS BILL - AS AMENDED

- Defines "appropriation in excess of its need." The definition prohibits appropriations of unspecified dollar amounts from being considered appropriations in excess of needs, therefore restricting the use of such appropriations for interdepartmental transfers. Page 1, Line 33
- Increases the frequency with which a staff member of the DOM is subject to a national criminal history check from once every 10 years to once every 5 years. Page 4, Line 24
- Eliminates the following sections from the provisions of Iowa Code section [216A.131A](#): Page 13, Line 23
- Iowa Code section [216A.136](#) (Statistical analysis center — access to records).
 - Iowa Code section [216A.137](#) (Correctional policy project).
 - Iowa Code section [216A.138](#) (Multiagency database concerning juveniles).
- Removes requirements for the Department of Health and Human Services (HHS) to do the following: Page 13, Line 29
- Provide the General Assembly with an analysis of current and proposed criminal code provisions.
 - Provide for a clearinghouse of justice system information to coordinate with data resource agencies and assist others in the use of justice system data.
 - Coordinate with data resource agencies to provide data and analytical information to federal, State, and local governments, and assist agencies in the use of criminal justice data.
 - Provide technical assistance upon request to State and local agencies.
 - Review data supplied by the HHS, the DOM, the Legislative Services Agency, the Iowa Supreme Court, and other departments or agencies for the purpose of determining the effectiveness and efficiency of the collection of such data.
- Removes the requirement that the HHS provide to the General Assembly analysis and recommendations based on the following factors: Page 13, Line 31
- Potential disparity in sentencing.
 - Costs associated with the implementation of criminal code provisions.
- Includes the DOM in the list of agencies to which the HHS is required to provide expertise and advice regarding formulating fiscal, correctional, and minority impact statements. Page 13, Line 34
- Removes the requirement that the HHS include a collection of criminal and juvenile justice data in its three-year criminal and juvenile justice plan. Page 14, Line 6
- Repeals the following Iowa Code sections: Page 14, Line 28
- Statistical analysis center — access to records pursuant to Iowa Code section [216A.136](#).
 - Correctional policy project pursuant to Iowa Code section [216A.137](#).

EXECUTIVE SUMMARY

S5152

DEPARTMENT OF MANAGEMENT, RECORDS, FUNDS, AND CONTRACTS BILL - AS AMENDED

- Multiagency database concerning juveniles pursuant to Iowa Code section [216A.138](#).

EFFECTIVE DATE

Specifies that Section 1 of the Bill appropriating moneys in the TRF to the DOM for technology projects and relating to the required report from the DOM to the General Assembly takes effect July 1, 2027 (FY 2028).

Page 14, Line 30

Specifies that certain sections of the Bill apply to contracts entered into or renewed on or after July 1, 2026 (FY 2027).

Page 14, Line 34

House File 5152 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section
1	2	1	Amend	8.39.2,3
1	2	2	Amend	8.57C.2,3,4
1	2	3	Amend	8.78
1	2	4	New	8.94
1	2	5	New	8.95
1	2	6	New	8.96
1	2	7	New	8.97
1	2	8	New	8.98
1	2	9	New	8.99
1	2	10	Amend	216A.131A
1	2	11	Strike	216A.133.1.d,e,f,l,t
1	2	12	Strike	216A.133.1.q.(1),(6)
1	2	13	Amend	216A.133.1.s
1	2	14	Strike	216A.135.2.e
1	2	15	Amend	232.147.2.i
1	2	16	Amend	232.147.3.n
1	2	17	Amend	232.147.4.i
1	2	18	Amend	232.149.5.f
1	2	19	Amend	232.149A.3.m
1	2	20	Repeal	216A.136; 216A.137; 216A.138
1	9	1	Amend	8.39.2,3
2	12	2	Amend	8.57C.2,3,4
4	24	3	Amend	8.78
5	21	4	New	8.94
7	24	5	New	8.95
8	28	6	New	8.96
9	17	7	New	8.97
10	19	8	New	8.98
12	28	9	New	8.99
13	23	10	Amend	216A.131A
13	29	11	Strike	216A.133.1.d,e,f,l,t
13	31	12	Strike	216A.133.1.q.(1),(6)
13	34	13	Amend	216A.133.1.s
14	6	14	Strike	216A.135.2.e
14	8	15	Amend	232.147.2.i
14	12	16	Amend	232.147.3.n
14	16	17	Amend	232.147.4.i
14	20	18	Amend	232.149.5.f
14	24	19	Amend	232.149A.3.m
14	28	20	Repeal	216A.136; 216A.137; 216A.138

S5152 House Amendment to Senate Amendment to

1 1 Amend the Senate amendment, H-1343, to House File 1028, as
1 2 amended, passed, and reprinted by the House, as follows:

1 3 #1. By striking page 1, line 1, through page 14, line 3, and
1 4 inserting:

1 5 Amend House File 1028, as amended, passed, and reprinted by
1 6 the House, as follows:

1 7 #1. By striking everything after the enacting clause and
1 8 inserting:

1 9 #1. Section 8.39, subsection 2, Code 2026, is
1 10 amended to read as follows:

1 11 2. If the appropriation of a department, institution,
1 12 or agency is insufficient to properly meet the legitimate
1 13 expenses of the department, institution, or agency, the
1 14 director of the department of management, with the approval
1 15 of the governor, may make an interdepartmental transfer from
1 16 any other department, institution, or agency of the state
1 17 having an appropriation in excess of its needs, of sufficient
1 18 ~~fun~~ moneys to meet that deficiency. Such transfer shall
1 19 be to an appropriation made from the same funding source and
1 20 within the same fiscal year. The amount of a transfer made
1 21 from an appropriation under this subsection shall be limited
1 22 to not more than one-tenth of one percent of the total of all
1 23 appropriations made from the funding source of the transferred
1 24 appropriation for the fiscal year in which the transfer is
1 25 made. An interdepartmental transfer to an appropriation which
1 26 is not an entitlement appropriation is not authorized when
1 27 the general assembly is in regular session and, in addition,
1 28 the sum of interdepartmental transfers in a fiscal year to
1 29 an appropriation which is not an entitlement appropriation
1 30 shall not exceed fifty one hundred percent of the amount of
1 31 the appropriation as enacted by the general assembly. For the
1 32 purposes of this subsection, ~~an entitlement appropriation is:~~

1 33 a. "Appropriation in excess of its needs" means the
1 34 amount appropriated by the general assembly for a purpose is
1 35 determined by the department, institution, or agency receiving
2 1 the appropriation to be more than the amount necessary to carry
2 2 out that purpose. An appropriation for an unspecified dollar
2 3 amount, whether the appropriation is limited to be sufficient

CODE: The sum of an interdepartmental transfer in a fiscal year to an appropriation that is not an entitlement appropriation cannot exceed 100.0% of the moneys of the appropriation as enacted by the General Assembly.

CODE: Defines "appropriation in excess of its need."

DETAIL: Prohibits appropriations of unspecified dollar amounts from being considered appropriations in excess of needs, therefore restricting the use of such appropriations for interdepartmental transfers.

2 4 to carry out a particular purpose or is unlimited, shall not
 2 5 be considered an appropriation in excess of a department's,
 2 6 institution's, or agency's needs.

2 7 b. "Entitlement appropriation" means a line item
 2 8 appropriation to the state public defender for indigent defense
 2 9 or to the department of health and human services for foster
 2 10 care, state supplementary assistance, medical assistance, or
 2 11 for the family investment program.

2 12 #2. Section 8.57C, subsections 2, 3, and 4, Code 2026,
 2 13 are amended to read as follows:
 2 14 2. Moneys in the fund in a fiscal year shall be used as
 2 15 appropriated by the general assembly for the acquisition
 2 16 of computer hardware and software, software development,
 2 17 telecommunications equipment, and maintenance and lease
 2 18 agreements associated with technology components and for the
 2 19 purchase of equipment intended to provide an uninterruptible
 2 20 power supply to the department of management to provide
 2 21 a stable funding source for implementation costs of state
 2 22 information technology projects that enhance the state's
 2 23 technology infrastructure, improve government services,
 2 24 and promote innovation and economic development, including
 2 25 but not limited to new information technology projects
 2 26 and infrastructure replacement efforts of a department or
 2 27 establishment, while protecting the privacy of residents of
 2 28 this state.

2 29 ~~—3.—a.—There is appropriated from the general fund of the~~
 2 30 ~~state to the technology reinvestment fund for the fiscal year~~
 2 31 ~~beginning July 1, 2026, and for each fiscal year thereafter,~~
 2 32 ~~the sum of seventeen million five hundred thousand dollars.~~

2 33 ~~—b.—There is appropriated from the rebuild Iowa~~
 2 34 ~~infrastructure fund for the fiscal year beginning July 1, 2025,~~
 2 35 ~~and ending June 30, 2026, the sum of eighteen million two~~
 3 1 ~~hundred sixty-nine thousand two hundred seventeen dollars to~~
 3 2 ~~the technology reinvestment fund, notwithstanding section 8.57,~~

CODE: Technical change.

CODE: Directs appropriated moneys in the Technology Reinvestment Fund (TRF) to the Department of Management (DOM) to be used for the implementation of State information technology projects.

DETAIL: Currently, the General Assembly appropriates moneys from the TRF to various State agencies for technology projects in the annual Infrastructure Appropriations Bill.

By statute, \$17,500,000 is appropriated from the General Fund to the TRF pursuant to Iowa Code section [8.57C\(3\)](#). However, the General Assembly has instead appropriated money from the Rebuild Iowa Infrastructure Fund (RIIF) for this purpose. The General Assembly appropriated the following amounts:

- Actual FY 2024 = \$18,390,000
- Actual FY 2025 = \$21,131,873
- Estimated FY 2026 = \$18,269,217

CODE: Repeals the \$17,500,000 standing appropriation to the TRF beginning in FY 2027.

CODE: Removes Iowa Code language related to the FY 2026 RIIF appropriation to the TRF.

3 3 subsection 3, paragraph "c".

3 4 3. a. The department of management shall prioritize
 3 5 proposed projects based on all of the following considerations:

3 6 (1) Whether the project aligns with the state's strategic
 3 7 priorities.

3 8 (2) Whether the project promotes or introduces new
 3 9 technology or significantly improves an existing system.

3 10 (3) Whether the project is feasible and whether the
 3 11 department or establishment has established readiness for the
 3 12 project to proceed, including a clear assessment of timelines,
 3 13 budgets, and measurable outcomes.

3 14 (4) Whether the project includes a clear change management
 3 15 strategy to support user adoption and aligns with lean
 3 16 enterprise principles to maximize value, minimize waste, and
 3 17 ensure continuous improvement.

3 18 (5) Whether the project provides a positive return on
 3 19 investment, considering both financial returns and nonfinancial
 3 20 benefits such as improved public safety, education, or health
 3 21 care.

3 22 (6) Whether the project results in infrastructure that is
 3 23 scalable across the state enterprise.

3 24 (7) Whether the department or establishment has identified
 3 25 how the completed project will be sustained beyond the initial
 3 26 funding period.

3 27 (8) Whether the project improves access to governmental
 3 28 services, particularly in rural communities.

3 29 (9) Whether the project involves an infrastructure project
 3 30 as opposed to maintenance or standard upgrades of existing
 3 31 technology.

3 32 b. The department of management shall provide a prioritized
 3 33 list of proposed projects for funding to the governor, who
 3 34 shall use the list in developing a budgetary recommendation
 3 35 for the general assembly pursuant to section 8.21 for the
 4 1 fiscal year beginning July 1, 2027, and for each fiscal year
 4 2 thereafter.

4 3 c. Notwithstanding section 8.33, moneys in the technology
 4 4 reinvestment fund that remain unencumbered or unobligated at
 4 5 the close of a fiscal year shall not revert but shall remain
 4 6 available for expenditure for the purposes designated until

CODE: Requires the DOM to prioritize projects based on enumerated criteria in this subsection.

CODE: Requires the DOM to provide a prioritized list of proposed projects for funding from the TRF to the Governor to develop budgetary recommendations to the General Assembly for FY 2028 and each fiscal year thereafter.

CODE: Requires any unencumbered moneys in the TRF to remain available for expenditure until the close of the fiscal year that ends two years after the end of the fiscal year that

4 7 the close of the fiscal year that ends two years after the
 4 8 end of the fiscal year for which the appropriation was made.
 4 9 Notwithstanding section 12C.7, subsection 2, interest or
 4 10 earnings on moneys in the fund shall be credited to the fund.

the appropriation was made. Interest or earnings on moneys in the TRF are credited to the TRF.

DETAIL: Currently in the annual Infrastructure Appropriations Bill, TRF-funded projects have three years to expend the moneys before reversion.

4 11 ~~4.—Annually, on~~ On or before January 15 of each year, a
 4 12 ~~state agency that received an appropriation from this fund~~
 4 13 the department of management shall report to the legislative
 4 14 ~~services agency and the department of management general~~
 4 15 assembly the status of all projects funded under this section
 4 16 that have been completed since the previous report was
 4 17 submitted or that are in progress. The report shall ~~must~~
 4 18 include a description of the project, the progress of work
 4 19 completed, the total estimated cost of the project, a list of
 4 20 all revenue sources being used to fund the project, the amount
 4 21 of ~~funds~~ moneys expended, the amount of ~~funds~~ moneys obligated,
 4 22 and the date the project was completed or an estimated
 4 23 completion date of the project, where applicable.

CODE: Requires the DOM to report to the General Assembly the status of all projects funded from the TRF by January 15 of each year.

DETAIL: The report will include a description of the project, the progress of the work completed, the total estimated cost of the project, the amount of moneys expended, the amount of moneys obligated, and the date the project is to be completed.

4 24 ~~#3.~~ Section 8.78, Code 2026, is amended to read as
 4 25 follows:
 4 26 8.78 BACKGROUND CHECKS.
 4 27 An applicant for employment with the department, or
 4 28 an applicant for employment with a supported entity for a
 4 29 position as information technology staff, may be subject to a
 4 30 background investigation by the department. The background
 4 31 investigation may include, without limitation, a work history,
 4 32 financial review, request for criminal history data, and
 4 33 national criminal history check through the federal bureau of
 4 34 investigation. In addition, a contractor, vendor, employee, or
 4 35 any other individual performing work for the department, or an
 5 1 individual on the information technology staff of a supported
 5 2 entity, may be subject to a national criminal history check
 5 3 through the federal bureau of investigation at least once
 5 4 every ~~ten~~ five years, including, without limitation, any time
 5 5 the department or supported entity has reason to believe an
 5 6 individual has been convicted of a crime. The department may
 5 7 request the national criminal history check and, if requested,
 5 8 shall provide the individual's fingerprints to the department
 5 9 of public safety for submission through the state criminal

CODE: Increases the frequency with which a staff member of the DOM is subject to a national criminal history check from once every 10 years to once every 5 years.

5 10 history repository to the federal bureau of investigation.
5 11 The individual shall authorize release of the results of the
5 12 national criminal history check to the department and the
5 13 applicable supported entity. The department shall pay the
5 14 actual cost of the fingerprinting and national criminal history
5 15 check, if any, unless otherwise agreed as part of a contract
5 16 between the department or supported entity and a vendor or
5 17 contractor performing work for the department or supported
5 18 entity. The results of a criminal history check conducted
5 19 pursuant to this section shall not be considered a public
5 20 record under chapter 22.

5 21 #4. NEW SECTION 8.94 CONTRACTS — PROHIBITED TERMS.

5 22 Provisions included in a contract entered into pursuant to
5 23 this subchapter that impose terms or conditions prohibited by
5 24 this section are void as contrary to public policy. Such a
5 25 contract shall be interpreted and enforced as if the contract
5 26 did not include the prohibited terms or conditions. Prohibited
5 27 terms and conditions include all of the following:

5 28 1. A provision requiring the department or a supported
5 29 entity to defend, indemnify, hold harmless another person, or
5 30 otherwise assume the debt or liability of another person in
5 31 violation of Article VII, section 1, of the Constitution of the
5 32 State of Iowa.

5 33 2. A provision that seeks to impose a term that is unknown
5 34 to the department or supported entity at the time of signing
5 35 the contract or that can be unilaterally changed by an entity
6 1 other than the department or a supported entity.

6 2 3. A provision that violates chapter 13 by not allowing
6 3 the department or a supported entity to participate in its own
6 4 defense through representation by the attorney general.

6 5 4. A provision that grants to a person other than the
6 6 attorney general the authority to convey to a court or litigant
6 7 the state's consent to any settlement of a suit involving the
6 8 contract when such settlement could impose liability on the
6 9 state.

6 10 5. A provision that specifies that the contract is governed
6 11 by the laws of a foreign state or nation.

6 12 6. A provision that claims blanket confidentiality of the
6 13 contract's terms.

6 14 7. A provision that claims that payment terms, including but
6 15 not limited to cost proposals or other pricing information, of

CODE: Provides prohibited terms for a contract entered into by the DOM or a supported entity. Inclusion of the prohibited terms voids those provisions of the contract.

6 16 the contract are confidential.

6 17 8. A provision that authorizes or requires a venue for
6 18 litigation other than an appropriate state or federal court
6 19 sitting in Iowa.

6 20 9. A provision that requires the department or a supported
6 21 entity to pay attorney fees, court costs, or other litigation
6 22 expenses in the event of a contractual dispute.

6 23 10. A provision that imposes on the department or a
6 24 supported entity binding arbitration or any other binding
6 25 extrajudicial dispute resolution process in which the final
6 26 resolution is not determined by the state.

6 27 11. A provision that waives the department's or a supported
6 28 entity's right to a jury trial.

6 29 12. A provision that obligates the department or a supported
6 30 entity to pay late payment charges not consistent with section
6 31 8A.514, interest greater than allowed under section 8A.514 or
6 32 other applicable law, or any cancellation charges, as such
6 33 charges constitute pledges of the state's credit.

6 34 13. A provision that obligates the department or a supported
6 35 entity to pay a tax.

7 1 14. A provision that imposes a prior notice obligation
7 2 on the department or a supported entity as a condition for
7 3 the automatic renewal of a software license. The department
7 4 or a supported entity may provide notice of its intent to
7 5 terminate a software license at any time before the renewal
7 6 date established in the contract.

7 7 15. A provision that obligates the department or a supported
7 8 entity to accept risk of loss before the receipt of items or
7 9 goods.

7 10 16. A provision that obligates the department or a supported
7 11 entity to have commercial insurance.

7 12 17. A provision that obligates the department or a supported
7 13 entity to grant to a nongovernmental entity full or partial
7 14 ownership of intellectual property developed pursuant to the
7 15 contract when the intellectual property is developed in whole
7 16 or in part using federal funding.

7 17 18. A provision that limits the time in which the department
7 18 or a supported entity may bring a legal claim under the
7 19 contract to a period shorter than that provided in Iowa law.

7 20 19. A boilerplate provision included in transactional
7 21 documents received by the department or a supported entity that
7 22 seeks to alter the terms of the contract or to impose new terms

7 23 in the contract.

7 24 #5. NEW SECTION 8.95 CONTRACTS — REQUIRED TERMS.

7 25 All of the following provisions shall be deemed to be
7 26 included in a contract entered into by the department or a
7 27 supported entity under this subchapter:

7 28 1. GOVERNING LAW. The contract shall be governed by
7 29 the laws of the state of Iowa, without giving effect to any
7 30 conflicts of law principles of Iowa law that may require the
7 31 application of another jurisdiction's law.

7 32 2. VENUE. Any litigation commenced in connection with the
7 33 contract shall be brought and maintained in an appropriate
7 34 state or federal court sitting in Iowa.

7 35 3. STATE DATA. "State data" means all data, records,
8 1 information, or content, in any form, that is provided by a
8 2 state governmental entity to a vendor or that is collected,
8 3 generated, or otherwise obtained by the vendor in the course of
8 4 providing a good or service to the state governmental entity.

8 5 "State data" does not include aggregated or deidentified data
8 6 collected by the vendor and used exclusively for the vendor's
8 7 internal purposes directly related to evaluating or improving
8 8 system performance, ensuring reliability, evaluating product
8 9 functionality, conducting system analytics, projecting needs
8 10 through capacity planning, ensuring license compliance, or
8 11 evaluating security. State data shall at all times remain the
8 12 sole and exclusive property of the state, and the vendor shall
8 13 use state data only as necessary to provide the contracted
8 14 services to the state. Upon request, the vendor shall provide
8 15 the state, at no cost, a current copy of all state data in a
8 16 commercially reasonable and state-acceptable digital format
8 17 that enables the state to readily use, transfer, or migrate
8 18 the state data. Except to the extent retention of state data
8 19 is required by law, grant, or other governmental requirement,
8 20 the vendor shall, after confirming that the state has received
8 21 a copy of the state data, permanently delete all state data
8 22 within a commercially reasonable period of time after the
8 23 conclusion or termination of the contract. At all times,
8 24 including any post-contract period in which state data is
8 25 retained due to record retention obligations, the vendor shall
8 26 protect state data in accordance with current state data
8 27 protection policies.

CODE: Requires certain provisions to be included in a contract entered into by the DOM or a supported entity.

- The contract will be governed by the laws of the State of Iowa without giving effect to any conflicts of law principles of Iowa law that may require application of another jurisdiction's law.
- Any litigation will be brought and maintained in an appropriate State or federal court setting in Iowa.
- Defines State data for the purpose of State contracts.

8 28 #6. NEW SECTION 8.96 CONTRACTS — LIMITATION OF
8 29 LIABILITY — PROHIBITED TERMS.

8 30 Notwithstanding section 8A.311, subsection 22, and rules
8 31 adopted pursuant to that subsection, the director may include
8 32 a contractual limitation of vendor liability in information
8 33 technology goods and services contracts. A contractual
8 34 limitation of vendor liability must take into consideration the
8 35 public interest and the mitigation of risks associated with the
9 1 use of information technology goods or services. Any portion
9 2 of a contractual limitation of vendor liability that includes
9 3 a repudiation of all liability for cybersecurity incidents or
9 4 a limitation on the vendor's liability for intentional torts,
9 5 criminal acts, fraudulent conduct, intentional or willful
9 6 misconduct, gross negligence, death, bodily injury, damage to
9 7 real or personal property, intellectual property violations,
9 8 liquidated damages, compliance with applicable laws, violations
9 9 of confidential information obligations, or contractual
9 10 obligations of the vendor pertaining to indemnification shall
9 11 be void as a matter of law as contrary to public policy. A
9 12 contractual limit of vendor liability that does not apply
9 13 equally to the contracted parties or that limits a vendor's
9 14 liability to less than the contract value inclusive of all
9 15 possible extensions is void as a matter of law as contrary to
9 16 public policy.

CODE: Allows the Director of the DOM to include contractual limitations of vendor liability in information technology goods and services contracts.

9 17 #7. NEW SECTION 8.97 CONFIDENTIALITY OF COMMUNICATIONS
9 18 WITH CHIEF INFORMATION SECURITY OFFICER.

9 19 In the interest of facilitating communication between
9 20 the chief information security officer and other entities
9 21 concerning security incidents and security breaches, all such
9 22 communications and any documents generated based in whole or in
9 23 part on such communications are confidential. Notwithstanding
9 24 chapter 22 or any other provision of law to the contrary, the
9 25 department shall not release such communications pursuant to
9 26 state open records laws, and such communications shall not be
9 27 received into evidence, subject to discovery, or otherwise
9 28 used in a trial, hearing, or other proceeding in or before any
9 29 court, regulatory body, or other authority of the state or a
9 30 political subdivision of the state, unless the communications
9 31 are subject to a protective order that prohibits further
9 32 disclosure of such communications and requires any court

CODE: Requires all communication between the Chief Information Security Officer and other entities concerning security issues to be confidential, except for the following purposes:

- Identifying a cybersecurity threat or a security vulnerability and then only to government officials for purposes of addressing the threat.
- Responding to or otherwise preventing or mitigating a specific threat of death, serious bodily harm, or serious economic harm.
- Responding to, investigating, prosecuting, or otherwise preventing or mitigating a serious threat to a minor, including sexual exploitation and threats to physical safety.
- Preventing, investigating, disrupting, or prosecuting an offense under State or federal law.

9 33 filings of such communications to be made under seal. It is
 9 34 the intent of the general assembly that these prohibitions and
 9 35 restrictions also apply to federal courts, regulatory bodies,
 10 1 and other authorities and for purposes of federal open records
 10 2 laws, to the extent allowed by federal law and court rules.
 10 3 The chief information security officer shall not release such
 10 4 communications other than for any of the following purposes:
 10 5 1. Identifying a cybersecurity threat, including the source
 10 6 of the cybersecurity threat, or a security vulnerability, and
 10 7 then only to government officials for purposes of addressing
 10 8 the threat.
 10 9 2. Responding to, or otherwise preventing or mitigating,
 10 10 a specific threat of death, serious bodily harm, or serious
 10 11 economic harm.
 10 12 3. Responding to, investigating, prosecuting, or otherwise
 10 13 preventing or mitigating a serious threat to a minor, including
 10 14 sexual exploitation and threats to physical safety.
 10 15 4. Preventing, investigating, disrupting, or prosecuting an
 10 16 offense under state or federal law.
 10 17 5. Providing a confidential cybersecurity briefing to the
 10 18 governor or a member of the general assembly.

- Providing a confidential cybersecurity briefing to the Governor or a member of the General Assembly.

10 19 #8. NEW SECTION 8.98 CRIMINAL JUSTICE INFORMATION.
 10 20 1. The department is authorized to maintain an integrated
 10 21 information system that enables automated data sharing among
 10 22 the executive branch, judicial branch, and local agencies.

CODE: Authorizes the DOM to maintain an integrated information system for data sharing that enables automated data sharing among the Executive Branch, the Judicial Branch, and local agencies.

10 23 2. The department is designated as the Iowa statistical
 10 24 analysis center for the purpose of coordinating with data
 10 25 resource agencies to provide data and analytical information
 10 26 to federal, state, and local governments. Notwithstanding any
 10 27 other provision of state law to the contrary, unless prohibited
 10 28 by federal law or regulation, the department shall be granted
 10 29 access, for purposes of research and evaluation, to all of
 10 30 the data listed in this subsection, except that intelligence
 10 31 data and peace officer investigative reports maintained
 10 32 by the department of public safety shall not be considered
 10 33 data for the purposes of this section. The department of
 10 34 management and any record, data, or information obtained by the
 10 35 department under this subsection is subject to the federal and
 11 1 state confidentiality laws and rules, including as described
 11 2 in chapter 22, applicable to the original record, data, or

CODE: Designates the DOM as the Iowa statistical analysis center for the purpose of coordinating with data resource agencies to provide data and analytical information to federal, State, and local agencies. Allows the DOM to have access to criminal justice information, except that of intelligence data and peace officer investigation reports maintained by the Department of Public Safety (DPS).

DETAIL: The DOM will have access to the following criminal justice information:

- Juvenile court records under Iowa Code sections [232.147](#) through [232.151](#).
- Child abuse information under Iowa Code sections [235A.15](#) through [235A.19](#).

11 3 information, and to the original custodian of the record,
 11 4 data, or information. Authorized access under this subsection
 11 5 includes but is not limited to all of the following:
 11 6 a. Juvenile court records and all other information
 11 7 maintained under sections 232.147 through 232.151.
 11 8 b. Child abuse information under sections 235A.15 through
 11 9 235A.19.
 11 10 c. Dependent adult abuse records maintained under chapter
 11 11 235B.
 11 12 d. Criminal history data maintained under chapter 692.
 11 13 e. Sex offender registry information maintained under
 11 14 chapter 692A.
 11 15 f. Presentence investigation reports maintained under
 11 16 section 901.4.
 11 17 g. Corrections records maintained under sections 904.601 and
 11 18 904.602.
 11 19 h. Community-based correctional program records maintained
 11 20 under chapter 904.
 11 21 i. Parole records maintained under chapter 906.
 11 22 j. Deferred judgment, deferred or suspended sentence, and
 11 23 probation records maintained under chapter 907.
 11 24 k. Violation of parole or probation records maintained under
 11 25 chapter 908.
 11 26 l. Fine and victim restitution records maintained under
 11 27 chapters 909 and 910.
 11 28 m. Child welfare records maintained under chapter 235.

11 29 3. The department is authorized to provide data analysis and
 11 30 reporting on issues that may affect the state's correctional
 11 31 population and various subgroups of the population. This
 11 32 reporting may include the review of filed, public legislative
 11 33 bills, joint resolutions, and amendments, and compiling
 11 34 criminal justice data for completion of correctional impact
 11 35 statements under section 2.56, minority impact statements, and
 12 1 an annual prison population forecast.

12 2 4. The department is authorized to maintain a multiagency
 12 3 information system to track the progress of juveniles and
 12 4 adults who have been charged with a criminal offense in
 12 5 the court system through various state and local agencies

- Dependent adult abuse records under Iowa Code chapter [235B](#).
- Criminal history data under Iowa Code chapter [692](#).
- Sex offender registry information under Iowa Code chapter [692A](#).
- Presentence investigation reports maintained under Iowa Code section [901.4](#).
- Corrections records maintained under Iowa Code sections [904.601](#) and [904.602](#).
- Community-Based Corrections program records under Iowa Code chapter [904](#).
- Parole records under Iowa Code chapter [906](#).
- Deferred judgment, deferred or suspended sentence, and probation records maintained under Iowa Code chapter [907](#).
- Violation of parole or probation records under Iowa Code chapter [908](#).
- Fine and victim restitution records maintained under Iowa Code chapters [909](#) and [910](#).
- Child welfare records maintained under Iowa Code chapter [235](#).

NOTE: Current law also includes employment records maintained under Iowa Code section [96.11](#). The Bill does not include this provision.

CODE: Allows the DOM to provide data analysis and reporting on issues that may affect the State's correctional population.

DETAIL: This includes reviewing filed public legislative bills, joint resolutions, and amendments and compiling criminal justice data for the completion of correctional impact statements under Iowa Code section [2.56](#), minority impact statements, and the annual prison population forecast.

CODE: Allows the DOM to maintain a multiagency information system to track the progress of juveniles and adults who have been charged with a criminal offense.

12 6 and programs. This system must utilize existing databases,
12 7 including the Iowa court information system, the Iowa
12 8 corrections offender network, the child welfare information
12 9 system of the department of health and human services,
12 10 the federally mandated national adoption and foster care
12 11 information system, and other state and local databases
12 12 pertaining to juveniles and to adults who have been charged
12 13 with a criminal offense in the court system, to the extent
12 14 practicable.

12 15 5. The multiagency information system is authorized to
12 16 count and track decision points for juveniles in the juvenile
12 17 justice system and minors in the child welfare system, evaluate
12 18 the experiences of the juveniles and minors, and evaluate
12 19 the success of the services provided. The system is also
12 20 authorized to count and track decision points for adults who
12 21 have been charged with a criminal offense in the court system,
12 22 including but not limited to dismissed charges, convictions,
12 23 deferred judgments, and sentence information.

12 24 6. If the department has insufficient moneys or resources
12 25 to implement this section, the department is authorized to
12 26 determine which portion of this section may be implemented, if
12 27 any, and the remainder of this section shall not apply.

12 28 #9. NEW SECTION 8.99 CONFIDENTIALITY OF DATA.

12 29 1. For purposes of chapter 22, the department shall not be
12 30 deemed to be the lawful custodian of records the department
12 31 maintains for another department or establishment under this
12 32 subchapter, to the extent the records in question are held
12 33 by the department as an automated data processing unit of
12 34 government or held by the department solely for storage for
12 35 another department or establishment. Such records include but
13 1 are not limited to all of the following:
13 2 a. Electronic messaging system data.
13 3 b. Mainframe data.
13 4 c. Storage solutions or other electronic information, such
13 5 as on-premises server data storage and cloud data storage.

13 6 2. If the department receives a request pursuant to chapter
13 7 22 for records over which the department has determined it is
13 8 not the lawful custodian, the department shall deny the request

CODE: Allows the DOM to count and track decision points, evaluate experiences, and evaluate the success of the services provided for juveniles in the juvenile justice system and minors in the welfare system. In addition, the DOM is authorized to count and track decision points for adults who have been charged with a criminal offense in the court system. This includes dismissed charges, convictions, deferred judgments, and sentencing information.

CODE: Allows the DOM to determine which authorized tasks of the Iowa statistical analysis center to perform if the DOM lacks sufficient moneys or resources to implement these tasks.

CODE: Specifies the DOM is not the lawful custodian of records that the DOM maintains for another department or establishment. This includes the following:

- Electronic messaging system data.
- Mainframe data.
- Storage of electronic information, such as on-premises server data storage or cloud data storage.

CODE: Requires the DOM to deny a request for records for which the DOM has determined it is not the lawful custodian.

13 9 and inform the requester to seek the information from the
13 10 lawful custodian as provided in chapter 22. The department's
13 11 determination that it is not the lawful custodian of records is
13 12 presumed valid. The presumption may be rebutted by clear and
13 13 convincing evidence to the contrary.

13 14 3. The department shall provide assistance to the lawful
13 15 custodian of records held by the department so that the lawful
13 16 custodian can comply with the production obligations of chapter
13 17 22.

13 18 4. If the department receives a subpoena in an
13 19 administrative, civil, or criminal case for records for which
13 20 the department is not the lawful custodian, the department
13 21 shall notify the lawful custodian and the attorney general's
13 22 office and cooperate in any efforts to resist the subpoena.

13 23 #10. Section 216A.131A, Code 2026, is amended to read
13 24 as follows:
13 25 216A.131A CRIMINAL AND JUVENILE JUSTICE PLANNING.
13 26 The department shall fulfill the responsibilities of
13 27 this subchapter, including the duties specified in sections
13 28 216A.133, 216A.135, ~~216A.136~~, ~~216A.137~~, ~~216A.138~~, and 216A.140.

13 29 #11. Section 216A.133, subsection 1, paragraphs d, e, f,
13 30 l, and t, Code 2026, are amended by striking the paragraphs.

CODE: Requires the DOM to provide assistance to the lawful custodian of records to comply with production obligations of Iowa Code chapter [22](#).

CODE: Requires the DOM to notify the lawful custodian and the Attorney General's Office if the DOM receives a subpoena for records for which the DOM is not the lawful custodian and to cooperate in any efforts to resist the associated subpoena.

CODE: Eliminates the following sections from the provisions of Iowa Code section [216A.131A](#):

- Iowa Code section [216A.136](#) (Statistical analysis center — access to records).
- Iowa Code section [216A.137](#) (Correctional policy project).
- Iowa Code section [216A.138](#) (Multiagency database concerning juveniles).

CODE: Removes requirements for the Department of Health and Human Services (HHS) to do the following:

- Provide the General Assembly with an analysis of current and proposed criminal code provisions.
- Provide for a clearinghouse of justice system information to coordinate with data resource agencies and assist others in the use of justice system data.
- Coordinate with data resource agencies to provide data and analytical information to federal, State, and local governments, and assist agencies in the use of criminal justice data.
- Provide technical assistance upon request to State and local agencies.

	<ul style="list-style-type: none"> Review data supplied by the HHS, the DOM, the Legislative Services Agency, the Iowa Supreme Court, and other departments or agencies for the purpose of determining the effectiveness and efficiency of the collection of such data.
<p>13 31 <u>#12.</u> Section 216A.133, subsection 1, paragraph q, 13 32 subparagraphs (1) and (6), Code 2026, are amended by striking 13 33 the subparagraphs.</p>	<p>CODE: Removes the requirement that the HHS provide to the General Assembly analysis and recommendations based on the following factors:</p> <ul style="list-style-type: none"> Potential disparity in sentencing. Costs associated with the implementation of criminal code provisions.
<p>13 34 <u>#13.</u> Section 216A.133, subsection 1, paragraph s, Code 13 35 2026, is amended to read as follows: 14 1 s. Provide expertise and advice to the legislative 14 2 services agency, <u>the department of management</u>, the department 14 3 of corrections, the judicial branch, and others charged 14 4 with formulating fiscal, correctional, or minority impact 14 5 statements.</p>	<p>CODE: Includes the DOM in the list of agencies to which the HHS is required to provide expertise and advice regarding formulating fiscal, correctional, and minority impact statements.</p>
<p>14 6 <u>#14.</u> Section 216A.135, subsection 2, paragraph e, Code 14 7 2026, is amended by striking the paragraph.</p>	<p>CODE: Removes the requirement that the HHS include a collection of criminal and juvenile justice data in its three-year criminal and juvenile justice plan.</p>
<p>14 8 <u>#15.</u> Section 232.147, subsection 2, paragraph i, Code 14 9 2026, is amended to read as follows: 14 10 i. The statistical analysis center for the purposes stated 14 11 in section 216A.136 <u>8.98</u>.</p>	<p>CODE: Makes conforming changes to Iowa Code section 232.147(2)(i) (Confidentiality of Juvenile Court Records).</p>
<p>14 12 <u>#16.</u> Section 232.147, subsection 3, paragraph n, Code 14 13 2026, is amended to read as follows: 14 14 n. The statistical analysis center for the purposes stated 14 15 in section 216A.136 <u>8.98</u>.</p>	<p>CODE: Makes conforming changes to Iowa Code section 232.147(3)(n) (Confidentiality of Juvenile Court Records).</p>
<p>14 16 <u>#17.</u> Section 232.147, subsection 4, paragraph i, Code 14 17 2026, is amended to read as follows: 14 18 i. The statistical analysis center for the purposes stated 14 19 in section 216A.136 <u>8.98</u>.</p>	<p>CODE: Makes conforming changes to Iowa Code section 232.147(4)(i) (Confidentiality of Juvenile Court Records).</p>

14 20 #18. Section 232.149, subsection 5, paragraph f, Code
 14 21 2026, is amended to read as follows:
 14 22 f. The statistical analysis center for the purposes stated
 14 23 in section ~~216A.136~~ 8.98.

CODE: Makes conforming changes to Iowa Code section [232.149\(5\)\(f\)](#) (Records of Criminal or Juvenile Justice Agencies, Intake Officers, and Juvenile Court Officers).

14 24 #19. Section 232.149A, subsection 3, paragraph m, Code
 14 25 2026, is amended to read as follows:
 14 26 m. The statistical analysis center for the purposes stated
 14 27 in section ~~216A.136~~ 8.98.

CODE: Makes conforming changes to Iowa Code section [232.149A\(3\)\(m\)](#) (Confidentiality Orders).

14 28 #20. REPEAL. Sections 216A.136, 216A.137, and
 14 29 216A.138, Code 2026, are repealed.

Repeals the following Iowa Code sections:

- Iowa Code section [216A.136](#) (Statistical analysis center — access to records).
- Iowa Code section [216A.137](#) (Correctional policy project).
- Iowa Code section [216A.138](#) (Multiagency database concerning juveniles).

14 30 #21. EFFECTIVE DATE. The following take effect July 1,
 14 31 2027:
 14 32 The portions of the section of this Act amending section
 14 33 8.57C, subsections 2 and 4.

Specifies that Section 1 of the Bill, which appropriates moneys in the TRF to the DOM for technology projects and relates to the required report from the DOM to the General Assembly on the status of all projects funded from the TRF by January 1 of each year, takes effect July 1, 2027 (FY 2028).

14 34 #22. APPLICABILITY. The following apply to contracts
 14 35 entered into or renewed on or after July 1, 2026:
 15 1 1. The section of this Act enacting section 8.94.
 15 2 2. The section of this Act enacting section 8.95.
 15 3 3. The section of this Act enacting section 8.96.
 15 4 #2. Title page, by striking lines 1 through 3 and inserting
 15 5 An Act relating to matters under the purview of the department
 15 6 of management, and including effective date and applicability
 15 7 provisions.

Specifies that the following sections of the Bill will apply to contracts entered into or renewed on or after July 1, 2026 (FY 2027):

- Section 4 of the Bill enacting 8.94 (Contracts — Prohibited Terms)
- Section 5 of the Bill enacting 8.95 (Contracts — Required Terms)
- Section 6 of the Bill enacting 8.96 (Contracts — Limitation of Liability — Prohibited Terms)

Unassigned Standings General Fund

<u>Management, Department of</u>	<u>Actual FY 2025 (1)</u>	<u>Estimated FY 2026 (2)</u>	<u>Senate Action FY 2027 (3)</u>	<u>House Action FY 2027 (4)</u>	<u>House Action vs Senate Action (5)</u>	<u>Page and Line # (6)</u>
Management, Dept. of Technology Reinvest. Fund - Reduction	\$ 0	\$ 0	\$ -17,500,000	\$ -17,500,000	\$ 0	PG 2 LN 29
Total Management, Department of	\$ 0	\$ 0	\$ -17,500,000	\$ -17,500,000	\$ 0	
Total Unassigned Standings	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ -17,500,000</u>	<u>\$ -17,500,000</u>	<u>\$ 0</u>	