SENATE FILE 2385
BY COMMITTEE ON STATE GOVERNMENT

(SUCCESSOR TO SSB 3172)

(As Amended and Passed by the Senate April 10, 2024)

_____ and [= New Language by the Senate

* = Language Stricken by the Senate

A BILL FOR

An Act relating to boards, commissions, committees, councils, and other entities of state government, and including effective date and transition provisions.

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

DIVISION I

ESTABLISHMENT AND REVIEW OF BOARDS, COMMISSIONS, COMMITTEES, AND COUNCILS

Section 1. NEW SECTION. **2.69 Definitions.**

As used in this subchapter, unless the context otherwise requires:

1. *"Board"* means any board, commission, committee, council, panel, review team, or foundation of this state.

2. *"Committee"* means the state government efficiency review committee established pursuant to this subchapter.

Sec. 2. NEW SECTION. **2.70 Committee — duties.**

1. The committee shall carry out the functions provided in this subchapter.

2. Administrative assistance shall be provided by the legislative services agency.

Sec. 3. NEW SECTION. **2.71 Board reviews.**

1. The committee shall review the usefulness, performance, and efficacy of each board as provided in subsection 2. The committee shall hold hearings to receive the testimony of the public, the chief executive officer of the board, and any other person deemed necessary by the committee. After completing a review, the committee shall prepare and publish a report of its findings and recommendations as provided in section 2.72.

2. The committee shall establish a schedule for the committee to review each board such that the committee reviews approximately one-fourth of all boards each calendar year. Each board shall be reviewed once between the calendar years 2025 and 2029, and once every four years thereafter. The committee may modify the schedule as necessary to facilitate the efficient administration of the committee.

3. A board that is scheduled for review shall submit a report to the committee thirty days prior to the date that it is scheduled for review that includes all of the following information:

a. The board's primary purpose and its goals and objectives.

b. The board's past and anticipated workload, the number of staff required to complete that workload, and the board's total number of staff.

c. The board's past and anticipated budgets and its sources of funding.

d. The number of members that compose the governing board or other governing entity of the board and member compensation, if any.

e. Any other information requested by the committee.

4. A board subject to review shall bear the burden of demonstrating to the committee a public need for its continued existence. In determining whether a board has met that burden, the committee shall consider all of the following, as applicable:

a. Whether continuation of the board is necessary to protect the health or safety of the public, and if so, the manner in which it is necessary and whether the board's authority is narrowly tailored to protect against present, recognizable, and significant harms to the health or safety of the public.

b. The extent to which the board's jurisdiction and programs overlap or duplicate those of other boards, the extent to which the board coordinates with those other boards, and the extent to which the board's programs could be consolidated with the programs of other state departments or boards.

c. Whether the operation of the board has inhibited economic growth, reduced efficiency, or increased government costs.

d. The cost-effectiveness of the board in terms of the number of employees, services rendered, and administrative costs incurred, both past and present.

e. Whether the purpose for which the board was created has been fulfilled, has changed, or no longer exists.

Sec. 4. NEW SECTION. **2.72 Reports.**

1. After completing a review of a board pursuant to section 2.71, the committee shall prepare and submit a report of its findings and recommendations by December 21 of each year.

A report may include findings and recommendations for more than one board. Copies of the report shall be made publicly available on the general assembly's internet site.

2. Recommendations of the committee shall indicate how or whether implementation of the recommendations would do each of the following:

a. Improve efficiency in the management of state government.

b. Provide for the least restrictive regulations by repealing current regulations and replacing them with less restrictive regulations.

c. Improve the effectiveness of the services performed by the boards of the state.

d. Avoid duplication of effort by state agencies or boards.

e. Improve the organization and coordination of the state government.

Sec. 5. NEW SECTION. **2.73 State government efficiency review committee established.**

1. A state government efficiency review committee is established which shall meet as necessary to efficiently review all boards according to the schedule established by the committee pursuant to section 2.71.

2. *a.*(1) The committee shall consist of two members of the senate appointed by the majority leader of the senate, one member of the senate appointed by the minority leader of the senate, two members of the house of representatives appointed by the speaker of the house of representatives, and one member of the house of representatives appointed by the minority leader of the house of representatives.

(2) The following shall serve as ex officio, nonvoting members of the committee:

(a) An employee of the office of the governor, appointed by the governor.

(b) The director of the department of management or the director's designee.

(c) The director of the department of inspections, appeals,

and licensing or the director's designee.

b. Members shall be appointed prior to January 31 of the first regular session of each general assembly and shall serve for terms ending upon the convening of the following general assembly or when their successors are appointed, whichever is later. A vacancy shall be filled in the same manner as the original appointment and shall be for the remainder of the unexpired term of the vacancy.

c. The committee shall elect a chairperson and vice chairperson.

3. The legislative members of the committee shall be reimbursed for actual and necessary expenses incurred in the performance of their duties and shall be paid a per diem as specified in section 2.10 for each day in which they engaged in the performance of their duties. However, per diem compensation and expenses shall not be paid to members of the general assembly when the general assembly is actually in session at the seat of government. Expenses and per diem shall be paid from moneys appropriated pursuant to section 2.12.

4. Administrative assistance shall be provided by the legislative services agency.

Sec. 6. REPEAL. Sections 2.69 and 3.20, Code 2024, are repealed.

Sec. 7. CODE EDITOR DIRECTIVE —— TRANSFERS.

1. The Code editor is directed to make the following transfers:

a. Section 69.15 to section 2.74.

b. Section 69.16 to section 2.75.

c. Section 69.16A to section 2.76.

d. Section 69.16B to section 2.77.

e. Section 69.16C to section 2.78.

f. Section 69.16D to section 2.79.

g. Section 69.16E to section 2.80.

h. Section 69.17 to section 2.81.

2. The Code editor shall correct internal references in the

Code and in any enacted legislation as necessary due to the enactment of this section.

DIVISION II

PROFESSIONAL BOARDS

Sec. 8. Section 10A.503, subsection 1, Code 2024, is amended to read as follows:

1. Each board under chapter 100C, 103, 103A, 105, or 147 that is under the administrative authority of the department shall receive ~~administrative and clerical~~ staff support from the department and may not employ its own support staff ~~for administrative and clerical duties~~. ~~The executive director of the board of nursing, board of medicine, dental board, and board of pharmacy shall be appointed pursuant to section 10A.504.~~

Sec. 9. Section 10A.504, subsection 1, unnumbered paragraph 1, Code 2024, is amended to read as follows:

The director shall appoint and supervise ~~a full-time~~ an executive director for each of the following boards:

Sec. 10. Section 103.4, Code 2024, is amended to read as follows:

103.4 ~~Executive secretary — staff and duties~~ Support staff.

The director shall ~~appoint an executive secretary for the board and shall~~ hire and provide staff to assist the board in administering this chapter. ~~The executive secretary shall report to the director for purposes of routine board administrative functions, and shall report directly to the board for purposes of execution of board policy such as application of licensing criteria and processing of applications.~~

Sec. 11. Section 103.34, subsection 1, Code 2024, is amended to read as follows:

1. Upon receipt of a notice of appeal filed pursuant to section 103.33, the chairperson or ~~executive secretary~~ administrative staff of the board may designate a hearing officer from among the board members to hear the appeal or

may set the matter for hearing before the full board at its next regular meeting. A majority of the board shall make the decision.

Sec. 12. Section 147.80, subsection 3, Code 2024, is amended by striking the subsection.

Sec. 13. Section 147.87, Code 2024, is amended to read as follows:

147.87 Enforcement.

1. A board shall enforce the provisions of this chapter and the board's enabling statute and for that purpose may request the department of inspections, appeals, and licensing to make necessary investigations. Every licensee and member of a board shall furnish the board or the department of inspections, appeals, and licensing such evidence as the member or licensee may have relative to any alleged violation which is being investigated.

2. The department of inspections, appeals, and licensing may administratively close a complaint that does not allege a violation of this chapter, the board's enabling statute, or a rule of the board.

Sec. 14. Section 147.88, Code 2024, is amended to read as follows:

147.88 Inspections and investigations.

The department of inspections, appeals, and licensing may perform inspections and investigations as required by this subtitle~~, except inspections and investigations for the board of medicine, board of pharmacy, board of nursing, and the dental board. The department of inspections, appeals, and licensing shall employ personnel related to the inspection and investigative functions.~~

Sec. 15. Section 152.2, Code 2024, is amended to read as follows:

152.2 Executive director.

~~The board shall retain a full-time~~ An executive director~~, who~~ shall be appointed pursuant to section 10A.504. The

executive director shall be a registered nurse. The governor, with the approval of the executive council pursuant to section 8A.413, subsection 3, under the pay plan for exempt positions in the executive branch of government, shall set the salary of the executive director.

Sec. 16. Section 152E.2, Code 2024, is amended to read as follows:

152E.2 Compact administrator.

The ~~executive director of the board of nursing, as provided for in section 152.2,~~ director of the department of inspections, appeals, and licensing, or the director's designee, shall serve as the compact administrator identified in article VII, paragraph "*b*", of the nurse licensure compact contained in section 152E.1 and as the compact administrator identified in article VIII, paragraph "*a*", of the advanced practice registered nurse compact contained in section 152E.3.

Sec. 17. Section 153.36, subsection 1, Code 2024, is amended to read as follows:

1. Sections 147.44, 147.48, 147.49, 147.53, and 147.55~~, and sections 147.87 through 147.92~~ shall not apply to the practice of dentistry.

Sec. 18. Section 272C.6, subsection 1, Code 2024, is amended to read as follows:

1. Disciplinary hearings held pursuant to this chapter shall be heard by the board sitting as the hearing panel, or by an administrative law judge, or by a panel of not less than three board members who are licensed in the profession, or by a panel of not less than three members appointed pursuant to subsection 2. Notwithstanding chapters 17A and 21 a disciplinary hearing shall be open to the public at the discretion of the licensee.

Sec. 19. REPEAL. Sections 152.3 and 153.33B, Code 2024, are repealed.

DIVISION III

SALARIES — CERTAIN BOARDS AND COUNCILS

Sec. 20. Section 217.2, subsection 1, Code 2024, is amended by adding the following new paragraph:

NEW PARAGRAPH. *d.* The voting members of the council shall receive an annual salary of ten thousand dollars, which shall be paid from moneys appropriated to the department.

Sec. 21. Section 256.5, Code 2024, is amended to read as follows:

256.5 Compensation and expenses.

The members of the state board shall receive an annual salary of ten thousand dollars and shall be reimbursed for actual and necessary expenses incurred while engaged in their official duties. Members of the state board may also be eligible to receive compensation as provided in section 7E.6. All ~~expense~~ moneys paid to the members pursuant to this section shall be paid from ~~funds~~ moneys appropriated to the department.

Sec. 22. NEW SECTION. **262.3 Salary.**

The eight members of the state board of regents selected from the state at large shall receive an annual salary of ten thousand dollars, which shall be paid from moneys appropriated to the board.

DIVISION IV

LICENSURE STUDIES

Sec. 23. LICENSURE RENEWAL CYCLES STUDY. The department of inspections, appeals, and licensing shall review all current licensure renewal cycles for professional and occupational licenses issued by a department, board, commission, or other governmental entity. The department shall submit a report, including proposed recommendations for a uniform renewal cycle for all professional and occupational licenses, to the governor and the general assembly by September 30, 2024.

Sec. 24. LICENSURE FEE STUDY.

1. The department of inspections, appeals, and licensing shall review fees imposed by a department, board, commission, or other governmental entity for the issuance or renewal of a professional or occupational license. The department shall

evaluate the fees based on the licensure fees imposed in surrounding states and the operational costs of the licensing functions of the entity.

2. The department shall submit a report, including proposed fees, to the governor and the general assembly by September 30, 2024.

DIVISION V

ADVISORY BODIES

Sec. 25. Section 7E.3, subsection 3, Code 2024, is amended by striking the subsection and inserting in lieu thereof the following:

3. *Advisory bodies.* In addition to any boards, commissions, committees, or councils specifically created by law, establish and utilize other ad hoc advisory committees as determined necessary by the head of the department or independent agency. The department or independent agency shall establish appointment provisions, membership terms, operating guidelines, and any other operational requirements for committees established pursuant to this subsection. Members of committees under this general authority shall serve without compensation but may be reimbursed for actual expenses.

Sec. 26. Section 15.105, Code 2024, is amended by adding the following new subsection:

NEW SUBSECTION. 12. The authority may establish and utilize such ad hoc advisory committees as determined necessary by the authority. The authority shall establish appointment provisions, membership terms, operating guidelines, and any other operational requirements for committees established pursuant to this subsection. Members of committees established pursuant to this subsection shall serve without compensation but may be reimbursed for actual expenses.

Sec. 27. NEW SECTION. **152.3A Advisory committees.**

The board may establish and utilize such ad hoc advisory committees as determined necessary by the board. The board shall establish appointment provisions, membership terms,

operating guidelines, and any other operational requirements for committees established pursuant to this section. Members of committees established pursuant to this section shall serve without compensation but may be reimbursed for actual expenses.

Sec. 28. Section 153.33, subsection 1, Code 2024, is amended by adding the following new paragraph:

NEW PARAGRAPH. *f.* To establish and utilize such ad hoc advisory committees as determined necessary by the board, including an advisory committee on the practice of dental hygiene. The board shall establish appointment provisions, membership terms, operating guidelines, and any other operational requirements for committees established pursuant to this paragraph. Members of committees established pursuant to this paragraph shall serve without compensation but may be reimbursed for actual expenses.

Sec. 29. Section 256.7, Code 2024, is amended by adding the following new subsection:

NEW SUBSECTION. 35. Establish and utilize such ad hoc advisory committees as determined necessary by the state board. The state board shall establish appointment provisions, membership terms, operating guidelines, and any other operational requirements for committees established pursuant to this subsection. Members of committees established pursuant to this subsection shall serve without compensation but may be reimbursed for actual expenses.

Sec. 30. Section 307A.2, Code 2024, is amended by adding the following new subsection:

NEW SUBSECTION. 7. Establish and utilize such ad hoc advisory committees as determined necessary by the commission. The commission shall establish appointment provisions, membership terms, operating guidelines, and any other operational requirements for committees established pursuant to this subsection. Members of committees established pursuant to this subsection shall serve without compensation but may be reimbursed for actual expenses.

Sec. 31. Section 455A.5, subsection 6, Code 2024, is amended by adding the following new paragraph:

NEW PARAGRAPH. *g.* Establish and utilize such ad hoc advisory committees as determined necessary by the commission. The commission shall establish appointment provisions, membership terms, operating guidelines, and any other operational requirements for committees established pursuant to this paragraph. Members of committees established pursuant to this paragraph shall serve without compensation but may be reimbursed for actual expenses.

Sec. 32. Section 455A.6, subsection 6, Code 2024, is amended by adding the following new paragraph:

NEW PARAGRAPH. *e.* Establish and utilize such ad hoc advisory committees as determined necessary by the commission. The commission shall establish appointment provisions, membership terms, operating guidelines, and any other operational requirements for committees established pursuant to this paragraph. Members of committees established pursuant to this paragraph shall serve without compensation but may be reimbursed for actual expenses.

Sec. 33. Section 904.105, Code 2024, is amended by adding the following new subsection:

NEW SUBSECTION. 9A. Establish and utilize such ad hoc advisory committees as determined necessary by the board. The board shall establish appointment provisions, membership terms, operating guidelines, and any other operational requirements for committees established pursuant to this subsection. Members of committees established pursuant to this subsection shall serve without compensation but may be reimbursed for actual expenses.

DIVISION VI

ELECTRONIC MEETINGS

Sec. 34. Section 21.8, subsection 1, unnumbered paragraph 1, Code 2024, is amended to read as follows:

A governmental body ~~may conduct a meeting by electronic~~

~~means only in circumstances where such a meeting in person is impossible or impractical and only if the governmental body complies~~ shall provide for hybrid meetings, teleconference participation, virtual meetings, remote participation, and other hybrid options for the members of the governmental body to participate in official meetings. A governmental body conducting a meeting pursuant to this subsection shall comply with all of the following:

Sec. 35. Section 21.8, subsection 1, paragraph c, Code 2024, is amended to read as follows:

c. Minutes are kept of the meeting. ~~The minutes shall include a statement explaining why a meeting in person was impossible or impractical.~~

Sec. 36. Section 21.8, Code 2024, is amended by adding the following new subsection:

NEW SUBSECTION. 4. For the purposes of this section:

a. "Hybrid meeting" means a meeting involving both remote participation and in-person participation by members.

b. "Remote participation" means real-time participation by a remotely located individual in a meeting which is being held in a different physical location using integrated audio, video, and other digital tools.

c. "Teleconference participation" means participation using audio conference tools involving multiple participants in at least two separate locations.

d. "Virtual meeting" means a meeting involving real-time interaction using integrated audio, video, and other digital tools, in which participants do not share a physical location.

DIVISION VII

MEETINGS — GENERAL

Sec. 37. Section 5.3, Code 2024, is amended to read as follows:

5.3 Organization.

The commissioners shall meet at the state capitol ~~at least once in two years~~ as necessary and shall organize by the

election of one of their number as chairperson and another as secretary, who shall hold their respective offices for a term of two years and until their successors are elected and qualified.

Sec. 38. Section 8A.606, Code 2024, is amended to read as follows:

8A.606 Meetings.

The commission shall have its offices at the seat of government but may hold meetings in other locations. The commission shall meet ~~quarterly and~~ at the call of the chairperson.

Sec. 39. Section 8A.616, subsection 4, Code 2024, is amended to read as follows:

4. *Meetings.* The board shall meet ~~at least three times annually and~~ at the call of the chair. ~~At least one meeting annually shall be held outside the state capital or in conjunction with a meeting of a relevant statewide professional organization.~~

Sec. 40. Section 10A.601, subsection 3, Code 2024, is amended to read as follows:

3. The members of the appeal board shall select a chairperson and vice chairperson from their membership. The appeal board ~~shall meet at least once per month but~~ may meet as often as necessary. Meetings shall be set by a majority of the appeal board or upon the call of the chairperson, or in the chairperson's absence, upon the call of the vice chairperson. The employment appeal board, subject to the approval of the director, may appoint personnel necessary for carrying out its functions and duties.

Sec. 41. Section 13A.5, Code 2024, is amended to read as follows:

13A.5 Meetings.

The council ~~shall meet at least four times each year and~~ shall hold meetings when called by the chairperson, or in the absence of the chairperson, by the vice chairperson or when

called by the chairperson upon the written request of three members of the council. The council shall establish its own procedures and requirements with respect to quorum, place, and conduct of its meetings and other matters.

Sec. 42. Section 23.3, subsection 7, Code 2024, is amended to read as follows:

7. The board shall meet ~~at least quarterly and~~ at the call of the chairperson.

Sec. 43. Section 24.26, subsection 2, Code 2024, is amended to read as follows:

2. The ~~annual meeting of the~~ state board shall ~~be held on the second Tuesday of January in each year~~ meet as necessary. ~~At each annual meeting the~~ The state board shall organize by the election from its members of a chairperson and a vice chairperson; and by appointing a secretary. Two members of the state board constitute a quorum for the transaction of any business.

Sec. 44. Section 47.8, subsection 1, unnumbered paragraph 1, Code 2024, is amended to read as follows:

A state voter registration commission is established which shall meet ~~at least quarterly~~ as necessary to make and review policy, adopt rules, and establish procedures to be followed by the registrar in discharging the duties of that office, and to promote interagency cooperation and planning.

Sec. 45. Section 80B.9, Code 2024, is amended to read as follows:

80B.9 Meetings.

The council ~~shall meet at least four times each year and~~ shall hold ~~special~~ meetings when called by the chairperson or, in the absence of the chairperson, by the vice chairperson, or by the chairperson upon written request of five members of the council. The council shall establish procedures and requirements with respect to quorum, place, and conduct of meetings.

Sec. 46. Section 99D.6, subsection 1, Code 2024, is amended

to read as follows:

1. The commission shall have its headquarters in the city of Des Moines and shall meet ~~in July of each year and~~ at ~~other~~ such times and places as it finds necessary for the discharge of its duties. The commission shall elect in July of each year one of its members as chairperson for the succeeding year.

Sec. 47. Section 99G.8, subsection 11, Code 2024, is amended to read as follows:

11. The board shall meet ~~at least quarterly and at such other times~~ upon call of the chairperson or the chief executive officer. Notice of the time and place of each board meeting shall be given to each member. The board shall also meet upon call of three or more of the board members. The board shall keep accurate and complete records of all its meetings.

Sec. 48. Section 103.2, subsection 3, paragraph b, Code 2024, is amended to read as follows:

b. ~~The board shall hold at least one meeting quarterly at the location of the board's principal office, and meetings~~ Meetings shall be called ~~at other times~~ as needed by the chairperson or four members of the board. At any meeting of the board, a majority of members constitutes a quorum.

Sec. 49. Section 103.34, subsection 1, Code 2024, is amended to read as follows:

1. Upon receipt of a notice of appeal filed pursuant to section 103.33, the chairperson or executive secretary of the board may designate a hearing officer from among the board members to hear the appeal or may set the matter for hearing before the full board at its next ~~regular~~ scheduled meeting. A majority of the board shall make the decision.

Sec. 50. Section 123.6, Code 2024, is amended to read as follows:

123.6 Commission meetings.

The commission shall meet on or before July 1 of each year for the purpose of selecting one of its members as chairperson for the succeeding year. The commission shall ~~otherwise~~ meet

~~quarterly or~~ at the call of the chairperson or director or when three members file a written request for a meeting. Written notice of the time and place of each meeting shall be given to each member of the commission. A majority of the commission members shall constitute a quorum.

Sec. 51. Section 124E.5, subsection 2, Code 2024, is amended to read as follows:

2. The medical cannabidiol board shall convene ~~at least twice per year~~ as necessary.

Sec. 52. Section 169.5, subsections 3 and 4, Code 2024, are amended to read as follows:

3. ~~The board shall meet at least once each year as determined by the board. Other necessary~~ Necessary meetings may be called by the president of the board by giving proper notice. Except as provided, a majority of the board constitutes a quorum. Meetings shall be open and public except that the board may meet in closed session to prepare, approve, administer, or grade examinations, or to deliberate the qualifications of an applicant for license or the disposition of a proceeding to discipline a licensed veterinarian.

4. ~~At its annual meeting, the~~ The board shall organize by electing a president and such other officers as may be necessary. Officers of the board serve for terms of one year and until a successor is elected, without limitation on the number of terms an officer may serve. The president shall serve as chairperson of board meetings. The person designated as the state veterinarian shall serve as secretary of the board.

Sec. 53. Section 182.13, Code 2024, is amended to read as follows:

182.13 Compensation — meetings.

Members of the board may receive payment for their actual expenses and travel in performing official board functions. Payment shall be made from amounts collected from the assessment. No member of the board shall be a salaried

employee of the board or any organization or agency receiving funds from the board. The board shall meet at ~~least once every three months, and at other~~ such times as it deems necessary.

Sec. 54. Section 184.7, subsection 4, Code 2024, is amended to read as follows:

4. The council shall meet ~~at least once every three months and~~ at ~~other~~ such times as the council determines are necessary.

Sec. 55. Section 185.14, Code 2024, is amended to read as follows:

185.14 Compensation — meetings.

Each director of the board shall receive a per diem of one hundred dollars and actual expenses in performing official board functions, notwithstanding section 7E.6. A director of the board shall not be a salaried employee of the board or any organization or agency which is receiving moneys from the board. The board shall meet ~~at least four times each year~~ as necessary.

Sec. 56. Section 185C.14, subsection 3, Code 2024, is amended to read as follows:

3. The board shall meet ~~at least three times each year, and~~ at such ~~other~~ times as deemed necessary by the board.

Sec. 57. Section 186.1, Code 2024, is amended to read as follows:

186.1 Meetings and organization of society.

The Iowa state horticulture society shall hold meetings ~~each year, at times as it may fix,~~ as necessary for the transaction of business. The officers and board of directors of the society shall be chosen as provided for in the constitution of the society, for the period and in the manner prescribed therein, but the secretary of agriculture or the secretary's designee shall be a member of the board of directors and of the executive committee. Any vacancy in the offices filled by the society may be filled by the executive committee for the unexpired portion of the term.

Sec. 58. Section 217.4, Code 2024, is amended to read as follows:

217.4 Meetings of council.

~~The council shall meet at least monthly. Additional meetings~~ Meetings shall be called by the chairperson or upon written request of any three council members as necessary to carry out the duties of the council. The chairperson shall preside at all meetings or in the absence of the chairperson the vice chairperson shall preside. The members of the council shall be paid a per diem as specified in section 7E.6 and their reasonable and necessary expenses.

Sec. 59. Section 237.16, subsection 2, Code 2024, is amended to read as follows:

2. The members of the state board shall annually select a chairperson, vice chairperson, and other officers the members deem necessary. The members may be entitled to receive reimbursement for actual and necessary expenses incurred in the performance of their duties, subject to available funding. Each member of the board may also be eligible to receive compensation as provided in section 7E.6. The state board shall meet ~~at least twice a year~~ as necessary.

Sec. 60. Section 256.32, subsection 3, Code 2024, is amended to read as follows:

3. The duties of the council are to review, develop, and recommend standards for secondary and postsecondary agricultural education. The council shall annually issue a report to the state board of education and the chairpersons of the house and senate agriculture and education committees regarding both short-term and long-term curricular standards for agricultural education and the council's activities. The council shall meet ~~a minimum of twice annually~~ as necessary, and must have a quorum consisting of a majority of voting members present to hold an official meeting and to take any final council action. However, hearings may be held without a quorum. The chairperson shall be elected annually by and

from the voting membership. The initial organizational meeting shall be called by the director of the department of education.

Sec. 61. Section 256.83, subsection 1, Code 2024, is amended to read as follows:

1. The board shall elect from among its members a president and a vice president to serve a one-year term. The board shall ~~meet at least four times annually and shall~~ hold ~~special~~ meetings at the call of the president or in the absence of the president by the vice president or by the president upon written request of four members. The board shall establish procedures and requirements relating to quorum, place, and conduct of meetings.

Sec. 62. Section 256I.3, subsection 4, Code 2024, is amended to read as follows:

4. The state board shall elect a chairperson from among the citizen members and may select other officers from the voting members as determined to be necessary by the board. The board shall meet ~~regularly~~ as determined by the board, upon the call of the board's chairperson, or upon the call of a majority of voting members. ~~The board shall meet at least quarterly.~~

Sec. 63. Section 262.8, Code 2024, is amended to read as follows:

262.8 Meetings.

~~The board shall meet four times a year. Special meetings~~ Meetings may be called by the board, by the president of the board, or by the executive director of the board upon written request of any five members thereof.

Sec. 64. Section 267.5, subsection 2, Code 2024, is amended to read as follows:

2. ~~Hold a meeting twice each year~~ Meet as necessary at Iowa state university of science and technology. The council shall meet with the faculty of the college of veterinary medicine. The council may hold other such meetings as the council may determine necessary, or as required by section 267.6. An action taken by the council shall not be valid unless agreed to

by a majority of the council members.

Sec. 65. Section 455A.5, subsection 4, Code 2024, is amended to read as follows:

4. The commission shall hold an organizational meeting within thirty days of the beginning of a new regular term for one or more of its members. The commission shall organize by electing a chairperson, vice chairperson, secretary, and any other officers deemed necessary or desirable. The commission shall also meet ~~at least quarterly throughout the year~~ as necessary.

Sec. 66. Section 455A.6, subsection 4, Code 2024, is amended to read as follows:

4. The commission shall hold an organizational meeting within thirty days of the beginning of a new regular term for one or more of its members. The commission shall organize by electing a chairperson, vice chairperson, secretary, and any other officers deemed necessary or desirable. The commission shall also meet ~~at least quarterly throughout the year~~ as necessary.

Sec. 67. Section 465C.5, Code 2024, is amended to read as follows:

465C.5 Organization.

The board shall organize annually by the election of a chairperson. The board shall meet ~~annually and~~ at such ~~other~~ times as it deems necessary. Meetings may be called by the chairperson, and shall be called by the chairperson on the request of three members of the board.

Sec. 68. Section 466B.3, subsection 5, paragraph a, Code 2024, is amended to read as follows:

a. The council shall be convened by the secretary of agriculture ~~at least quarterly~~ as necessary.

Sec. 69. Section 481A.10A, subsection 3, Code 2024, is amended to read as follows:

3. The committee shall meet with a representative of the department of natural resources ~~on a semiannual basis~~ as

necessary. The committee shall serve without compensation or reimbursement for expenses.

Sec. 70. Section 524.205, subsection 5, Code 2024, is amended to read as follows:

5. The state banking council shall meet ~~at least once each calendar quarter on such date and at such place as the council may decide, and shall meet~~ at such ~~other~~ times as may be deemed necessary by the superintendent or a majority of the council members.

Sec. 71. Section 533.107, subsection 3, Code 2024, is amended to read as follows:

3. The review board ~~shall meet at least four times each year and~~ shall hold ~~special~~ meetings at the call of the chairperson. Four members constitute a quorum.

Sec. 72. Section 542B.9, Code 2024, is amended to read as follows:

542B.9 Organization of ~~the~~ board — staff.

The board shall elect annually from its members a chairperson and a vice chairperson. The director of the department of inspections, appeals, and licensing shall hire and provide staff to assist the board in implementing this chapter. ~~The board shall hold at least one meeting at the location of the board's principal office, and meetings~~ Meetings shall be called ~~at other times~~ by the director or the director's designee at the request of the chairperson or four members of the board. At any meeting of the board, a majority of members constitutes a quorum.

Sec. 73. Section 543B.50, Code 2024, is amended to read as follows:

543B.50 Meetings.

The real estate commission shall ~~hold at least one meeting per year~~ meet as necessary at the location of the commission's principal office and shall elect a chairperson annually. A majority of the members of the commission shall constitute a quorum.

Sec. 74. Section 543D.4, subsection 7, Code 2024, is amended to read as follows:

7. The board shall meet ~~at least once each calendar quarter~~ as necessary to conduct its business.

Sec. 75. Section 904.106, Code 2024, is amended to read as follows:

904.106 Meetings — expenses.

~~The board shall meet at least quarterly throughout the year. Special meetings~~ Meetings may be called by the chairperson or upon written request of any three members of the board. The chairperson shall preside at all meetings or in the chairperson's absence, the vice chairperson shall preside. The members of the board shall be paid their actual expenses while attending the meetings. Each member of the board may also be able to receive compensation as provided in section 7E.6.

Sec. 76. Section 905.3, subsection 1, paragraph b, Code 2024, is amended to read as follows:

b. The district advisory board shall meet ~~not more often than quarterly during the calendar year~~ as necessary.

DIVISION VIII

REORGANIZATION

Sec. 77. Section 7E.5, subsection 2, paragraph a, Code 2024, is amended to read as follows:

a. There is a civil rights commission, ~~a public employment relations board, an interstate cooperation commission,~~ an Iowa ethics and campaign disclosure board, an Iowa utilities board, and an Iowa law enforcement academy.

Sec. 78. Section 8A.201, subsection 3, paragraph b, Code 2024, is amended to read as follows:

b. Materials excluded from this definition by ~~the commission through the adoption and enforcement of rules~~ rule.

Sec. 79. Section 8A.203, subsections 3 and 4, Code 2024, are amended to read as follows:

3. The commission shall ~~adopt~~ provide advice and recommendations on the adoption of rules under chapter 17A by

the department for carrying out the responsibilities of the department as it relates to library services duties of the department.

4. ~~Advise~~ The commission shall advise the department and the state librarian concerning the library services duties of the department.

Sec. 80. Section 8A.206, subsection 2, paragraphs a and d, Code 2024, are amended to read as follows:

a. Operate the law library which shall be maintained in the state capitol or in rooms convenient to the state supreme court and which shall be available for free use by the residents of Iowa under rules the ~~commission~~ department adopts.

d. Perform other duties imposed by law or by the rules of the ~~commission~~ department.

Sec. 81. Section 8A.207, subsection 1, Code 2024, is amended to read as follows:

1. Manage the state data center program to make United States census data available to the residents of Iowa under rules the ~~commission~~ department adopts.

Sec. 82. Section 8A.209, subsection 1, Code 2024, is amended to read as follows:

1. An enrich Iowa program is established in the department to provide direct state assistance to public libraries, to support the open access and access plus programs, to provide public libraries with an incentive to improve library services that are in compliance with performance measures, and to reduce inequities among communities in the delivery of library services based on performance measures adopted by rule by the ~~commission~~ department. The ~~commission~~ department shall adopt rules governing the allocation of ~~funds~~ moneys appropriated by the general assembly for purposes of this section to provide direct state assistance to eligible public libraries. A public library is eligible for ~~funds~~ moneys under this subchapter if it is in compliance with the ~~commission's~~ department's performance measures.

Sec. 83. Section 8A.412, subsection 11, Code 2024, is amended to read as follows:

11. Professional employees under the supervision of the attorney general, the state public defender, the secretary of state, the auditor of state, and the treasurer of state~~, and the public employment relations board~~.

Sec. 84. Section 8A.415, subsection 1, paragraph b, Code 2024, is amended to read as follows:

b. If not satisfied, the employee may, within thirty calendar days following the director's response, file an appeal with the ~~public~~ employment ~~relations~~ appeal board. The hearing shall be conducted in accordance with the rules of the ~~public~~ employment ~~relations~~ appeal board and the Iowa administrative procedure Act, chapter 17A. Decisions rendered shall be based upon a standard of substantial compliance with this subchapter and the rules of the department. Decisions by the ~~public~~ employment ~~relations~~ appeal board constitute final agency action.

Sec. 85. Section 8A.415, subsection 2, paragraph b, Code 2024, is amended to read as follows:

b. If not satisfied, the employee may, within thirty calendar days following the director's response, file an appeal with the ~~public~~ employment ~~relations~~ appeal board. The employee has the right to a hearing closed to the public, unless a public hearing is requested by the employee. The hearing shall otherwise be conducted in accordance with the rules of the ~~public~~ employment ~~relations~~ appeal board and the Iowa administrative procedure Act, chapter 17A. If the ~~public~~ employment ~~relations~~ appeal board finds that the action taken by the appointing authority was for political, religious, racial, national origin, sex, age, or other reasons not constituting just cause, the employee may be reinstated without loss of pay or benefits for the elapsed period, or the ~~public~~ employment ~~relations~~ appeal board may provide other appropriate remedies. Decisions by the ~~public~~ employment ~~relations~~ appeal

board constitute final agency action.

Sec. 86. Section 8A.703, subsection 1, Code 2024, is amended to read as follows:

1. A state historical society board of trustees is established consisting of ~~twelve~~ seven members selected as follows:

a. ~~Three~~ Two members shall be elected by the members of the state historical society according to rules established by the board of trustees.

~~*b. The governor shall appoint one member from each of the state's congressional districts established under section 40.1.*~~

~~*c.*~~ *b.* The governor shall appoint five members from the state at large, considering but not requiring geographical diversity, at least ~~two~~ one of whom shall be on the faculty of a college or university in the state engaged in a discipline related to the activities of the historical society.

Sec. 87. Section 8A.707, subsection 1, Code 2024, is amended by adding the following new paragraphs:

NEW PARAGRAPH. *f.* Serve as the central advisory body for historical records planning in the state and as a coordinating body to facilitate cooperation among historical records repositories and other information agencies within the state.

NEW PARAGRAPH. *g.* Serve as a state level review body for grant proposals submitted to the national historical publications and records commission.

Sec. 88. Section 8A.707, Code 2024, is amended by adding the following new subsection:

NEW SUBSECTION. 4. The state historical society board of trustees may:

a. Serve in an advisory capacity to the state records commission, the state archives and records program, and other statewide archival or records agencies.

b. Seek moneys from the national historical publications and records commission or other grant-funding bodies for sponsoring and publishing surveys of the conditions and needs

of historical records in the state; for developing, revising, and distributing funding priorities for historical records projects in Iowa; for implementing projects to be carried out in the state for the preservation of historical records and publications; or for reviewing, through reports and otherwise, the operation and progress of records projects in the state.

Sec. 89. Section 8D.3, subsection 3, paragraphs b and d, Code 2024, are amended to read as follows:

b. ~~Adopt rules pursuant to chapter 17A as deemed appropriate and necessary, and directly related to the implementation and administration of the duties of the commission. The commission, in consultation with the department of administrative services, shall also adopt and provide for standard communications procedures and policies relating to the use of the network which recognize, at a minimum, the need for reliable communications services.~~ Provide advice and recommendations to the director for the adoption of rules as provided in section 8D.4.

d. ~~Review and approve for adoption, rules as proposed and submitted by an authorized user group necessary for the authorized user group's access and use of the network. The commission may refuse to approve and adopt a proposed rule, and upon such refusal, shall return the proposed rule to the respective authorized user group proposing the rule with a statement indicating the commission's reason for refusing to approve and adopt the rule.~~ Provide advice and recommendations to the director for the review and adoption of rules proposed and submitted by an authorized user group.

Sec. 90. Section 8D.4, Code 2024, is amended to read as follows:

8D.4 Executive director appointed.

1. The ~~commission~~ governor shall appoint an executive director of the commission, subject to confirmation by the senate. Such individual shall not serve as a member of the commission. The executive director shall serve at the pleasure

of the ~~commission~~ governor. The executive director shall be selected primarily for administrative ability and knowledge in the field, without regard to political affiliation. The governor shall establish the salary of the executive director within the applicable salary range as established by the general assembly. The salary and support of the executive director shall be paid from ~~funds~~ moneys deposited in the Iowa communications network fund.

2. The director shall adopt rules pursuant to chapter 17A for the implementation and administration of the duties of the commission. The director, in consultation with the department of administrative services, shall also adopt and provide for standard communications procedures and policies relating to the use of the network which recognize, at a minimum, the need for reliable communications services. The director shall review and approve for adoption rules as proposed and submitted by an authorized user group necessary for the authorized user group's access and use of the network. The director may refuse to approve and adopt a proposed rule, and upon such refusal, shall return the proposed rule to the respective authorized user group proposing the rule with a statement indicating the director's reason for refusing to approve and adopt the rule.

Sec. 91. Section 8D.9, subsection 2, paragraph b, Code 2024, is amended to read as follows:

b. A private or public agency, other than an institution under the control of the state board of regents, a private college or university, or a nonpublic school, shall petition the commission for a waiver of the requirement to use the network as provided in paragraph "*a*", if the agency determines that paragraph "*a*", subparagraph (1) or (2), applies. The ~~commission~~ director shall establish by rule a review process for determining, upon application of an authorized user, whether paragraph "*a*", subparagraph (1) or (2), applies. An authorized user found by the commission to be under contract for such services as provided in paragraph "*a*", subparagraph

(2), shall not enter into another contract upon the expiration of such contract, but shall utilize the network for such services as provided in this section unless paragraph "a", subparagraph (1), applies. A waiver approved by the commission may be for a period as requested by the private or public agency of up to three years.

Sec. 92. Section 10A.104, subsection 2, Code 2024, is amended to read as follows:

2. Appoint the administrators of the divisions within the department and all other personnel deemed necessary for the administration of this chapter, except the state public defender, assistant state public defenders, administrator of the racing and gaming commission, labor commissioner, workers' compensation commissioner, director of the Iowa ~~state~~ office of civil rights ~~commission~~, and members of the employment appeal board. All persons appointed and employed in the department are covered by the provisions of chapter 8A, subchapter IV, but persons not appointed by the director are exempt from the merit system provisions of chapter 8A, subchapter IV.

Sec. 93. Section 10A.506, subsection 1, paragraph a, subparagraph (7), Code 2024, is amended by striking the subparagraph.

Sec. 94. Section 12.72, subsection 1, Code 2024, is amended to read as follows:

1. A vision Iowa fund is created and established as a separate and distinct fund in the state treasury. The moneys in the fund are appropriated to the ~~enhance Iowa~~ economic development authority board for purposes of the vision Iowa program established in section 15F.302. Moneys in the fund shall not be subject to appropriation for any other purpose by the general assembly, but shall be used only for the purposes of the vision Iowa fund. The treasurer of state shall act as custodian of the fund and disburse moneys contained in the fund as directed by the ~~enhance Iowa~~ economic development authority board, including automatic disbursements of funds

received pursuant to the terms of bond indentures and documents and security provisions to trustees. The fund shall be administered by the ~~enhance Iowa~~ economic development authority board which shall make expenditures from the fund consistent with the purposes of the vision Iowa program without further appropriation. An applicant under the vision Iowa program shall not receive more than seventy-five million dollars in financial assistance from the fund.

Sec. 95. Section 12.75, subsection 1, Code 2024, is amended to read as follows:

1. The ~~enhance Iowa~~ economic development authority board may undertake a project for two or more applicants jointly or for any combination of applicants, and may combine for financing purposes, with the consent of all of the applicants which are involved, the project and some or all future projects of any applicant, and section 12.71, Code 2020, sections 12.72 and 12.74, this section, and sections 12.76 and 12.77 apply to and for the benefit of the ~~enhance Iowa~~ economic development authority board and the joint applicants. However, the money set aside in a fund or funds pledged for any series or issue of bonds or notes shall be held for the sole benefit of the series or issue separate and apart from money pledged for another series or issue of bonds or notes of the treasurer of state. To facilitate the combining of projects, bonds or notes may be issued in series under one or more resolutions or trust agreements and may be fully open-ended, thus providing for the unlimited issuance of additional series, or partially open-ended, limited as to additional series.

Sec. 96. Section 12B.10, subsection 7, unnumbered paragraph 1, Code 2024, is amended to read as follows:

Notwithstanding sections 12C.2, 12C.4, 12C.6, ~~12C.6A,~~ and any other provision of law relating to the deposits of public funds, if public funds are deposited in a depository, as defined in section 12C.1, any uninsured portion of the public funds invested through the depository may be invested

in insured deposits or certificates of deposit arranged by the depository that are placed in or issued by one or more federally insured banks or savings associations regardless of location for the account of the public funds depositor if all of the following requirements are satisfied:

Sec. 97. Section 12C.6, subsection 2, paragraphs a, c, d, e, and f, Code 2024, are amended to read as follows:

a. ~~A committee composed of the superintendent of banking, the superintendent of credit unions, the auditor of state or a designee, and the treasurer of state shall meet on or about the first of each month or at other times as the committee may prescribe and by majority action~~ The treasurer of state, in consultation with subject matter experts as needed, shall establish a minimum rate to be earned on state funds placed in time deposits.

c. An interest rate established by the ~~committee~~ treasurer of state under this section shall be in effect commencing on the eighth calendar day following the day the rate is established and until a different rate is established and takes effect.

d. The ~~committee~~ treasurer of state shall give advisory notice of an interest rate established under this section. This notice may be given by publication in one or more newspapers, by publication in the Iowa administrative bulletin, by ordinary mail to persons directly affected, by any other method determined by the ~~committee~~ treasurer of state, or by a combination of these. In all cases, the notice shall be published in the Iowa administrative bulletin.

e. The notice shall contain the following words: The rate of interest has been determined by ~~a committee~~ the treasurer of state of the state of Iowa to be the minimum interest rate that shall be paid on public funds deposited in approved financial institutions. To be eligible to accept deposits of public funds of the state of Iowa, a financial institution shall demonstrate a commitment to serve the

needs of the local community in which it is chartered to do business. These needs include credit services as well as deposit services. All such financial institutions are required to provide the ~~committee~~ treasurer of state with a written description of their commitment to provide credit services in the community. This statement is available for examination by citizens.

f. The notice shall also provide the name and address of a state official to whom inquiries can be sent. Actions of the ~~committee~~ treasurer of state under this section ~~and section 12C.6A~~ are exempt from chapter 17A.

Sec. 98. Section 15.105, subsection 1, paragraph a, subparagraph (1), Code 2024, is amended to read as follows:

(1) The powers of the authority are vested in and shall be exercised by a board of eleven voting members selected at large and appointed by the governor subject to confirmation by the senate. ~~The voting members shall be comprised of the following:~~

~~(a) Two members from each United States congressional district established under section 40.1 in the state.~~

~~(b) Three members selected at large.~~

Sec. 99. Section 15.108, subsection 5, paragraph c, Code 2024, is amended to read as follows:

c. Coordinate and develop with the department of transportation, the department of natural resources, ~~the enhance Iowa board,~~ other state agencies, and local and regional entities public interpretation, marketing, and education programs that encourage Iowans and out-of-state visitors to participate in the recreational and leisure opportunities available in Iowa. The authority shall establish and administer a program that helps connect both Iowa residents and residents of other states to new and existing Iowa experiences as a means to enhance the economic, social, and cultural well-being of the state. The program shall include a broad range of new opportunities, both rural and urban,

including main street destinations, green space initiatives, and artistic and cultural attractions.

Sec. 100. Section 15.108, subsection 8, paragraph b, subparagraphs (4) and (5), Code 2024, are amended to read as follows:

(4) Compile, in consultation with the Iowa arts council, a list of grant applications recommended for funding in accordance with the amount available for distribution as provided in section 15.481, subsection 3. ~~The list of recommended grant applications shall be submitted to the Iowa cultural trust board of trustees for approval.~~

(5) Monitor the allocation and use of grant moneys by all qualified organizations to determine whether moneys are used in accordance with the provisions of this paragraph "*b*" and subchapter II, part 30. ~~The authority shall annually submit a report with the authority's findings and recommendations to the Iowa cultural trust board of trustees prior to final board action in approving grants for the next succeeding fiscal year.~~

Sec. 101. Section 15.116, Code 2024, is amended to read as follows:

15.116 Technology commercialization committee.

To evaluate and make recommendations to the authority on appropriate funding for the projects and programs applying for financial assistance from the innovation and commercialization development fund created in section 15.412, the economic development authority shall create a technology commercialization committee composed of members with expertise in the areas of biosciences, engineering, manufacturing, pharmaceuticals, materials, information solutions, software, and energy. At least one member of the technology commercialization committee shall be a member of the economic development authority. An organization designated by the authority, composed of members from both the public and private sectors and composed of subunits or subcommittees in the areas of already identified bioscience platforms, education

and workforce development, commercialization, communication, policy and governance, and finance, shall provide funding recommendations to the technology commercialization committee. Members of the committee shall be eligible for a per diem as specified in section 7E.6 for each day spent in performance of duties as members, and shall receive compensation for mileage to and from meetings.

Sec. 102. Section 15.117A, subsection 2, paragraph a, unnumbered paragraph 1, Code 2024, is amended to read as follows:

~~Twenty-nine~~ Nine voting members as follows:

Sec. 103. Section 15.117A, subsection 2, paragraph a, subparagraphs (1), (3), and (9), Code 2024, are amended to read as follows:

(1) ~~Twenty~~ Three members selected by the board to serve staggered, two-year terms beginning and ending as provided in section 69.19. ~~Of the members selected by the board, fourteen shall be representatives from businesses in the targeted industries and six shall be individuals who serve on the technology commercialization committee created in section 15.116, or other committees of the board, and who have expertise with the targeted industries. At least ten of the members selected pursuant to this subparagraph shall be executives actively engaged in the management of a business in a targeted industry.~~ The members selected pursuant to this ~~paragraph~~ subparagraph shall have expertise in the targeted industries and reflect the size and diversity of businesses in the targeted industries ~~and of the various geographic areas of the state~~.

(3) The director of the authority~~, or the director's designee~~.

(9) ~~Two~~ One community college ~~presidents from geographically diverse areas of the state~~ president, selected by the Iowa association of community college trustees.

Sec. 104. Section 15.117A, subsection 2, paragraph a,

subparagraphs (2) and (4), Code 2024, are amended by striking the subparagraphs.

Sec. 105. Section 15.117A, subsection 4, Code 2024, is amended to read as follows:

4. The ~~chief technology officer appointed pursuant to section 15.117~~ council shall ~~be~~ select the chairperson of the council ~~and~~, who shall be responsible for convening meetings of the council and coordinating its activities ~~and shall convene the council at least annually~~. The council shall annually elect one of the voting members to serve as vice chairperson. A majority of the members of the council constitutes a quorum. However, the ~~chief technology officer~~ chairperson shall not convene a meeting of the council unless the director of the authority, or the director's designee, is present at the meeting.

Sec. 106. Section 15.117A, subsection 6, paragraphs a, b, and d, Code 2024, are amended by striking the paragraphs.

Sec. 107. Section 15.117A, Code 2024, is amended by adding the following new subsection:

NEW SUBSECTION. 7. A committee appointed by the director and the chairperson of the council shall review and make recommendations on all applications received by the authority for financial assistance under the Iowa strategic infrastructure program pursuant to section 15.313. Persons appointed to a committee pursuant to this subsection are not required to be members of the council.

Sec. 108. Section 15.439, subsection 1, paragraphs a, c, d, and e, Code 2024, are amended to read as follows:

a. The authority shall establish and administer an Iowa great places program for purposes of combining resources of state government in an effort to showcase the unique and authentic qualities of communities, regions, neighborhoods, and districts that make such places exceptional places to work and live. ~~The authority shall provide administrative assistance to the Iowa great places board.~~ The authority shall coordinate

~~the~~ efforts ~~of the Iowa great places board~~ with ~~the efforts of~~ other state agencies participating in the program which shall include but not be limited to the Iowa finance authority, the department of health and human services, the department of natural resources, the state department of transportation, and the department of workforce development.

c. ~~Initially, three Iowa great places projects shall be identified by the Iowa great places board.~~ The ~~board~~ authority may identify additional Iowa great places for participation under the program when places develop dimensions and meet readiness criteria for participation under the program.

~~*d. The authority shall work in cooperation with the enhance Iowa board for purposes of maximizing and leveraging moneys appropriated to identified Iowa great places.*~~

~~*e.*~~ *d.* As a condition of receiving state funds, an identified Iowa great place shall present information to the ~~board~~ authority concerning the proposed activities and total financial needs of the project.

Sec. 109. Section 15.439, subsection 2, Code 2024, is amended by striking the subsection.

Sec. 110. Section 15.439, subsections 3 and 4, Code 2024, are amended to read as follows:

3. The ~~board~~ authority shall do all of the following:

~~*a. Organize.*~~

~~*b.*~~ *a.* Identify Iowa great places for purposes of receiving a package of resources under the program.

~~*c.*~~ *b.* Identify a combination of state resources which can be provided to Iowa great places.

4. Notwithstanding any restriction, requirement, or duty to the contrary, in considering an application for a grant, loan, or other financial or technical assistance for a project identified in an Iowa great places agreement developed pursuant to this section, a state agency shall give additional consideration or additional points in the application of rating or evaluation criteria to such applications. This subsection

applies to applications filed within three years of the ~~Iowa great places board's~~ authority's identification of the project for participation in the program.

Sec. 111. Section 15.478, subsection 1, Code 2024, is amended by striking the subsection.

Sec. 112. Section 15.479, subsection 4, Code 2024, is amended to read as follows:

4. The treasurer of state shall act as custodian of the fund, shall invest moneys in the trust fund, and shall transfer the interest attributable to the investment of trust fund moneys to the grant account created in section 15.482. The trust fund's principal shall not be used or accessed by the ~~department or the board~~ authority for any purpose.

Sec. 113. Section 15.481, unnumbered paragraph 1, Code 2024, is amended to read as follows:

The ~~board~~ authority shall do any or all of the following:

Sec. 114. Section 15.481, subsections 2 and 3, Code 2024, are amended to read as follows:

2. Approve or disapprove the grants recommended for approval by the director, in consultation with the Iowa arts council and the state historical society of Iowa, in accordance with section 15.108, subsection 8, paragraph "*b*". The ~~board~~ authority may remove any recommendation from the list, but shall not add to or otherwise amend the list of recommended grants.

3. Upon approving a grant, the ~~board~~ authority shall certify to the treasurer of state the amount of financial assistance payable from the grant account to the qualified organization whose grant application is approved.

Sec. 115. Section 15.482, subsections 1 and 3, Code 2024, are amended to read as follows:

1. An Iowa cultural trust grant account is created in the office of the treasurer of state under the control of the ~~board~~ authority to receive interest attributable to the investment of trust fund moneys as required by section 15.479,

subsection 4. The moneys in the grant account are appropriated to the ~~board~~ authority for purposes of the Iowa cultural trust created in section 15.479. Moneys in the grant account shall not be subject to appropriation for any other purpose by the general assembly, but shall be used only for the purposes of the Iowa cultural trust. The treasurer of state shall act as custodian of the grant account and disburse moneys contained in the grant account as directed by the ~~board~~ authority. The ~~board~~ authority shall make expenditures from the grant account consistent with the purposes of the Iowa cultural trust.

3. At any time when the principal balance in the trust fund equals or exceeds three million dollars, the ~~board~~ authority may use moneys in the grant account for a statewide educational program to promote participation in, expanded support of, and local endowment building for, Iowa nonprofit arts, history, and sciences and humanities organizations.

Sec. 116. Section 15F.101, subsection 2, Code 2024, is amended to read as follows:

2. *"Board"* means the ~~enhance Iowa~~ economic development authority board as created in section ~~15F.102~~ 15.105.

Sec. 117. Section 15F.203, subsection 2, Code 2024, is amended to read as follows:

2. A review committee composed of five members of the board shall review community attraction and tourism program applications forwarded to the board and make recommendations regarding the applications to the board. ~~The review committee shall consist of members of the board, with one member from each congressional district under section 15F.102, subsection 2, paragraph "a", and one member from the state at large under section 15F.102, subsection 2, paragraph "b".~~

Sec. 118. Section 15F.304, subsection 2, Code 2024, is amended to read as follows:

2. A review committee composed of six members of the board shall review vision Iowa program applications and river enhancement community attraction and tourism project

applications forwarded to the board and make recommendations regarding the applications to the board. ~~The review committee shall consist of members of the board, with one member from each congressional district under section 15F.102, subsection 2, paragraph "a", and two members from the state at large under section 15F.102, subsection 2, paragraph "b".~~

Sec. 119. Section 15F.402, subsection 2, Code 2024, is amended to read as follows:

2. A review committee composed of five members of the board shall review sports tourism marketing and infrastructure program applications forwarded to the board and make recommendations regarding the applications to the authority. ~~The review committee shall consist of members of the board, with one member from each congressional district under section 15F.102, subsection 2, paragraph "a", and one member from the state at large under section 15F.102, subsection 2, paragraph "b".~~

Sec. 120. Section 15H.3, subsection 1, paragraphs e and k, Code 2024, are amended by striking the paragraphs.

Sec. 121. Section 16.2D, subsections 1, 2, 3, 4, 5, and 6, Code 2024, are amended by striking the subsections.

Sec. 122. Section 16.2D, subsection 7, unnumbered paragraph 1, Code 2024, is amended to read as follows:

The duties of the ~~council~~ authority under this section shall include but are not limited to the following:

Sec. 123. Section 16.2D, subsection 7, paragraph e, Code 2024, is amended to read as follows:

e. Advise the governor's office, ~~the authority,~~ state agencies, and private organizations on strategies to prevent and eliminate homelessness.

Sec. 124. Section 16.2D, subsections 8, 9, and 10, Code 2024, are amended to read as follows:

8. The ~~council~~ authority shall file a point-in-time report on homelessness in Iowa with the governor and the general assembly on or before December 1 of each year.

9. *a.* The authority~~, in consultation with the council,~~ shall adopt rules pursuant to chapter 17A for carrying out the duties of the ~~council~~ authority pursuant to this section.

b. The ~~council~~ authority shall establish internal rules of procedure consistent with the provisions of this section.

c. Rules adopted or internal rules of procedure established pursuant to paragraph "*a*" or "*b*" shall be consistent with the requirements of the federal McKinney-Vento Homeless Assistance Act, 42 U.S.C. §11301 et seq.

10. The ~~council~~ authority shall comply with the requirements of chapters 21 and 22. ~~The authority shall be the official repository of council records.~~

Sec. 125. Section 20.1, subsection 2, unnumbered paragraph 1, Code 2024, is amended to read as follows:

The general assembly declares that the purposes of the ~~public employment relations board established by~~ employment appeal board with respect to this chapter are to implement the provisions of this chapter and adjudicate and conciliate employment-related cases involving the state of Iowa and other public employers and employee organizations. For these purposes the powers and duties of the board include but are not limited to the following:

Sec. 126. Section 20.3, subsection 2, Code 2024, is amended to read as follows:

2. "*Board*" means the ~~public~~ employment ~~relations~~ appeal board established under section ~~20.5~~ 10A.601.

Sec. 127. Section 20.6, subsection 1, Code 2024, is amended to read as follows:

1. Administer the provisions of this chapter and delegate the powers and duties of the board to ~~the executive director or~~ persons employed by the board, as appropriate.

Sec. 128. Section 22.7, subsection 69, Code 2024, is amended to read as follows:

69. The evidence of public employee support for the certification, retention and recertification, or

decertification of an employee organization as defined in section 20.3 that is submitted to the ~~public~~ employment ~~relations~~ appeal board as provided in section 20.14 or 20.15.

Sec. 129. Section 23A.2, subsection 6, paragraph a, Code 2024, is amended to read as follows:

a. The director of the department of corrections~~, with the advice of the state prison industries advisory board,~~ may, by rule, provide for exemptions from this chapter.

Sec. 130. Section 34A.2A, subsection 2, Code 2024, is amended to read as follows:

2. The 911 program manager shall act under the supervisory control of the director of the department of homeland security and emergency management~~, and in consultation with the 911 communications council,~~ and shall perform the duties specifically set forth in this chapter and as assigned by the director.

Sec. 131. Section 34A.7A, subsection 2, paragraph f, subparagraph (1), subparagraph division (a), Code 2024, is amended by striking the subparagraph division.

Sec. 132. Section 34A.7A, subsection 2, paragraph f, subparagraph (1), subparagraph division (b), Code 2024, is amended to read as follows:

(b) The program manager~~, in consultation with the 911 communications council,~~ shall allocate an amount, not to exceed one hundred thousand dollars per fiscal year, for development of public awareness and educational programs related to the use of 911 by the public, educational programs for personnel responsible for the maintenance, operation, and upgrading of local 911 systems~~, and the expenses of members of the 911 communications council for travel, monthly meetings, and training, provided, however, that the members have not received reimbursement funds for such expenses from another source~~.

Sec. 133. Section 34A.7A, subsection 2, paragraph g, Code 2024, is amended to read as follows:

g. The director, in consultation with the program manager

~~and the 911 communications council~~, shall adopt rules pursuant to chapter 17A governing the distribution of the surcharge collected and distributed pursuant to this subsection. The rules shall include provisions that all joint 911 service boards and the department of public safety which answer or service wireless 911 calls are eligible to receive an equitable portion of the receipts.

Sec. 134. Section 34A.7A, subsection 5, paragraph a, Code 2024, is amended to read as follows:

a. The program manager, in consultation with the ~~911 communications council and the~~ auditor of state, shall establish a methodology for determining and collecting public safety answering point cost and expense data through the county joint 911 service boards. The methodology shall include the collection of data for direct costs and expenses related to the operation of a public safety answering point and account for the extent to which identified costs and expenses are compensated for or addressed through 911 surcharges versus other sources of funding.

Sec. 135. Section 34A.11, subsection 1, Code 2024, is amended to read as follows:

1. The joint 911 service board in each 911 service area shall designate a person to serve as a single point-of-contact to facilitate the communication of needs, issues, or concerns regarding emergency communications, interoperability, and other matters applicable to emergency 911 communications and migration to the next generation 911 network. The person designated as the single point-of-contact shall be responsible for facilitating the communication of such needs, issues, or concerns between public or private safety agencies within the service area, the 911 program manager, ~~the 911 communications council,~~ the statewide interoperable communications system board established in section 80.28, and any other person, entity, or agency the person deems necessary or appropriate. The person designated shall also be responsible for responding

to surveys or requests for information applicable to the service area received from a federal, state, or local agency, entity, or board.

Sec. 136. Section 35A.2, subsection 2, Code 2024, is amended to read as follows:

2. Ten commissioners shall be honorably discharged members of the armed forces of the United States. The American legion ~~of Iowa~~, disabled American veterans ~~department of Iowa~~, veterans of foreign wars ~~department of Iowa~~, American veterans ~~of World War II, Korea, and Vietnam~~, the Vietnam veterans of America, the military order of the purple heart, the paralyzed veterans of America, and the Iowa association of county commissioners and veteran service officers, through their department commanders, shall submit two names respectively from their organizations to the governor. The adjutant general and the Iowa affiliate of the reserve officers association ~~shall~~ may submit names to the governor of persons to represent the Iowa national guard and the ~~association~~ reserve organization of America. The governor shall appoint from the group of names submitted by the adjutant general and reserve officers association two representatives and from each of the other organizations one representative to serve as a member of the commission, unless the appointments would conflict with the bipartisan and gender balance provisions of sections 69.16 and 69.16A. In addition, the governor shall appoint one member of the public, knowledgeable in the general field of veterans affairs, to serve on the commission. If an organization fails to submit a recommendation pursuant to this subsection, the governor may appoint any person to fill the vacancy.

Sec. 137. Section 68B.2, subsection 23, Code 2024, is amended to read as follows:

23. *"Regulatory agency"* means the department of agriculture and land stewardship, department of workforce development, department of insurance and financial services, department of public safety, department of education, state board of

regents, department of health and human services, department of revenue, department of inspections, appeals, and licensing, department of administrative services, ~~public~~ employment ~~relations~~ appeal board, state department of transportation, ~~civil rights commission~~ office of civil rights, department of public defense, department of homeland security and emergency management, Iowa ethics and campaign disclosure board, utilities board, and department of natural resources.

Sec. 138. Section 68B.35, subsection 2, paragraph e, Code 2024, is amended to read as follows:

e. Members of the state banking council, the Iowa ethics and campaign disclosure board, the credit union review board, the economic development authority, the employment appeal board, the environmental protection commission, the health facilities council, the Iowa finance authority, the Iowa public employees' retirement system investment board, the Iowa lottery board created in section 99G.8, the natural resource commission, the board of parole, the petroleum underground storage tank fund board, ~~the public employment relations board,~~ the state racing and gaming commission, the state board of regents, the transportation commission, the office of consumer advocate, the utilities board, the Iowa telecommunications and technology commission, and any full-time members of other boards and commissions as defined under section 7E.4 who receive an annual salary for their service on the board or commission. The Iowa ethics and campaign disclosure board shall conduct an annual review to determine if members of any other board, commission, or authority should file a statement and shall require the filing of a statement pursuant to rules adopted pursuant to chapter 17A.

Sec. 139. Section 70A.28, subsection 6, Code 2024, is amended to read as follows:

6. Subsection 2 may also be enforced by an employee through an administrative action pursuant to the requirements of this subsection if the employee is not a merit system employee or

an employee covered by a collective bargaining agreement. An employee eligible to pursue an administrative action pursuant to this subsection who is discharged, suspended, demoted, or otherwise receives a reduction in pay and who believes the adverse employment action was taken as a result of the employee's disclosure of information that was authorized pursuant to subsection 2, may file an appeal of the adverse employment action with the ~~public~~ employment ~~relations~~ appeal board within thirty calendar days following the later of the effective date of the action or the date a finding is issued to the employee by the office of ombudsman pursuant to section 2C.11A. The findings issued by the ombudsman may be introduced as evidence before the ~~public~~ employment ~~relations~~ appeal board. The employee has the right to a hearing closed to the public, but may request a public hearing. The hearing shall otherwise be conducted in accordance with the rules of the ~~public~~ employment ~~relations~~ appeal board and the Iowa administrative procedure Act, chapter 17A. If the ~~public~~ employment ~~relations~~ appeal board finds that the action taken in regard to the employee was in violation of subsection 2, the employee may be reinstated without loss of pay or benefits for the elapsed period, or the ~~public~~ employment ~~relations~~ appeal board may provide other appropriate remedies. Decisions by the ~~public~~ employment ~~relations~~ appeal board constitute final agency action.

Sec. 140. Section 80.28, subsections 2 and 3, Code 2024, are amended to read as follows:

2. The board shall consist of ~~nineteen voting members, as follows~~ the following members, selected by the governor after considering recommendations from professional or volunteer organizations:

a. ~~The following members representing state agencies:~~

~~(1) One member representing the department of public safety.~~

~~(2) One member representing the state department of~~

~~transportation.~~

~~(3) One member representing the department of homeland security and emergency management.~~

~~(4) One member representing the department of corrections.~~

~~(5) One member representing the department of natural resources.~~

~~(6) One member representing the department of health and human services.~~

~~(7) One member representing the office of the chief information officer created in section 8B.2.~~

~~(8) One member representing the Iowa law enforcement academy created in section 80B.4.~~

~~*b. The governor shall solicit and consider recommendations from professional or volunteer organizations in appointing the following members:*~~

~~(1) Two members who are representatives~~ One member who is a representative from a municipal police ~~departments~~ department.

~~(2)~~ *b.* ~~Two members who are representatives~~ One member who is a representative of a sheriff's ~~offices~~ office.

~~(3)~~ *c.* ~~Two members who are representatives~~ One member who is a representative from a fire ~~departments~~ department. ~~One of the members shall be a volunteer fire fighter and the other member shall be a paid fire fighter.~~

~~(4)~~ *d.* ~~Two members who are~~ One member who is a law communication center ~~managers~~ manager employed by a state or local government ~~agencies~~ agency.

~~(5)~~ *e.* One member representing local emergency management coordinators.

~~(6)~~ *f.* One member representing emergency medical service providers.

~~(7)~~ *g.* One at-large member.

3. In addition to the ~~voting~~ members listed in subsection 2, the board membership shall include four members of the general assembly with one member designated by each of the following: the majority leader of the senate, the

minority leader of the senate, the speaker of the house of representatives, and the minority leader of the house of representatives. A legislative member serves for a term as provided in section 69.16B in an ex officio, nonvoting capacity and is eligible for per diem and expenses as provided in section 2.10.

Sec. 141. Section 84A.1A, subsection 1, unnumbered paragraph 1, Code 2024, is amended to read as follows:

An Iowa workforce development board is created, consisting of ~~thirty-three voting members and thirteen nonvoting~~ the following members.

Sec. 142. Section 84A.1A, subsection 1, paragraph a, subparagraph (5), Code 2024, is amended by striking the subparagraph.

Sec. 143. Section 84A.1A, subsection 1, paragraph a, subparagraph (8), unnumbered paragraph 1, Code 2024, is amended to read as follows:

The following ~~twenty-six~~ members who shall be appointed by the governor for staggered terms of four years beginning and ending as provided in section 69.19, subject to confirmation by the senate:

Sec. 144. Section 84A.1A, subsection 1, paragraph a, subparagraph (8), subparagraph division (a), unnumbered paragraph 1, Code 2024, is amended to read as follows:

~~Seventeen~~ Ten members who shall be representatives of businesses in the state to whom each of the following applies, and at least one of whom shall represent small businesses as defined by the United States small business administration:

Sec. 145. Section 84A.1A, subsection 1, paragraph a, subparagraph (8), subparagraph division (b), Code 2024, is amended to read as follows:

(b) ~~Seven~~ Four members who shall be representatives of the workforce in the state and who shall include all of the following:

(i) ~~Four~~ At least two representatives of labor

organizations who have been nominated by state labor federations.

(ii) ~~One~~ At least one representative of a joint labor-management apprenticeship program in the state who shall be a member of a labor organization or a training director. If such a joint program does not exist in the state, the member shall instead be a representative of an apprenticeship program in the state.

~~(iii) Two representatives of community-based organizations that have demonstrated experience and expertise in addressing the employment, training, or education needs of individuals with barriers to employment as defined in the federal Workforce Innovation and Opportunity Act, Pub. L. No. 113-128, §3(24), including but not limited to organizations that serve veterans or that provide or support competitive, integrated employment for individuals with disabilities; or that serve eligible youth, as defined in the federal Workforce Innovation and Opportunity Act, Pub. L. No. 113-128, §3(18), including representatives of organizations that serve out-of-school youth, as defined in the federal Workforce Innovation and Opportunity Act, Pub. L. No. 113-128, §129(a)(1)(B).~~

Sec. 146. Section 84A.1A, subsection 1, paragraph b, Code 2024, is amended by striking the paragraph and inserting in lieu thereof the following:

b. The director of the department of education or the director's designee shall serve as an ex officio, nonvoting member.

Sec. 147. Section 97B.8B, subsection 2, Code 2024, is amended to read as follows:

2. *Membership.* The benefits advisory committee shall be comprised of representatives of constituent groups concerned with the retirement system, and shall include representatives of employers, active members, and retired members. In addition, the director of the department of administrative services, or the director's designee, and a member of the

public selected by the voting members of the committee shall serve as members of the committee. The system shall adopt rules under chapter 17A to provide for the selection of members to the committee and the election of the voting members of the committee.

Sec. 148. Section 100B.1, subsection 1, paragraph a, Code 2024, is amended to read as follows:

a. The council shall consist of ~~eleven~~ seven voting members and one ex officio, nonvoting member. Voting members of the state fire service and emergency response council shall be appointed by the governor.

(1) The governor shall ~~appoint~~ consider appointing voting members of the council from a list of nominees submitted by each of the following organizations, but may appoint any person to serve on the council:

(a) ~~Two members from a list submitted by the~~ The Iowa firefighters association.

(b) ~~Two members from a list submitted by the~~ The Iowa fire chiefs' association.

(c) ~~Two members from a list submitted by the~~ The Iowa professional fire fighters.

(d) ~~Two members from a list submitted by the~~ The Iowa association of professional fire chiefs.

(e) ~~One member from a list submitted by the~~ The Iowa emergency medical services association.

~~(2) A person nominated for inclusion in the voting membership on the council is not required to be a member of the organization that nominates the person.~~

~~(3) The tenth and eleventh voting members of the council shall be members of the general public appointed by the governor.~~

~~(4)~~ (2) The labor commissioner, or the labor commissioner's designee, shall be a nonvoting, ex officio member of the council.

Sec. 149. Section 100B.1, subsection 3, Code 2024, is

amended to read as follows:

3. ~~Six~~ Four voting members of the council shall constitute a quorum. For the purpose of conducting business, a majority vote of the council shall be required. The council shall elect a chairperson from its members. The council shall meet at the call of the chairperson, or the state fire marshal, or when any ~~six~~ four members of the council file a written request with the chairperson for a meeting.

Sec. 150. Section 100C.1, subsection 5, Code 2024, is amended to read as follows:

5. *"Automatic fire extinguishing system"* means a system of devices and equipment that automatically detects a fire and discharges an approved fire extinguishing agent onto or in the area of a fire and includes automatic sprinkler systems, carbon dioxide extinguishing systems, deluge systems, automatic dry-chemical extinguishing systems, foam extinguishing systems, and halogenated extinguishing systems, or other equivalent fire extinguishing technologies recognized by the ~~fire extinguishing system contractors advisory board~~ department.

Sec. 151. Section 100C.7, Code 2024, is amended to read as follows:

100C.7 Administration — rules.

The director shall administer this chapter and~~, after consultation with the fire extinguishing system contractors and alarm systems advisory board, shall~~ adopt rules pursuant to chapter 17A necessary for the administration and enforcement of this chapter.

Sec. 152. Section 100D.5, subsection 1, Code 2024, is amended to read as follows:

1. ~~After consultation with the fire extinguishing system contractors and alarm systems advisory board established pursuant to section 100C.10, adopt~~ Adopt rules pursuant to chapter 17A necessary for the administration and enforcement of this chapter.

Sec. 153. Section 103.1, subsection 2, Code 2024, is amended

to read as follows:

2. "*Board*" means the ~~electrical examining~~ board of building and construction occupations created under ~~section 103.2~~ chapter 103A.

Sec. 154. Section 103A.3, subsection 1, Code 2024, is amended to read as follows:

1. ~~"*Board of review*" or "*board*"~~ "*Board*" means the ~~state building code~~ board of ~~review~~ building and construction occupations created by this chapter.

Sec. 155. Section 103A.15, unnumbered paragraph 1, Code 2024, is amended to read as follows:

The ~~commissioner shall establish a state building code board of review~~ board of building and construction occupations is established.

Sec. 156. Section 103A.15, subsections 1 and 2, Code 2024, are amended to read as follows:

1. The board shall be composed of ~~three~~ the following members ~~of the council.~~, appointed by the governor:

a. Two master electricians licensed pursuant to chapter 103, one of whom shall be a member of a union and one of whom shall not.

b. Two master plumbers licensed pursuant to chapter 105, one of whom shall be a member of a union and one of whom shall not.

c. Two master mechanical professionals licensed pursuant to chapter 105, one of whom shall be a member of a union and one of whom shall not.

d. Two members, each of whom is either a journeyman licensed pursuant to chapter 103 or a journeyperson licensed pursuant to chapter 105, one of whom shall be a member of a union and one of whom shall not.

2. Members of the board ~~of review~~ shall serve ~~at the pleasure of the commissioner~~ for a term of three years.

Sec. 157. Section 103A.18, unnumbered paragraph 1, Code 2024, is amended to read as follows:

Judicial review of action of the commissioner, board

~~of review~~, or council may be sought in accordance with the terms of the Iowa administrative procedure Act, chapter 17A. Notwithstanding the terms of said Act:

Sec. 158. Section 103A.19, subsection 2, paragraph b, Code 2024, is amended to read as follows:

b. Require that the construction of any building or structure shall be in accordance with the applicable provisions of the state building code, subject, however, to the powers granted to the board ~~of review~~ in section 103A.16.

Sec. 159. Section 103A.19, subsection 2, paragraph d, subparagraph (2), Code 2024, is amended to read as follows:

(2) Every certificate of occupancy or use shall, until set aside or vacated by the board ~~of review~~, director, or a court of competent jurisdiction, be binding and conclusive upon all state and local agencies, as to all matters set forth and no order, direction, or requirement at variance therewith shall be made or issued by any other state or local agency.

Sec. 160. Section 105.2, subsection 2, Code 2024, is amended to read as follows:

2. *"Board"* means the ~~plumbing and mechanical systems~~ board of building and construction occupations as established pursuant to ~~section 105.3~~ chapter 103A.

Sec. 161. Section 123.8, subsection 1, Code 2024, is amended to read as follows:

1. The commission, in addition to the duties specifically enumerated in this chapter, shall ~~act as a policy-making body under this chapter and~~ serve in an advisory capacity to the director and department.

Sec. 162. Section 123.8, subsection 2, unnumbered paragraph 1, Code 2024, is amended to read as follows:

The commission may ~~review and affirm, reverse, or amend all~~ provide advice and make recommendations regarding the actions of the director under this chapter, including but not limited to the following instances:

Sec. 163. Section 123.10, unnumbered paragraph 1, Code

2024, is amended to read as follows:

The director, with the ~~approval~~ advice of the commission and subject to chapter 17A, may adopt rules as necessary to carry out this chapter. The director's authority under this chapter extends to~~,~~ but is not limited to~~,~~ the following:

Sec. 164. Section 123.49, subsection 2, paragraph f, subparagraph (4), Code 2024, is amended to read as follows:

(4) If a person employed under this paragraph reports an incident of workplace harassment to the employer or if the employer otherwise becomes aware of such an incident, the employer shall report the incident to the employee's parent, guardian, or legal custodian and to the Iowa office of civil rights ~~commission~~, which shall determine if any action is necessary or appropriate under chapter 216.

Sec. 165. Section 124.551, subsection 1, Code 2024, is amended to read as follows:

1. Contingent upon the receipt of funds pursuant to section 124.557 sufficient to carry out the purposes of this subchapter, the board, in conjunction with the advisory ~~council~~ committee created in section 124.555, shall establish and maintain an information program for drug prescribing and dispensing.

Sec. 166. Section 124.553, subsection 1, paragraph b, Code 2024, is amended to read as follows:

b. An individual who requests the individual's own program information in accordance with the procedure established in rules of the board ~~and advisory council~~ adopted under section 124.554.

Sec. 167. Section 124.554, subsection 1, unnumbered paragraph 1, Code 2024, is amended to read as follows:

The board ~~and advisory council~~ shall ~~jointly~~ adopt rules in accordance with chapter 17A to carry out the purposes of, and to enforce the provisions of, this subchapter. The rules shall include but not be limited to the development of procedures relating to:

Sec. 168. Section 124.554, subsection 1, paragraphs f, g, and h, Code 2024, are amended to read as follows:

f. Use by the board or advisory ~~council~~ committee of the program request records required by section 124.553, subsection 2, to document and report statistical information.

g. Including all schedule II, schedule III, and schedule IV controlled substances, schedule V controlled substances including when dispensed by a pharmacist without a prescription except for sales of pseudoephedrine that are reported to the real-time electronic repository, opioid antagonists, and other prescription substances that the advisory ~~council~~ committee and board determine can be addictive or fatal if not taken under the proper care and direction of a prescribing practitioner.

h. Access by a pharmacist or prescribing practitioner to information in the program pursuant to a written agreement with the board ~~and advisory council~~.

Sec. 169. Section 124.554, subsection 2, unnumbered paragraph 1, Code 2024, is amended to read as follows:

Beginning February 1, 2021, and annually by February 1 thereafter, the board ~~and advisory council~~ shall present to the general assembly and the governor a report prepared consistent with section 124.555, subsection 3, paragraph *"d"*, which shall include but not be limited to the following:

Sec. 170. Section 124.554, subsection 2, paragraphs b and c, Code 2024, are amended to read as follows:

b. Information from pharmacies, prescribing practitioners, the board, the advisory ~~council~~ committee, and others regarding the benefits or detriments of the program.

c. Information from pharmacies, prescribing practitioners, the board, the advisory ~~council~~ committee, and others regarding the board's effectiveness in providing information from the program.

Sec. 171. Section 124.554, subsection 3, paragraph a, subparagraph (6), Code 2024, is amended to read as follows:

(6) Other pertinent information identified by the board ~~and~~

~~advisory council~~ by rule.

Sec. 172. Section 124.555, unnumbered paragraph 1, Code 2024, is amended to read as follows:

An advisory ~~council~~ committee shall be established to ~~provide oversight to~~ assist the board ~~and~~ in the management of the program and ~~to comanage~~ program activities.

Sec. 173. Section 124.555, subsections 1 and 2, Code 2024, are amended to read as follows:

1. The ~~council~~ committee shall consist of five members appointed by the board. The members shall include at least one ~~licensed pharmacist~~ prescribing practitioner licensed by the board, one physician licensed under chapter 148, one prescribing practitioner licensed by the board of nursing, and one ~~licensed prescribing practitioner who is not a physician, and other members as determined by the board~~ prescribing practitioner licensed by the board of behavioral health professionals. The board shall adopt rules in accordance with chapter 17A on matters pertaining to the ~~council~~ committee membership, including the terms of appointment and quorum. The board shall solicit recommendations for ~~council~~ committee members from ~~Iowa health professional licensing boards, associations, and societies~~ the board of medicine, board of nursing, and board of behavioral health professionals. The license of each member appointed to and serving on the advisory ~~council~~ committee shall be current and in good standing with the professional's licensing board.

2. The ~~council~~ committee shall advance the goals of the program, which include identification of misuse and diversion of controlled substances identified pursuant to section 124.554, subsection 1, paragraph "g", and enhancement of the quality of health care delivery in this state.

Sec. 174. Section 124.555, subsection 3, unnumbered paragraph 1, Code 2024, is amended to read as follows:

Duties of the ~~council~~ committee shall include but not be limited to the following:

Sec. 175. Section 124.555, subsection 3, paragraph d, Code 2024, is amended to read as follows:

d. Making recommendations regarding the continued benefits of maintaining the program in relationship to cost and other burdens to the patient, prescribing practitioner, pharmacist, and the board. The ~~council's~~ committee's recommendations shall be included in reports required by section 124.554, subsection 2.

Sec. 176. Section 124.555, subsection 4, Code 2024, is amended to read as follows:

4. Members of the advisory ~~council~~ committee shall be eligible to request and receive actual expenses for their duties as members of the advisory ~~council~~ committee, subject to reimbursement limits imposed by the department of administrative services, and shall also be eligible to receive a per diem compensation as provided in section 7E.6, subsection 1.

Sec. 177. Section 124.556, Code 2024, is amended to read as follows:

124.556 Education and treatment.

The program shall include education initiatives and outreach to consumers, prescribing practitioners, and pharmacists, and shall also include assistance for identifying substance use disorder treatment programs and providers. The program shall also include educational updates and information on general patient risk factors for prescribing practitioners. The board ~~and advisory council~~ shall adopt rules, as provided under section 124.554, to implement this section.

Sec. 178. Section 135.11, subsection 22, Code 2024, is amended to read as follows:

22. ~~In consultation with the advisory committee for perinatal guidelines, develop~~ Develop and maintain the statewide perinatal program based on the recommendations of the American academy of pediatrics and the American college of obstetricians and gynecologists contained in the most

recent edition of the guidelines for perinatal care, and adopt rules in accordance with chapter 17A to implement those recommendations. Hospitals within the state shall determine whether to participate in the statewide perinatal program, and select the hospital's level of participation in the program. A hospital having determined to participate in the program shall comply with the guidelines appropriate to the level of participation selected by the hospital. Perinatal program surveys and reports are privileged and confidential and are not subject to discovery, subpoena, or other means of legal compulsion for their release to a person other than the affected hospital, and are not admissible in evidence in a judicial or administrative proceeding other than a proceeding involving verification of the participating hospital under this subsection.

Sec. 179. Section 135.24, subsection 2, paragraph a, Code 2024, is amended to read as follows:

a. Procedures for registration of health care providers deemed qualified by the board of medicine, the board of physician assistants, the dental board, the board of nursing, the board of chiropractic, the board of ~~psychology, the board of social work, the board of~~ behavioral ~~science~~ health professionals, the board of pharmacy, the board of optometry, the board of podiatry, the board of physical and occupational therapy, the board of respiratory care and polysomnography, and the department of inspections, appeals, and licensing, as applicable.

Sec. 180. Section 135.43, subsections 1 and 2, Code 2024, are amended to read as follows:

1. ~~An Iowa child death~~ A state mortality review ~~team~~ committee is established in the department. The department shall provide staffing and administrative support to the ~~team~~ committee.

2. The membership of the review ~~team~~ committee is subject to the provisions of sections 69.16 and 69.16A, relating

to political affiliation and gender balance. Review ~~team~~ committee members who are not designated by another appointing authority shall be appointed by the director. Membership terms shall be for three years. A membership vacancy shall be filled in the same manner as the original appointment. The review ~~team~~ committee shall elect a chairperson and other officers as deemed necessary by the review ~~team~~ committee. The review ~~team~~ committee shall meet upon the call of the director or as determined by the review ~~team~~ committee. The review ~~team~~ committee shall include the following:

a. The state medical examiner or the state medical examiner's designee.

~~*b. A certified or licensed professional who is knowledgeable concerning sudden infant death syndrome.*~~

~~*c. A pediatrician who is knowledgeable concerning deaths of children.*~~

~~*d. A family practice physician who is knowledgeable concerning deaths of children.*~~

~~*e. One mental health professional who is knowledgeable concerning deaths of children.*~~

~~*f. One social worker who is knowledgeable concerning deaths of children.*~~

~~*g. A certified or licensed professional who is knowledgeable concerning domestic violence.*~~

~~*h. A professional who is knowledgeable concerning substance use disorder.*~~

~~*i. A local law enforcement official.*~~

~~*j. A county attorney.*~~

~~*k. An emergency room nurse who is knowledgeable concerning the deaths of children.*~~

~~*l. A perinatal expert.*~~

~~*m. A representative of the health insurance industry.*~~

~~*n. One other member who is appointed at large.*~~

b. A licensed physician knowledgeable concerning the causes of death.

c. A certified or licensed professional knowledgeable regarding substance use disorder.

d. An attorney experienced in prosecuting domestic abuse cases.

e. An expert in unexpected or unexplained infant deaths.

f. Two designees of the state court administrator.

g. A judicial officer, to be appointed by the chief justice of the supreme court.

h. A local law enforcement official.

i. A social worker knowledgeable about deaths of children.

j. Additional members as determined by the director.

Sec. 181. Section 135.43, subsection 3, unnumbered paragraph 1, Code 2024, is amended to read as follows:

The review ~~team~~ committee shall perform the following duties:

Sec. 182. Section 135.43, subsection 3, paragraphs a, c, e, f, and g, Code 2024, are amended to read as follows:

a. Collect, review, and analyze child death certificates and child death data, including patient records or other pertinent confidential information concerning the deaths of children under age eighteen, and other information as the review ~~team~~ committee deems appropriate for use in preparing an annual report to the governor and the general assembly concerning the causes and manner of child deaths. The report shall include analysis of factual information obtained through review and recommendations regarding prevention of child deaths.

c. Recommend to the agencies represented on the review ~~team~~ committee changes which may prevent child deaths.

e. Recommend to the department, appropriate law enforcement agencies, and any other person involved with child protection, interventions that may prevent harm to a child who is related to or is living in the same home as a child whose case is reviewed by the ~~team~~ committee.

f. If the sharing of information is necessary to assist in or initiate a child death investigation or criminal prosecution

and the office or agency receiving the information does not otherwise have access to the information, share information possessed by the review ~~team~~ committee with the office of the attorney general, a county attorney's office, or an appropriate law enforcement agency. The office or agency receiving the information shall maintain the confidentiality of the information in accordance with this section. Unauthorized release or disclosure of the information received is subject to penalty as provided in this section.

g. In order to assist the department in performing the department's duties, if the department does not otherwise have access to the information, share information possessed by the review ~~team~~ committee. The recipient of the information shall maintain the confidentiality of the information in accordance with this section. Unauthorized release or disclosure of the information received is subject to penalty as provided in this section.

Sec. 183. Section 135.43, subsection 4, unnumbered paragraph 1, Code 2024, is amended to read as follows:

The department shall develop protocols for ~~a child fatality review committee, to be appointed by the director on an ad hoc basis,~~ the state mortality review committee to immediately review the child abuse assessments which involve the fatality of a child under age eighteen. ~~The director shall appoint a medical examiner, a pediatrician, and a person involved with law enforcement to the committee.~~

Sec. 184. Section 135.43, subsection 4, paragraph a, Code 2024, is amended to read as follows:

a. The purpose of the review shall be to determine whether the department and others involved with the case of child abuse responded appropriately. The protocols shall provide for the committee to consult with any multidisciplinary team, as defined in section 235A.13, that is operating in the area in which the fatality occurred. The protocols shall also ensure that a member of the ~~child fatality review~~ committee does not

have a conflict of interest regarding the child fatality under review.

Sec. 185. Section 135.43, subsection 5, paragraph a, unnumbered paragraph 1, Code 2024, is amended to read as follows:

The following individuals shall designate a liaison to assist the review ~~team~~ committee in fulfilling its responsibilities:

Sec. 186. Section 135.43, subsection 5, paragraph b, Code 2024, is amended to read as follows:

b. In addition, the department shall designate a liaison from the public at large to assist the review ~~team~~ committee in fulfilling its responsibilities.

Sec. 187. Section 135.43, subsections 6, 7, and 8, Code 2024, are amended to read as follows:

6. The review ~~team~~ committee may establish subcommittees to which the ~~team~~ committee may delegate some or all of the ~~team's~~ committee's responsibilities under subsection 3.

7. *a.* The department shall adopt rules providing for disclosure of information which is confidential under chapter 22 or any other provision of state law, to the review ~~team~~ committee for purposes of performing its child death and child abuse review responsibilities.

b. A person in possession or control of medical, investigative, assessment, or other information pertaining to a child death and child abuse review shall allow the inspection and reproduction of the information by the department upon the request of the department, to be used only in the administration and for the duties of the ~~Iowa child death~~ state mortality review ~~team~~ committee. Except as provided for a report on a child fatality by ~~an ad hoc child fatality review~~ the committee under subsection 4, information and records produced under this section which are confidential under section 22.7 and chapter 235A, and information or records received from the confidential records, remain confidential

under this section. A person does not incur legal liability by reason of releasing information to the department as required under and in compliance with this section.

8. Review ~~team~~ committee members and their agents are immune from any liability, civil or criminal, which might otherwise be incurred or imposed as a result of any act, omission, proceeding, decision, or determination undertaken or performed, or recommendation made as a review ~~team~~ committee member or agent provided that the review ~~team~~ committee members or agents acted in good faith and without malice in carrying out their official duties in their official capacity. The department shall adopt rules pursuant to chapter 17A to administer this subsection. A complainant bears the burden of proof in establishing malice or lack of good faith in an action brought against review ~~team~~ committee members involving the performance of their duties and powers under this section.

Sec. 188. Section 135.108, Code 2024, is amended by adding the following new subsection:

NEW SUBSECTION. 01. *"Committee"* or *"review committee"* means the state mortality review committee established in section 135.43.

Sec. 189. Section 135.108, subsection 4, Code 2024, is amended by striking the subsection.

Sec. 190. Section 135.110, subsection 1, unnumbered paragraph 1, Code 2024, is amended to read as follows:

The review ~~team~~ committee shall perform the following duties:

Sec. 191. Section 135.110, subsection 1, paragraphs b and c, Code 2024, are amended to read as follows:

b. Advise and consult ~~the agencies represented on the team and other~~ state agencies regarding program and regulatory changes that may prevent domestic abuse deaths.

c. Develop protocols for domestic abuse death investigations and ~~team~~ committee review.

Sec. 192. Section 135.110, subsections 2, 3, 4, 5, and 6,

Code 2024, are amended to read as follows:

2. In performing duties pursuant to subsection 1, the review ~~team~~ committee shall review the relationship between the decedent victim and the alleged or convicted perpetrator from the point where the abuse allegedly began, until the domestic abuse death occurred, and shall review all relevant documents pertaining to the relationship between the parties, including but not limited to protective orders and dissolution, custody, and support agreements and related court records, in order to ascertain whether a correlation exists between certain events in the relationship and any escalation of abuse, and whether patterns can be established regarding such events in relation to domestic abuse deaths in general. The review ~~team~~ committee shall consider such conclusions in making recommendations pursuant to subsection 1.

3. The ~~team~~ committee shall meet upon the call of the chairperson, upon the request of a state agency, or as determined by a majority of the ~~team~~ committee.

4. The ~~team~~ committee shall annually elect a chairperson and other officers as deemed necessary by the ~~team~~ committee.

5. The ~~team~~ committee may establish ~~committees~~ subcommittees or panels to whom the ~~team~~ committee may assign some or all of the ~~team's~~ committee's responsibilities.

6. Members of the ~~team~~ committee who are currently practicing attorneys or current employees of the judicial branch of state government shall not participate in the following:

a. An investigation by the ~~team~~ committee that involves a case in which the ~~team~~ committee member is presently involved in the member's professional capacity.

b. Development of protocols by the ~~team~~ committee for domestic abuse death investigations and ~~team~~ committee review.

c. Development of regulatory changes related to domestic abuse deaths.

Sec. 193. Section 135.111, subsection 1, Code 2024, is

amended to read as follows:

1. A person in possession or control of medical, investigative, or other information pertaining to a domestic abuse death and related incidents and events preceding the domestic abuse death, shall allow for the inspection and review of written or photographic information related to the death, whether the information is confidential or public in nature, by the department upon the request of the department and the ~~team~~ committee, to be used only in the administration and for the official duties of the ~~team~~ committee. Information and records produced under this section that are confidential under the law of this state or under federal law, or because of any legally recognized privilege, and information or records received from the confidential records, remain confidential under this section.

Sec. 194. Section 135.112, Code 2024, is amended to read as follows:

135.112 Rulemaking.

The department shall adopt rules pursuant to chapter 17A relating to the administration of the ~~domestic abuse death review team~~ committee and sections 135.108 through 135.111.

Sec. 195. Section 147.1, subsection 6, Code 2024, is amended to read as follows:

6. *"Profession"* means medicine and surgery, podiatry, osteopathic medicine and surgery, genetic counseling, practice as a physician assistant, psychology, chiropractic, nursing, dentistry, dental hygiene, dental assisting, optometry, speech pathology, audiology, pharmacy, physical therapy, physical therapist assisting, occupational therapy, occupational therapy assisting, respiratory care, cosmetology arts and sciences, barbering, mortuary science, applied behavior analysis, marital and family therapy, mental health counseling, midwifery, polysomnography, social work, ~~dietetics,~~ massage therapy, athletic training, acupuncture, nursing home administration, practice as a hearing aid specialist, sign language

interpreting or transliterating, orthotics, prosthetics, or pedorthics.

Sec. 196. Section 147.2, subsection 1, Code 2024, is amended to read as follows:

1. A person shall not engage in the practice of medicine and surgery, podiatry, osteopathic medicine and surgery, genetic counseling, psychology, chiropractic, physical therapy, physical therapist assisting, nursing, dentistry, dental hygiene, dental assisting, optometry, speech pathology, audiology, occupational therapy, occupational therapy assisting, orthotics, prosthetics, pedorthics, respiratory care, pharmacy, cosmetology arts and sciences, barbering, social work, ~~dietetics,~~ applied behavior analysis, marital and family therapy or mental health counseling, massage therapy, mortuary science, polysomnography, athletic training, acupuncture, nursing home administration, or sign language interpreting or transliterating, or shall not practice as a physician assistant or a hearing aid specialist, unless the person has obtained a license for that purpose from the board for the profession.

Sec. 197. Section 147.13, subsection 3, Code 2024, is amended to read as follows:

3. For psychology, social work, applied behavior analysis, marital and family therapy, and mental health counseling, the board of ~~psychology~~ behavioral health professionals.

Sec. 198. Section 147.13, subsections 14, 15, 16, and 21, Code 2024, are amended by striking the subsections.

Sec. 199. Section 147.14, subsection 1, paragraphs b, d, e, f, n, and s, Code 2024, are amended to read as follows:

b. For nursing, ~~four~~ three registered nurses, ~~two~~ one of whom shall be actively engaged in practice, ~~two~~ one of whom shall be a nurse ~~educators~~ educator from a nursing education ~~programs; of these, one in higher education and one in area community and vocational-technical registered nurse education~~ program; one licensed practical nurse actively engaged in

practice; and ~~two members~~ one member who is not a registered ~~nurses~~ nurse or licensed practical ~~nurses~~ nurse and who shall represent the general public. The ~~representatives~~ representative of the general public shall not be ~~members~~ a member of a health care delivery ~~systems~~ system.

d. For pharmacy, ~~five~~ four members licensed to practice pharmacy, one member registered as a certified pharmacy technician as defined by the board by rule, and ~~two members~~ one member who ~~are~~ is not licensed to practice pharmacy or registered as a certified pharmacy technician and who shall represent the general public.

e. For optometry, ~~five~~ four members licensed to practice optometry and ~~two members~~ one member who ~~are~~ is not licensed to practice optometry and who shall represent the general public.

f. For ~~psychology~~ behavioral health professionals, ~~five~~ two members who are licensed to practice psychology, two members who are licensed to practice social work as a master social worker or independent social worker, one member licensed to practice marital and family therapy, one member licensed to practice mental health counseling, and ~~two members~~ one member not licensed to practice psychology, social work, marital and family therapy, or mental health counseling and who shall represent the general public. ~~Of the five members who are licensed to practice psychology, one member shall be primarily engaged in graduate teaching in psychology or primarily engaged in research psychology, three members shall be persons who render services in psychology, and one member shall represent areas of applied psychology and may be affiliated with training institutions and shall devote a major part of the member's time to rendering service in psychology.~~

n. For mortuary science, ~~four~~ three members licensed to practice mortuary science, one member owning, operating, or employed by a crematory, and ~~two members~~ one member not licensed to practice mortuary science and not a crematory owner, operator, or employee who shall represent the general

public.

s. For sign language interpreting and transliterating, ~~four~~ three members licensed to practice interpreting and transliterating, ~~three~~ two of whom shall be practicing interpreters and transliterators at the time of appointment to the board and at least one of whom is employed in an educational setting; and ~~three~~ two members who are consumers of interpreting or transliterating services as defined in section 154E.1, each of whom shall be deaf or hard of hearing.

Sec. 200. Section 147.14, subsection 1, paragraphs j, l, r, and t, Code 2024, are amended by striking the paragraphs.

Sec. 201. Section 147.107, subsection 2, paragraph a, Code 2024, is amended to read as follows:

a. A prescriber who dispenses prescription drugs, including but not limited to controlled substances, for human use, may delegate nonjudgmental dispensing functions to staff assistants only when verification of the accuracy and completeness of the dispensing is determined by the practitioner in the practitioner's physical presence. However, the physical presence requirement does not apply when a practitioner is utilizing an automated dispensing system. When using an automated dispensing system, the practitioner shall utilize an internal quality control assurance plan that ensures accuracy for dispensing. Verification of automated dispensing accuracy and completeness remains the responsibility of the practitioner and shall be determined in accordance with rules adopted by the board of medicine, the dental board, the board of podiatry, and the board of ~~psychology~~ behavioral health professionals for their respective licensees.

Sec. 202. Section 147.161, subsection 1, paragraph b, subparagraph (2), Code 2024, is amended to read as follows:

(2) Licensed master social workers with a current and active supervision plan on file with the board of ~~social work~~ behavioral health professionals.

Sec. 203. Section 148.2A, subsection 2, unnumbered

paragraph 1, Code 2024, is amended to read as follows:

Notwithstanding sections 17A.11, 69.16, 69.16A, 147.12, 147.14, and 147.19, the board may have a pool of up to ~~ten~~ three alternate members, including members licensed to practice under this chapter and members not licensed to practice under this chapter, to substitute for board members who are disqualified or become unavailable for any other reason for contested case hearings.

Sec. 204. Section 148.2A, subsection 2, paragraph a, Code 2024, is amended to read as follows:

a. The board may recommend, subject to approval by the governor, up to ~~ten~~ three people to serve in a pool of alternate members.

Sec. 205. Section 148.13A, unnumbered paragraph 1, Code 2024, is amended to read as follows:

The board of medicine shall, in consultation with the board of ~~psychology~~ behavioral health professionals, establish by rule all of the following:

Sec. 206. Section 148.13B, subsection 1, unnumbered paragraph 1, Code 2024, is amended to read as follows:

The board of medicine and the board of ~~psychology~~ behavioral health professionals shall adopt joint rules in regard to the following:

Sec. 207. Section 148.13B, subsection 3, Code 2024, is amended to read as follows:

3. The joint rules, and any amendments thereto, adopted by the board of medicine and the board of ~~psychology~~ behavioral health professionals pursuant to this section and section 154B.14 shall only be adopted by agreement of both boards through a joint rule-making process.

Sec. 208. Section 152A.1, subsection 1, Code 2024, is amended by striking the subsection and inserting in lieu thereof the following:

1. *"Department"* means the department of inspections, appeals, and licensing.

Sec. 209. Section 152A.1, subsection 2, Code 2024, is amended to read as follows:

2. ~~"Licensed dietitian" or "dietitian"~~ "Dietitian" means a person ~~who holds a valid license~~ registered to practice dietetics pursuant to this chapter.

Sec. 210. Section 152A.2, Code 2024, is amended to read as follows:

152A.2 ~~License~~ Registration requirements.

~~1.~~ An applicant shall be ~~issued a license to practice dietetics~~ registered as a dietitian by the ~~board~~ department when the applicant ~~satisfies all of the following:~~

~~*a.* Possesses a baccalaureate degree or postbaccalaureate degree with a major course of study in human nutrition, food and nutrition, dietetics, or food systems management, or in an equivalent major course of study which meets minimum academic requirements as established by the accreditation council for education in nutrition and dietetics of the academy of nutrition and dietetics and approved by the board.~~

~~*b.* Completes an accredited competency-based supervised experience program approved by the accreditation council for education in nutrition and dietetics of the academy of nutrition and dietetics and approved by the board.~~

~~*c.* Satisfactorily completes the commission on dietetic registration of the academy of nutrition and dietetics examination approved by the board.~~

~~2. Renewal of a license granted under this chapter shall not be approved unless the applicant has satisfactorily completed the continuing education requirements for the license as prescribed by the board~~ presents proof that the applicant holds a valid credential issued by the academy of nutrition and dietetics.

Sec. 211. Section 154A.1, subsection 1, Code 2024, is amended by striking the subsection.

Sec. 212. Section 154A.1, subsection 6, Code 2024, is amended to read as follows:

6. *"Hearing aid specialist"* means any person engaged in the fitting, dispensing, and sale of hearing aids and providing hearing aid services or maintenance, by means of procedures stipulated by this chapter or the ~~board~~ department.

Sec. 213. Section 154A.10, subsection 3, Code 2024, is amended to read as follows:

3. Pays the necessary fees set by the ~~board~~ department.

Sec. 214. Section 154A.12, subsection 2, Code 2024, is amended to read as follows:

2. The ~~board~~ department shall not require the applicant to possess the degree of professional competence normally expected of physicians.

Sec. 215. Section 154A.13, Code 2024, is amended to read as follows:

154A.13 Temporary permit.

A person who has not been licensed as a hearing aid specialist may obtain a temporary permit from the department upon completion of the application accompanied by the written verification of employment from a licensed hearing aid specialist. The department shall issue a temporary permit for one year which shall not be renewed or reissued. The fee for issuance of the temporary permit shall be set by the ~~board~~ department in accordance with the provisions for establishment of fees by boards in section 147.80. The temporary permit entitles an applicant to engage in the fitting or selection and sale of hearing aids under the supervision of a person holding a valid license.

Sec. 216. Section 154A.19, subsection 1, Code 2024, is amended to read as follows:

1. This chapter shall not prohibit a corporation, partnership, trust, association, or other organization maintaining an established business address from engaging in the business of selling or offering for sale hearing aids at retail without a license if it employs only licensed hearing aid specialists in the direct fitting or selection and sale

of hearing aids. Such an organization shall file annually with the ~~board~~ department a list of all licensed hearing aid specialists and persons holding temporary permits directly or indirectly employed by it. Such an organization shall also file with the ~~board~~ department a statement on a form approved by the ~~board~~ department that the organization submits itself to the rules and regulations of the ~~board~~ department and the provisions of this chapter which the department deems applicable.

Sec. 217. Section 154A.19, Code 2024, is amended by adding the following new subsection:

NEW SUBSECTION. 4. This chapter shall not apply to a person who engages in practices covered by this chapter if the person is licensed as an audiologist pursuant to chapter 154F.

Sec. 218. Section 154A.23, Code 2024, is amended to read as follows:

154A.23 Disciplinary orders — attorney general.

The ~~board~~ department shall forward a copy of all final disciplinary orders, with associated complaints, to the attorney general for consideration for prosecution or enforcement when warranted. The attorney general and all county attorneys shall assist ~~the board and~~ the department in the enforcement of the provisions of this chapter.

Sec. 219. Section 154A.24, unnumbered paragraph 1, Code 2024, is amended to read as follows:

The ~~board~~ department may revoke or suspend a license or temporary permit permanently or for a fixed period for any of the following causes:

Sec. 220. Section 154A.24, subsection 2, paragraphs e and s, Code 2024, are amended to read as follows:

e. Representing that the service or advice of a person licensed to practice medicine, or one who is certificated as a clinical audiologist by the board of speech pathology and audiology or its equivalent, will be used or made available in the fitting or selection, adjustment, maintenance, or repair

of hearing aids when that is not true, or using the words "doctor", "clinic", "clinical audiologist", "state approved", or similar words, abbreviations, or symbols which tend to connote the medical or other professions, except where the title "certified hearing aid audiologist" has been granted by the national hearing aid society, or that the hearing aid specialist has been recommended by this state or the ~~board~~ department when such is not accurate.

s. Such other acts or omissions as the ~~board~~ department may determine to be unethical conduct.

Sec. 221. Section 154B.1, subsections 1 and 5, Code 2024, are amended to read as follows:

1. *"Board"* means the board of ~~psychology~~ behavioral health professionals created under chapter 147.

5. *"Physician"* means a person licensed to practice medicine and surgery or osteopathic medicine and surgery in this state in family medicine, internal medicine, pediatrics, psychiatry, or another specialty who prescribes medications for the treatment of a mental disorder to patients in the normal course of the person's clinical medical practice pursuant to joint rules adopted by the board of ~~psychology~~ behavioral health professionals and the board of medicine.

Sec. 222. Section 154B.9, subsection 3, Code 2024, is amended to read as follows:

3. A prescribing psychologist may prescribe psychotropic medication pursuant to joint rules adopted by the board of ~~psychology~~ behavioral health professionals and the board of medicine and the provisions of this chapter.

Sec. 223. Section 154B.10, subsection 1, paragraphs b, c, d, e, and g, Code 2024, are amended to read as follows:

b. Completed pharmacological training from an institution approved by the board of ~~psychology~~ behavioral health professionals and the board of medicine or from a provider of continuing education approved by the board of ~~psychology~~ behavioral health professionals and the board of medicine

pursuant to joint rules adopted by both boards.

c. Passed a national certification examination approved by the board of ~~psychology~~ behavioral health professionals and the board of medicine that tested the applicant's knowledge of pharmacology in the diagnosis, care, and treatment of mental disorders.

d. Successfully completed a postdoctoral master of science degree in clinical psychopharmacology approved by the board of ~~psychology~~ behavioral health professionals and the board of medicine pursuant to joint rules adopted by both boards. The program shall at a minimum include coursework in neuroscience, pharmacology, psychopharmacology, physiology, and appropriate and relevant physical and laboratory assessments.

e. Has been certified by the applicant's supervising physician as having successfully completed a supervised and relevant clinical experience in clinical assessment and pathophysiology and an additional supervised practicum treating patients with mental disorders. The practica shall have been supervised by a trained physician. The board of ~~psychology~~ behavioral health professionals and the board of medicine, pursuant to joint rules adopted by the boards, shall determine sufficient practica to competently train the applicant in the treatment of a diverse patient population.

g. Meets all other requirements, as determined by joint rules adopted by the board of ~~psychology~~ behavioral health professionals and the board of medicine, for obtaining a conditional prescription certificate.

Sec. 224. Section 154B.10, subsection 3, paragraph d, Code 2024, is amended to read as follows:

d. Any other rules adopted jointly by the board of ~~psychology~~ behavioral health professionals and the board of medicine.

Sec. 225. Section 154B.11, subsection 1, paragraph d, Code 2024, is amended to read as follows:

d. Meets all other requirements, as determined by rules

adopted by the board, for obtaining a prescription certificate, including joint rules adopted by the board of ~~psychology~~ behavioral health professionals and the board of medicine.

Sec. 226. Section 154B.11, subsection 2, paragraph d, Code 2024, is amended to read as follows:

d. Any other rules adopted jointly by the board of ~~psychology~~ behavioral health professionals and the board of medicine.

Sec. 227. Section 154B.12, subsection 1, Code 2024, is amended to read as follows:

1. A prescribing psychologist or a psychologist with a conditional prescription certificate may administer and prescribe psychotropic medication within the scope of the psychologist's profession, including the ordering and review of laboratory tests in conjunction with the prescription, for the treatment of mental disorders. Such prescribing practices shall be governed by joint rules adopted by the board of ~~psychology~~ behavioral health professionals and the board of medicine.

Sec. 228. Section 154B.14, subsection 1, unnumbered paragraph 1, Code 2024, is amended to read as follows:

The board of ~~psychology~~ behavioral health professionals and the board of medicine shall adopt joint rules in regard to the following:

Sec. 229. Section 154B.14, subsections 2 and 3, Code 2024, are amended to read as follows:

2. The board of ~~psychology~~ behavioral health professionals shall consult with the university of Iowa Carver college of medicine and clinical and counseling psychology doctoral programs at regents institutions in the development of the rules pertaining to education and training requirements in sections 154B.10 and 154B.11.

3. The joint rules, and any amendments thereto, adopted by the board of ~~psychology~~ behavioral health professionals and the board of medicine pursuant to this section and section 148.13B

shall only be adopted by agreement of both boards through a joint rule-making process.

Sec. 230. Section 154C.1, subsection 1, Code 2024, is amended to read as follows:

1. *"Board"* means the board of ~~social work~~ behavioral health professionals established in chapter 147.

Sec. 231. Section 154D.1, subsection 1, Code 2024, is amended to read as follows:

1. *"Board"* means the board of ~~behavioral science~~ behavioral health professionals established in chapter 147.

Sec. 232. Section 161A.3, Code 2024, is amended by adding the following new subsection:

NEW SUBSECTION. 12A. *"Secretary"* means the secretary of agriculture.

Sec. 233. Section 161A.4, subsection 1, Code 2024, is amended to read as follows:

1. The division of soil conservation and water quality created within the department pursuant to section 159.5 shall perform the functions conferred upon it in this chapter and chapters 161C, 161E, 161F, 207, and 208. The division shall be administered in accordance with the policies of the committee, which shall advise the division ~~and which shall approve administrative rules proposed by the division~~ for the administration of this chapter and chapters 161C, 161E, 161F, 207, and 208 ~~before the rules are adopted pursuant to section 17A.5. If a difference exists between the committee and secretary regarding the content of a proposed rule, the secretary shall notify the chairperson of the committee of the difference within thirty days from the committee's action on the rule. The secretary and the committee shall meet to resolve the difference within thirty days after the secretary provides the committee with notice of the difference.~~

Sec. 234. Section 161A.4, subsection 6, Code 2024, is amended to read as follows:

6. *a.* The committee may ~~perform acts, hold public hearings,~~

~~and propose and approve~~ provide advice and recommendations on the adoption of rules pursuant to chapter 17A by the secretary and department as necessary for the execution of ~~its~~ their functions.

b. The committee shall recommend to the secretary each year a budget for the division. The secretary, at the earliest opportunity and prior to formulating a budget, shall meet with representatives of the committee's recommendation. The secretary shall have the authority to set the budget for the division.

c. The committee shall recommend three persons to the secretary of agriculture who ~~shall~~ may appoint from the persons recommended a director to head the division and serve at the pleasure of the secretary. ~~After reviewing the names submitted, the secretary may request that the committee submit additional names for consideration.~~

Sec. 235. Section 161A.7, subsection 1, paragraph n, subparagraph (1), unnumbered paragraph 1, Code 2024, is amended to read as follows:

The district plan shall contain a comprehensive long-range assessment of soil and surface water resources in the district consistent with rules approved ~~by the committee~~ under section 161A.4. In developing the plan the district may receive technical support from the United States department of agriculture natural resources conservation service and the county board of supervisors in the county where the district is located. The division and the Iowa cooperative extension service in agriculture and home economics may provide technical support to the district. The support may include but is not limited to the following:

Sec. 236. Section 169.5, subsection 1, paragraph a, Code 2024, is amended to read as follows:

a. The governor shall appoint, subject to confirmation by the senate pursuant to section 2.32, a board of five individuals, three of whom shall be licensed veterinarians

and two of whom shall not be licensed veterinarians and shall represent the general public, one of whom shall be a farmer involved in the production of agricultural animals. The board shall be known as the Iowa board of veterinary medicine.

Sec. 237. Section 170.1, subsection 2, Code 2024, is amended by striking the subsection.

Sec. 238. Section 170.3B, Code 2024, is amended to read as follows:

170.3B Farm deer administration fee.

The department may establish a farm deer administration fee which shall be annually imposed on each landowner who keeps farm deer in this state. The amount of the fee shall not exceed two hundred dollars per year. The fee shall be collected by the department in a manner specified by rules adopted by the department ~~after consulting with the farm deer council established in section 170.2~~. The collected fees shall be credited to the farm deer administration fund created pursuant to section 170.3C.

Sec. 239. Section 190C.1, subsection 2, Code 2024, is amended by striking the subsection.

Sec. 240. Section 190C.2B, subsection 1, Code 2024, is amended to read as follows:

1. The department shall implement and administer the provisions of this chapter for agricultural products that have been produced and handled within this state using organic methods as provided in this chapter. ~~The department may consult with the council in implementing and administering this chapter.~~ The department may certify agricultural products that have been produced and handled outside this state using an organic method as provided in this chapter.

Sec. 241. Section 190C.3, subsection 2, Code 2024, is amended to read as follows:

2. The department may request assistance from ~~the council as provided in section 190C.2A or from~~ one or more regional organic associations as provided in section 190C.6.

Sec. 242. Section 203.11A, subsection 2, Code 2024, is amended to read as follows:

2. The amount of a civil penalty shall not exceed one thousand five hundred dollars. Each day that a violation continues shall constitute a separate violation. ~~The amount of the civil penalty that may be assessed in a case shall not exceed the amount recommended by the grain industry peer review panel established pursuant to section 203.11B.~~ Moneys collected in civil penalties by the department or the attorney general shall be deposited in the general fund of the state.

Sec. 243. Section 203.16, subsection 8, Code 2024, is amended by striking the subsection.

Sec. 244. Section 203C.24, subsection 8, Code 2024, is amended by striking the subsection.

Sec. 245. Section 203C.36A, subsection 2, Code 2024, is amended to read as follows:

2. The amount of a civil penalty shall not exceed one thousand five hundred dollars. Each day that a violation continues shall constitute a separate violation. ~~The amount of the civil penalty that may be assessed in an administrative case shall not exceed the amount recommended by the grain industry peer review panel established pursuant to section 203.11B.~~ Moneys collected in civil penalties by the department or the attorney general shall be deposited in the general fund of the state.

Sec. 246. Section 206.19, subsection 5, Code 2024, is amended by adding the following new paragraph:

NEW PARAGRAPH. *c.* (1) A person subject to a civil penalty pursuant to this subsection may submit an appeal to the department. The appeal shall be referred to an administrative law judge for hearing as a contested case pursuant to chapter 17A.

(2) This paragraph does not apply to a license revocation proceeding. This paragraph does not require the department to delay the prosecution of a case if immediate action is

necessary to reduce the risk of harm to the environment or public health or safety. This section also does not require a review or response if the department refers a violation of this chapter for criminal prosecution, or for an action involving a stop order issued pursuant to section 206.16.

(3) An available response by the department may be used as evidence in an administrative hearing, or a civil or criminal case, except to the extent that information is considered confidential pursuant to section 22.7.

Sec. 247. Section 216.2, Code 2024, is amended by adding the following new subsections:

NEW SUBSECTION. 01. *"Agency"* means the administrative function of the Iowa office of civil rights, including the director and staff. *"Agency"* does not include a member of the Iowa state civil rights commission.

NEW SUBSECTION. 4A. *"Director"* means the director of the Iowa office of civil rights.

NEW SUBSECTION. 11A. *"Office"* means the Iowa office of civil rights.

Sec. 248. Section 216.2, subsection 1, Code 2024, is amended to read as follows:

1. *"Commission"* means the Iowa state civil rights commission created ~~by this chapter~~ within the Iowa office of civil rights.

Sec. 249. Section 216.3, subsections 1 and 3, Code 2024, are amended to read as follows:

1. The Iowa state civil rights commission is created ~~within the department of inspections, appeals, and licensing~~ consisting of ~~seven~~ five members appointed by the governor subject to confirmation by the senate. Appointments shall be made to provide geographical area representation insofar as practicable. No more than ~~four~~ three members of the commission shall belong to the same political party. Members appointed to the commission shall serve for four-year staggered terms beginning and ending as provided by section 69.19.

3. The governor subject to confirmation by the senate shall

appoint a director who shall serve as the ~~executive officer of the commission~~ head of the agency. The governor shall set the salary of the director within the applicable salary range established by the general assembly. The director shall adopt rules pursuant to chapter 17A consistent with and necessary for the enforcement of this chapter. The director shall advise and support the commission in fulfilling the commission's duties and responsibilities under section 216.5A.

Sec. 250. Section 216.4, Code 2024, is amended to read as follows:

216.4 Compensation and expenses — ~~rules~~ procedures.

Commissioners shall be paid a per diem as specified in section 7E.6 and shall be reimbursed for actual and necessary expenses incurred while on official commission business. All per diem and expense moneys paid to commissioners shall be paid from funds appropriated to the ~~commission~~ office. The commission shall adopt, amend, or rescind ~~rules~~ procedures as necessary for the conduct of its meetings. A quorum shall consist of ~~four~~ three commissioners.

Sec. 251. Section 216.5, Code 2024, is amended by striking the section and inserting in lieu thereof the following:

216.5 Powers and duties of agency.

The agency shall have the following powers and duties:

1. To receive, investigate, mediate, conciliate, and determine the merits of complaints alleging illegal discriminatory practices. The agency shall not disclose the filing of a complaint, the information gathered during the investigation, or the endeavors to eliminate such illegal discriminatory practice by mediation or conciliation, unless such disclosure is made in connection with the agency's investigation.

2. To investigate compliance with conciliation agreements and pursue appropriate remedies up to and including filing in district court.

3. To investigate, study, and report on the existence,

causes, and extent of illegal discrimination, as deemed necessary by the director.

4. To provide education and outreach regarding illegal discrimination, including individuals and organizations.

5. To seek a temporary injunction against a respondent when it appears that a complainant may suffer irreparable injury as a result of an alleged violation of this chapter. Unless otherwise specified in this chapter, a temporary injunction may be issued only after the respondent has been notified and afforded an opportunity to be heard.

6. To hold contested case hearings upon any complaint made against a respondent, and all of the following:

a. To subpoena witnesses and compel their attendance.

b. To administer oaths and take the testimony of any person under oath.

c. To compel a respondent to produce for examination any books and papers relating to the complaint.

7. To issue subpoenas at the request of a party in contested hearings.

8. To petition the district court for issuance of a subpoena and the court, in a proper case, shall issue the subpoena for contested case hearings. Refusal to obey a district court subpoena shall be subject to punishment for contempt.

9. To pursue the entry of a consent decree in district court for conciliation agreements.

10. To petition and appear before the district court for the enforcement of office orders following a contested case hearing.

11. To provide education opportunities and informal technical advice to local commissions regarding legal developments, case process improvements, and cooperation for cross-filing.

12. To prepare and transmit to the governor and the general assembly an annual report describing performance outcomes of the agency.

13. To make recommendations to the governor and general assembly for such further legislation concerning illegal discrimination as deemed necessary by the director.

14. To adopt, publish, amend, and rescind office rules pursuant to chapter 17A consistent with and necessary for the enforcement of this chapter.

15. To receive, administer, dispense, and account for any moneys that may be granted or voluntarily contributed to the office for furthering the purposes of this chapter.

16. To utilize volunteers to aid in the conduct of the agency's duties as deemed necessary by the director.

17. To issue a copy of the case file to any party following the issuance of a right to sue letter, the filing of a contested case, or the filing of an action for judicial review.

18. To issue protective orders in case files when necessary.

Sec. 252. NEW SECTION. **216.5A Powers and duties of commission.**

The commission shall have the following powers and duties:

1. To adopt, amend, or rescind procedures as necessary for the conduct of commission meetings.

2. To sit as the final reviewing body for decisions issued by an administrative law judge following an appeal from a contested case hearing.

3. To make policy recommendations to the director for consideration to be incorporated with any recommendations from the agency to the governor and general assembly.

Sec. 253. Section 216.8C, subsections 3 and 4, Code 2024, are amended to read as follows:

3. The ~~commission~~ agency, in consultation with the consumer protection division of the office of the attorney general, shall adopt rules regarding the making of a written finding by licensees under this section. The rules shall include a form for licensees to document the licensees' written finding. The form shall recite this section's requirements and comply with the federal Fair Housing Act, 42 U.S.C. §3601 et seq., as

amended, and section 504 of the federal Rehabilitation Act of 1973, 29 U.S.C. §794, as amended. The form must contain only two questions regarding the qualifications of the patient or client, which shall be whether a person has a disability and whether the need for an assistance animal or service animal is related to the disability. The form must indicate that the responses must be limited to "yes" or "no". The form must not allow for additional detail.

4. A person who, in the course of employment, is asked to make a finding of disability and disability-related need for an assistance animal or service animal shall utilize the form created by the ~~commission~~ agency to document the person's written finding.

Sec. 254. Section 216.12, subsection 1, paragraph d, unnumbered paragraph 1, Code 2024, is amended to read as follows:

Discrimination on the basis of familial status involving dwellings provided under any state or federal program specifically designed and operated to assist elderly persons, as defined in the state or federal program that the ~~commission~~ agency determines to be consistent with determinations made by the United States secretary of housing and urban development, and housing for older persons. As used in this paragraph, *"housing for older persons"* means housing communities consisting of dwellings intended for either of the following:

Sec. 255. Section 216.15, Code 2024, is amended to read as follows:

216.15 Complaint — hearing.

1. Any person claiming to be aggrieved by a discriminatory or unfair practice may, in person or by an attorney, make, sign, and file with the ~~commission~~ agency a verified, written complaint which shall state the name and address of the person, employer, employment agency, or labor organization alleged to have committed the discriminatory or unfair practice of which complained, shall set forth the particulars thereof,

and shall contain such other information as may be required by the ~~commission~~ agency. ~~The commission~~ Agency staff, a commissioner, or the attorney general may in like manner make, sign, and file such complaint.

2. Any place of public accommodation, employer, labor organization, or other person who has any employees or members who refuse or threaten to refuse to comply with the provisions of this chapter may file with the ~~commission~~ agency a verified written complaint in triplicate asking the ~~commission~~ agency for assistance to obtain their compliance by conciliation or other remedial action.

3. *a.* After the filing of a verified complaint, a true copy shall be served within twenty days on the person against whom the complaint is filed, except as provided in subsection 4. ~~An authorized member of the commission~~ Agency staff shall make a prompt investigation and shall issue a recommendation to an administrative law judge employed by the division of administrative hearings created by section 10A.801, who shall then issue a determination of probable cause or no probable cause.

b. For purposes of this chapter, an administrative law judge issuing a determination of probable cause or no probable cause under this section is exempt from section 17A.17.

c. If the administrative law judge concurs with the investigating official that probable cause exists regarding the allegations of the complaint, the staff of the ~~commission~~ agency shall promptly endeavor to eliminate the discriminatory or unfair practice by conference, conciliation, and persuasion. If the administrative law judge finds that no probable cause exists, the administrative law judge shall issue a final order dismissing the complaint and shall promptly mail a copy to the complainant and to the respondent. A finding of probable cause shall not be introduced into evidence in an action brought under section 216.16.

d. The ~~commission~~ agency staff must endeavor to eliminate

the discriminatory or unfair practice by conference, conciliation, and persuasion for a period of thirty days following the initial conciliation meeting between the respondent and the ~~commission~~ agency staff after a finding of probable cause. After the expiration of thirty days, the director may order the conciliation conference and persuasion procedure provided in this section to be bypassed when the director determines the procedure is unworkable by reason of past patterns and practices of the respondent, or a statement by the respondent that the respondent is unwilling to continue with the conciliation. ~~The director must have the approval of a commissioner before bypassing the conciliation, conference and persuasion procedure.~~ Upon the bypassing of conciliation, the director shall state in writing the reasons for bypassing.

4. *a.* The ~~commission~~ agency may permit service of a complaint on a respondent by regular or electronic mail. If the respondent does not respond to the service by regular or electronic mail after ninety days, the ~~commission~~ agency shall serve the complaint on the respondent by certified mail within twenty days after the expiration of the ninety-day response period to service by regular or electronic mail.

b. The ~~commission~~ agency may also permit a party to file a response to a complaint, a document, information, or other material, by electronic mail.

c. The ~~commission~~ agency may issue a notice, determination, order, subpoena, request, correspondence, or any other document issued by the ~~commission~~ agency, by electronic mail.

5. The members of the commission and ~~its~~ agency staff shall not disclose the filing of a complaint, the information gathered during the investigation, or the endeavors to eliminate such discriminatory or unfair practice by mediation, conference, conciliation, and persuasion, unless such disclosure is made in connection with the conduct of such investigation.

6. When the director is satisfied that further endeavor to

settle a complaint by conference, conciliation, and persuasion is unworkable and should be bypassed, and the thirty-day period provided for in subsection 3 has expired without agreement, the director ~~with the approval of a commissioner,~~ shall issue and cause to be served a written notice specifying the charges in the complaint as they may have been amended and the reasons for bypassing conciliation, if the conciliation is bypassed, and requiring the respondent to answer the charges of the complaint at a hearing before the ~~commission~~ agency, a commissioner, or a person designated by the ~~commission~~ agency to conduct the hearing, hereafter referred to as the administrative law judge, and at a time and place to be specified in the notice.

7. The case in support of such complaint shall be presented at the hearing by one of the ~~commission's~~ agency's attorneys or agents. The investigating official shall not participate in the hearing except as a witness nor participate in the deliberations of the ~~commission~~ agency in such case.

8. The hearing shall be conducted in accordance with the provisions of chapter 17A for contested cases. The burden of proof in such a hearing shall be on the ~~commission~~ agency.

9. If upon taking into consideration all of the evidence at a hearing, the ~~commission~~ agency determines that the respondent has engaged in a discriminatory or unfair practice, the ~~commission~~ agency shall state its findings of fact and conclusions of law and shall issue an order requiring the respondent to cease and desist from the discriminatory or unfair practice and to take the necessary remedial action as in the judgment of the ~~commission~~ agency will carry out the purposes of this chapter. A copy of the order shall be delivered to the respondent, the complainant, and to any other public officers and persons as the ~~commission~~ agency deems proper.

a. For the purposes of this subsection and pursuant to the provisions of this chapter "remedial action" includes but is not limited to the following:

(1) Hiring, reinstatement or upgrading of employees with or without pay. Interim earned income and unemployment compensation shall operate to reduce the pay otherwise allowable.

(2) Admission or restoration of individuals to a labor organization, admission to or participation in a guidance program, apprenticeship training program, on-the-job training program or other occupational training or retraining program, with the utilization of objective criteria in the admission of individuals to such programs.

(3) Admission of individuals to a public accommodation or an educational institution.

(4) Sale, exchange, lease, rental, assignment or sublease of real property to an individual.

(5) Extension to all individuals of the full and equal enjoyment of the advantages, facilities, privileges, and services of the respondent denied to the complainant because of the discriminatory or unfair practice.

(6) Reporting as to the manner of compliance.

(7) Posting notices in conspicuous places in the respondent's place of business in form prescribed by the ~~commission~~ agency and inclusion of notices in advertising material.

(8) Payment to the complainant of damages for an injury caused by the discriminatory or unfair practice which damages shall include but are not limited to actual damages, court costs and reasonable attorney fees.

(9) For an unfair or discriminatory practice relating to wage discrimination pursuant to section 216.6A, payment to the complainant of damages for an injury caused by the discriminatory or unfair practice which damages shall include but are not limited to court costs, reasonable attorney fees, and either of the following:

(a) An amount equal to two times the wage differential paid to another employee compared to the complainant for the

period of time for which the complainant has been discriminated against.

(b) In instances of willful violation, an amount equal to three times the wage differential paid to another employee as compared to the complainant for the period of time for which the complainant has been discriminated against.

b. In addition to the remedies provided in the preceding provisions of this subsection, the ~~commission~~ agency may issue an order requiring the respondent to cease and desist from the discriminatory or unfair practice and to take such affirmative action as in the judgment of the ~~commission~~ agency will carry out the purposes of this chapter as follows:

(1) In the case of a respondent operating by virtue of a license issued by the state or a political subdivision or agency, if the ~~commission~~ agency, upon notice to the respondent with an opportunity to be heard, determines that the respondent has engaged in a discriminatory or unfair practice and that the practice was authorized, requested, commanded, performed or knowingly or recklessly tolerated by the board of directors of the respondent or by an officer or executive agent acting within the scope of the officer's or agent's employment, the ~~commission~~ agency shall so certify to the licensing agency. Unless the ~~commission~~ agency finding of a discriminatory or unfair practice is reversed in the course of judicial review, the finding of discrimination is binding on the licensing agency. If a certification is made pursuant to this subsection, the licensing agency may initiate licensee disciplinary procedures.

(2) In the case of a respondent who is found by the ~~commission~~ agency to have engaged in a discriminatory or unfair practice in the course of performing under a contract or subcontract with the state or political subdivision or agency, if the practice was authorized, requested, commanded, performed, or knowingly or recklessly tolerated by the board of directors of the respondent or by an officer or executive

agent acting within the scope of the officer's or agent's employment, the ~~commission~~ agency shall so certify to the contracting agency. Unless the ~~commission's~~ agency's finding of a discriminatory or unfair practice is reversed in the course of judicial review, the finding of discrimination is binding on the contracting agency.

(3) Upon receiving a certification made under this subsection, a contracting agency may take appropriate action to terminate a contract or portion thereof previously entered into with the respondent, either absolutely or on condition that the respondent carry out a program of compliance with the provisions of this chapter; and assist the state and all political subdivisions and agencies thereof to refrain from entering into further contracts.

c. The election of an affirmative order under paragraph "*b*" of this subsection shall not bar the election of affirmative remedies provided in paragraph "*a*" of this subsection.

10. *a.* The terms of a conciliation or mediation agreement reached with the respondent may require the respondent to refrain in the future from committing discriminatory or unfair practices of the type stated in the agreement, to take remedial action as in the judgment of the ~~commission~~ agency will carry out the purposes of this chapter, and to consent to the entry in an appropriate district court of a consent decree embodying the terms of the conciliation or mediation agreement. Violation of such a consent decree may be punished as contempt by the court in which it is filed, upon a showing by the ~~commission~~ agency of the violation at any time within six months of its occurrence. At any time in its discretion, the ~~commission~~ agency may investigate whether the terms of the agreement are being complied with by the respondent.

b. Upon a finding that the terms of the conciliation or mediation agreement are not being complied with by the respondent, the ~~commission~~ agency shall take appropriate action to assure compliance.

11. If, upon taking into consideration all of the evidence at a hearing, the ~~commission~~ agency finds that a respondent has not engaged in any such discriminatory or unfair practice, the ~~commission~~ agency shall issue an order denying relief and stating the findings of fact and conclusions of the ~~commission~~ agency, and shall cause a copy of the order dismissing the complaint to be served on the complainant and the respondent.

12. The ~~commission~~ agency shall establish rules to govern, expedite, and effectuate the procedures established by this chapter and its own actions thereunder.

13. Except as provided in section 614.8, a claim under this chapter shall not be maintained unless a complaint is filed with the ~~commission~~ agency within three hundred days after the alleged discriminatory or unfair practice occurred.

14. The ~~commission~~ agency or a party to a complaint may request mediation of the complaint at any time during the ~~commission's~~ agency's processing of the complaint. If the complainant and respondent participate in mediation, any mediation agreement may be enforced pursuant to this section. Mediation may be discontinued at the request of any party or the ~~commission~~ agency.

Sec. 256. Section 216.15A, Code 2024, is amended to read as follows:

216.15A Additional proceedings — housing discrimination.

1. *a.* The ~~commission~~ agency may join a person not named in the complaint as an additional or substitute respondent if in the course of the investigation, the ~~commission~~ agency determines that the person should be alleged to have committed a discriminatory housing or real estate practice.

b. In addition to the information required in the notice, the ~~commission~~ agency shall include in a notice to a respondent joined under this subsection an explanation of the basis for the determination under this subsection that the person is properly joined as a respondent.

2. *a.* The ~~commission~~ agency shall, during the period

beginning with the filing of a complaint and ending with the filing of a charge or a dismissal by the ~~commission~~ agency, to the extent feasible, engage in mediation with respect to the complaint.

b. A mediation agreement is an agreement between a respondent and the complainant and is subject to ~~commission~~ agency approval.

c. A mediation agreement may provide for binding arbitration or other method of dispute resolution. Dispute resolution that results from a mediation agreement may authorize appropriate relief, including monetary relief.

d. A mediation agreement shall be made public unless the complainant and respondent agree otherwise, and the ~~commission~~ agency determines that disclosure is not necessary to further the purposes of this chapter relating to unfair or discriminatory practices in housing or real estate.

e. The proceedings or results of mediation shall not be made public or used as evidence in a subsequent proceeding under this chapter without the written consent of the persons who are party to the mediation.

f. After the completion of the ~~commission's~~ agency's investigation, the ~~commission~~ agency shall make available to the aggrieved person and the respondent information derived from the investigation and the final investigation report relating to that investigation.

g. When the ~~commission~~ agency has reasonable cause to believe that a respondent has breached a mediation agreement, the ~~commission~~ agency shall refer this matter to an assistant attorney general with a recommendation that a civil action be filed for the enforcement of the agreement. The assistant attorney general may commence a civil action in the appropriate district court not later than the expiration of ninety days after referral of the breach.

3. *a.* If the ~~commission~~ agency concludes, following the filing of a complaint, that prompt judicial action is necessary

to carry out the purposes of this chapter relating to unfair or discriminatory housing or real estate practices, the ~~commission~~ agency may authorize a civil action for appropriate temporary or preliminary relief pending final disposition of the complaint.

b. On receipt of the ~~commission's~~ agency's authorization, the attorney general shall promptly file the action.

c. A temporary restraining order or other order granting preliminary or temporary relief under this section is governed by the applicable Iowa rules of civil procedure.

d. The filing of a civil action under this section does not affect the initiation or continuation of administrative proceedings in regard to an administrative hearing.

4. *a.* The ~~commission~~ agency shall prepare a final investigative report.

b. A final report under this section may be amended by the ~~commission~~ agency if additional evidence is discovered.

5. *a.* The ~~commission~~ agency shall determine based on the facts whether probable cause exists to believe that a discriminatory housing or real estate practice has occurred or is about to occur.

b. The ~~commission~~ agency shall make its determination under paragraph "*a*" not later than one hundred days after a complaint is filed unless any of the following applies:

(1) It is impracticable to make the determination within that time period.

(2) The ~~commission~~ agency has approved a mediation agreement relating to the complaint.

c. If it is impracticable to make the determination within the time period provided by paragraph "*b*", the ~~commission~~ agency shall notify the complainant and respondent in writing of the reasons for the delay.

d. If the ~~commission~~ agency determines that probable cause exists to believe that a discriminatory housing or real estate practice has occurred or is about to occur, the ~~commission~~

agency shall immediately issue a determination unless the ~~commission~~ agency determines that the legality of a zoning or land use law or ordinance is involved as provided in subsection 7.

6. *a.* A determination issued under subsection 5 must include all of the following:

(1) Must consist of a short and plain statement of the facts on which the ~~commission~~ agency has found probable cause to believe that a discriminatory housing or real estate practice has occurred or is about to occur.

(2) Must be based on the final investigative report.

(3) Need not be limited to the facts or grounds alleged in the complaint.

b. Not later than twenty days after the ~~commission~~ agency issues a determination, the ~~commission~~ agency shall send a copy of the determination with information concerning the election under section 216.16A to all of the following persons:

(1) Each respondent, together with a notice of the opportunity for a hearing as provided under subsection 10.

(2) Each aggrieved person on whose behalf the complaint was filed.

7. If the ~~commission~~ agency determines that the matter involves the legality of a state or local zoning or other land use ordinance, the ~~commission~~ agency shall not issue a determination and shall immediately refer the matter to the attorney general for appropriate action.

8. *a.* If the ~~commission~~ agency determines that no probable cause exists to believe that a discriminatory housing or real estate practice has occurred or is about to occur, the ~~commission~~ agency shall promptly dismiss the complaint.

b. The ~~commission~~ agency shall make public disclosure of each dismissal under this section.

9. The ~~commission~~ agency shall not issue a determination under this section regarding an alleged discriminatory housing or real estate practice after the beginning of the trial of a

civil action commenced by the aggrieved party under federal or state law seeking relief with respect to that discriminatory housing or real estate practice.

10. *a.* If a timely election is not made under section 216.16A, the ~~commission~~ agency shall provide for a hearing on the charges in the complaint.

b. Except as provided by paragraph "*c*", the hearing shall be conducted in accordance with chapter 17A for contested cases.

c. A hearing under this section shall not be continued regarding an alleged discriminatory housing or real estate practice after the beginning of the trial of a civil action commenced by the aggrieved person under federal or state law seeking relief with respect to that discriminatory housing or real estate practice.

11. *a.* If the ~~commission~~ agency determines at a hearing under subsection 10 that a respondent has engaged or is about to engage in a discriminatory housing or real estate practice, the ~~commission~~ agency may order the appropriate relief, including actual damages, reasonable attorney fees, court costs, and other injunctive or equitable relief.

b. To vindicate the public interest, the ~~commission~~ agency may assess a civil penalty against the respondent in an amount that does not exceed the following applicable amount:

(1) Ten thousand dollars if the respondent has not been adjudged by the order of the commission or agency or a court to have committed a prior discriminatory housing or real estate practice.

(2) Except as provided by paragraph "*c*", twenty-five thousand dollars if the respondent has been adjudged by order of the commission or agency or a court to have committed one other discriminatory housing or real estate practice during the five-year period ending on the date of the filing of the complaint.

(3) Except as provided by paragraph "*c*", fifty thousand dollars if the respondent has been adjudged by order of the

commission or agency or a court to have committed two or more discriminatory housing or real estate practices during the seven-year period ending on the date of the filing of the complaint.

c. If the acts constituting the discriminatory housing or real estate practice that is the object of the complaint are committed by the same natural person who has been previously adjudged to have committed acts constituting a discriminatory housing or real estate practice, the civil penalties in paragraph "*b*", subparagraphs (2) and (3) may be imposed without regard to the period of time within which any other discriminatory housing or real estate practice occurred.

d. At the request of the ~~commission~~ agency, the attorney general shall initiate legal proceedings to recover a civil penalty due under this section. Funds collected under this section shall be paid to the treasurer of state for deposit in the state treasury to the credit of the general fund.

12. This section applies only to the following:

a. Complaints which allege a violation of the prohibitions contained in section 216.8 or 216.8A.

b. Complaints which allege a violation of section 216.11 or 216.11A arising out of alleged violations of the prohibitions contained in section 216.8 or 216.8A.

13. If a provision of this section applies under the terms of subsection 12, and the provision of this section conflicts with a provision of section 216.15, then the provision contained within this section shall prevail. Similarly, if a provision of section 216.16A or 216.17A conflicts with a provision of section 216.16 or 216.17, then the provision contained in section 216.16A or 216.17A shall prevail.

Sec. 257. Section 216.15B, subsection 1, Code 2024, is amended to read as follows:

1. A mediator may be designated in writing by the ~~commission~~ agency to conduct formal mediation of a complaint filed under this chapter. The written designation must specifically refer

to this section.

Sec. 258. Section 216.16, subsections 1, 2, 3, 4, and 6, Code 2024, are amended to read as follows:

1. A person claiming to be aggrieved by an unfair or discriminatory practice must initially seek an administrative relief by filing a complaint with the ~~commission~~ agency in accordance with section 216.15. This provision also applies to persons claiming to be aggrieved by an unfair or discriminatory practice committed by the state or an agency or political subdivision of the state, notwithstanding the terms of the Iowa administrative procedure Act, chapter 17A.

2. After the proper filing of a complaint with the ~~commission~~ agency, a complainant may subsequently commence an action for relief in the district court if all of the following conditions have been satisfied:

a. The complainant has timely filed the complaint with the ~~commission~~ agency as provided in section 216.15, subsection 13.

b. The complaint has been on file with the ~~commission~~ agency for at least sixty days and the ~~commission~~ agency has issued a release to the complainant pursuant to subsection 3.

3. *a.* Upon a request by the complainant, and after the expiration of sixty days from the timely filing of a complaint with the ~~commission~~ agency, the ~~commission~~ agency shall issue to the complainant a release stating that the complainant has a right to commence an action in the district court. A release under this subsection shall not be issued if any of the following apply:

(1) A finding of no probable cause has been made on the complaint by the administrative law judge charged with that duty under section 216.15, subsection 3.

(2) A conciliation agreement has been executed under section 216.15.

(3) The ~~commission~~ agency has served notice of hearing upon the respondent pursuant to section 216.15, subsection 6.

(4) The complaint is closed as an administrative closure and

two years have elapsed since the issuance date of the closure.

b. Notwithstanding section 216.15, subsection 5, a party may obtain a copy of all documents contained in a case file where the ~~commission~~ agency has issued a release to the complainant pursuant to this subsection.

4. An action authorized under this section is barred unless commenced within ninety days after issuance by the ~~commission~~ agency of a release under subsection 3. If a complainant obtains a release from the ~~commission~~ agency under subsection 3, the ~~commission~~ agency is barred from further action on that complaint.

6. The district court may grant any relief in an action under this section which is authorized by section 216.15, subsection 9, to be issued by the ~~commission~~ agency. The district court may also award the respondent reasonable attorney fees and court costs when the court finds that the complainant's action was frivolous.

Sec. 259. Section 216.16A, subsection 1, paragraphs b and c, Code 2024, are amended to read as follows:

b. The election must be made not later than twenty days after the date of receipt by the electing person of service under section 216.15A, subsection 5, or in the case of the ~~commission~~ agency, not later than twenty days after the date the determination was issued.

c. The person making the election shall give notice to the ~~commission~~ agency and to all other complainants and respondents to whom the election relates.

Sec. 260. Section 216.16A, subsection 2, paragraphs d and e, Code 2024, are amended to read as follows:

d. If the ~~commission~~ agency has obtained a mediation agreement with the consent of an aggrieved person, the aggrieved person shall not file an action under this subsection with respect to the alleged discriminatory practice that forms the basis for the complaint except to enforce the terms of the agreement.

e. An aggrieved person shall not file an action under this subsection with respect to an alleged discriminatory housing or real estate practice that forms the basis of a charge issued by the ~~commission~~ agency if the ~~commission~~ agency has begun a hearing on the record under this chapter with respect to the charge.

Sec. 261. Section 216.17, subsections 1, 2, 3, 4, 5, 7, and 10, Code 2024, are amended to read as follows:

1. *a.* Judicial review of the actions of the agency or commission may be sought in accordance with the terms of the Iowa administrative procedure Act, chapter 17A. Notwithstanding the terms of said Act, petition for judicial review may be filed in the district court in which an enforcement proceeding under subsection 2 may be brought.

b. For purposes of the time limit for filing a petition for judicial review under the Iowa administrative procedure Act, chapter 17A, specified by section 17A.19, the issuance of a final decision of the agency or commission under this chapter occurs on the date notice of the decision is mailed to the parties.

c. Notwithstanding the time limit provided in section 17A.19, subsection 3, a petition for judicial review of no-probable-cause decisions and other final agency actions which are not of general applicability must be filed within thirty days of the issuance of the final agency action.

2. The ~~commission~~ agency may obtain an order of court for the enforcement of agency or commission orders in a proceeding as provided in this section. Such an enforcement proceeding shall be brought in the district court of the district in the county in which the alleged discriminatory or unfair practice which is the subject of the agency's or commission's order was committed, or in which any respondent required in the order to cease or desist from a discriminatory or unfair practice or to take other affirmative action, resides, or transacts business.

3. Such an enforcement proceeding shall be initiated by

the filing of a petition in such court and the service of a copy thereof upon the respondent. Thereupon the ~~commission~~ agency shall file with the court a transcript of the record of the hearing before it. The court shall have power to grant such temporary relief or restraining order as it deems just and proper, and to make and enter upon the pleadings, testimony, and proceedings set forth in such transcript an order enforcing, modifying, and enforcing as so modified, or setting aside the order of the agency or commission, in whole or in part.

4. An objection that has not been urged before the agency or commission shall not be considered by the court in an enforcement proceeding, unless the failure or neglect to urge such objection shall be excused because of extraordinary circumstances.

5. Any party to the enforcement proceeding may move the court to remit the case to the agency or commission in the interests of justice for the purpose of adducing additional specified and material evidence and seeking findings thereof, providing such party shall show reasonable grounds for the failure to adduce such evidence before the agency or commission.

7. The agency's or commission's copy of the testimony shall be available to all parties for examination at all reasonable times, without cost, and for the purpose of judicial review of the agency's or commission's orders.

10. If no proceeding to obtain judicial review is instituted within thirty days from the issuance of an order of the commission under section 216.15 or 216.15A, the ~~commission~~ agency may obtain an order of the court for the enforcement of the order upon showing that respondent is subject to the jurisdiction of the agency or commission and resides or transacts business within the county in which the petition for enforcement is brought.

Sec. 262. Section 216.17A, subsection 1, paragraph a, Code

2024, is amended to read as follows:

a. If timely election is made under section 216.16A, subsection 1, the ~~commission~~ agency shall authorize, and not later than thirty days after the election is made, the attorney general shall file a civil action on behalf of the aggrieved person in a district court seeking relief.

Sec. 263. Section 216.17A, subsections 2, 4, 10, and 11, Code 2024, are amended to read as follows:

2. ~~A commission~~ An agency order under section 216.15A, subsection 11, and ~~a~~ an agency or commission order that has been substantially affirmed by judicial review, do not affect a contract, sale, encumbrance, or lease that was consummated before the agency or commission issued the order and involved a bona fide purchaser, encumbrancer, or tenant who did not have actual notice of the charge issued under this chapter.

4. If the agency or commission issues an order against a respondent against whom another order was issued within the preceding five years under section 216.15A, subsection 11, the ~~commission~~ agency shall send a copy of each order issued under that section to the attorney general.

10. The attorney general, on behalf of the ~~commission~~ agency or other party at whose request a subpoena is issued, may enforce the subpoena in appropriate proceedings in district court.

11. A court in a civil action brought under this section or the ~~commission~~ agency in an administrative hearing under section 216.15A, subsection 11, may award reasonable attorney's fees to the prevailing party and assess court costs against the nonprevailing party.

Sec. 264. Section 216.17A, subsection 3, unnumbered paragraph 1, Code 2024, is amended to read as follows:

If the agency or commission issues an order with respect to a discriminatory housing practice that occurred in the course of a business subject to a licensing or regulation by a governmental agency, the agency or commission, not later than

thirty days after the date of issuance of the order, shall do all of the following:

Sec. 265. Section 216.17A, subsection 8, paragraph a, Code 2024, is amended to read as follows:

a. On the request of the agency or commission, the attorney general may intervene in an action under section 216.16A, subsection 2, if the agency or commission certifies that the case is of general public importance.

Sec. 266. Section 216.17A, subsection 9, paragraph a, unnumbered paragraph 1, Code 2024, is amended to read as follows:

On the request of the agency or commission, the attorney general may file a civil action in district court for appropriate relief if the agency or commission has reasonable cause to believe that any of the following applies:

Sec. 267. Section 216.19, subsections 2, 3, 4, 5, 6, 7, and 8, Code 2024, are amended to read as follows:

2. A city with a population of twenty-nine thousand, or greater, shall maintain an independent local civil rights agency or commission consistent with ~~commission~~ agency rules adopted pursuant to chapter 17A. An agency or commission for which a staff is provided shall have control over such staff. A city required to maintain a local civil rights agency or commission shall structure and adequately fund the agency or commission in order to effect cooperative undertakings with the Iowa office of civil rights ~~commission~~ and to aid in effectuating the purposes of this chapter.

3. An agency or commission of local government and the Iowa office of civil rights ~~commission~~ shall cooperate in the sharing of data and research, and coordinating investigations and conciliations in order to expedite claims of unlawful discrimination and eliminate needless duplication. The Iowa office of civil rights ~~commission~~ may enter into cooperative agreements with any local agency or commission to effectuate the purposes of this chapter. Such agreements may include

technical and clerical assistance and reimbursement of expenses incurred by the local agency or commission in the performance of the agency's or commission's duties if funds for this purpose are appropriated by the general assembly.

4. The ~~Iowa civil rights commission~~ director may designate an unfunded local agency or commission as a referral agency. A local agency or commission shall not be designated a referral agency unless the ordinance creating it provides the same rights and remedies as are provided in this chapter. The ~~Iowa civil rights commission~~ director shall establish by rules the procedures for designating a referral agency and the qualifications to be met by a referral agency.

5. The ~~Iowa civil rights commission~~ director may adopt rules establishing the procedures for referral of complaints. A referral agency may refuse to accept a case referred to it by the Iowa office of civil rights ~~commission~~ if the referral agency is unable to effect proper administration of the complaint. It shall be the burden of the referral agency to demonstrate that it is unable to properly administer that complaint.

6. A complainant who files a complaint with a referral agency having jurisdiction shall be prohibited from filing a complaint with the ~~Iowa civil rights commission~~ agency alleging violations based upon the same acts or practices cited in the original complaint; and a complainant who files a complaint with the ~~commission~~ agency shall be prohibited from filing a complaint with the referral agency alleging violations based upon the same acts or practices cited in the original complaint. However, the ~~Iowa civil rights commission~~ agency in its discretion may refer a complaint filed with the ~~commission~~ agency to a referral agency having jurisdiction over the parties for investigation and resolution; and a referral agency in its discretion may refer a complaint filed with that agency to the ~~commission~~ office for investigation and resolution.

7. A final decision by a referral agency shall be subject

to judicial review as provided in section 216.17 in the same manner and to the same extent as a final decision of the ~~Iowa civil rights commission~~ agency.

8. The referral of a complaint by the Iowa office of civil rights ~~commission~~ to a referral agency or by a referral agency to the Iowa office of civil rights ~~commission~~ shall not affect the right of a complainant to commence an action in the district court under section 216.16.

Sec. 268. Section 216.21, Code 2024, is amended to read as follows:

216.21 Documents to attorney or party.

If a party is represented by an attorney during the proceedings of the agency or commission, with permission of the attorney for the party or of the party, the agency or commission shall provide copies of all relevant documents including an order or decision to either the attorney for the party or the party, but not to both.

Sec. 269. Section 216.22, subsection 2, paragraph b, Code 2024, is amended to read as follows:

b. The franchisor has been found by the ~~commission~~ agency to have exercised a type or degree of control over the franchisee or the franchisee's employees that is not customarily exercised by a franchisor for the purpose of protecting the franchisor's trademarks and brand.

Sec. 270. Section 228.1, subsection 7, paragraph b, Code 2024, is amended to read as follows:

b. The individual holds a current Iowa license if practicing in a field covered by an Iowa licensure law and is a psychiatrist, an advanced registered nurse practitioner who holds a national certification in psychiatric mental health care and is licensed by the board of nursing, a physician assistant practicing under the supervision of or in collaboration with a psychiatrist, a qualified mental health professional physician assistant, a psychiatric advanced registered nurse practitioner as defined in section 125.2,

or an individual who holds a doctorate degree in psychology and is licensed by the board of ~~psychology~~ behavioral health professionals to practice psychology. For the purposes of this paragraph, "*collaboration*" means the same as defined in section 148C.1.

Sec. 271. Section 230A.110, subsection 2, Code 2024, is amended by striking the subsection.

Sec. 272. Section 235B.1, subsection 4, Code 2024, is amended by striking the subsection.

Sec. 273. Section 235B.3, subsection 1, paragraph a, subparagraph (4), Code 2024, is amended to read as follows:

(4) If, in the course of an assessment or evaluation of a report of dependent adult abuse, the department or the department of inspections, appeals, and licensing determines that the case involves discrimination under the jurisdiction of the Iowa office of civil rights ~~commission~~, the relevant portions of the case shall be referred to the ~~commission~~ office.

Sec. 274. Section 235B.16A, subsections 1 and 4, Code 2024, are amended to read as follows:

1. The ~~dependent adult protective advisory council established pursuant to section 235B.1~~ department shall ~~recommend~~ adopt a uniform assessment instrument and process for adoption and use by the department and other agencies involved with assessing a dependent adult's degree of dependency and determining whether dependent adult abuse has occurred. However, this section shall not apply to dependent adult abuse assessments and determinations made under chapter 235E.

4. The department shall cooperate with the departments of inspections, appeals, and licensing, public safety, and workforce development, the Iowa office of civil rights ~~commission~~, and other state and local agencies performing inspections or otherwise visiting residential settings where dependent adults live, to regularly provide training to the appropriate staff in the agencies concerning each agency's

procedures involving dependent adults, and to build awareness concerning dependent adults and reporting of dependent adult abuse.

Sec. 275. Section 235E.5, Code 2024, is amended to read as follows:

235E.5 Rulemaking authority.

The department, in cooperation and consultation with ~~the dependent adult protective advisory council established in section 235B.1,~~ affected industry representatives~~,~~ and professional and consumer groups, may adopt rules pursuant to chapter 17A to administer this chapter.

Sec. 276. Section 237A.12, subsection 3, Code 2024, is amended to read as follows:

3. Rules relating to fire safety for child care centers shall be adopted under this chapter by the director of the department of inspections, appeals, and licensing in consultation with the department. Rules adopted by the director of the department of inspections, appeals, and licensing for a building which is owned or leased by a school district or accredited nonpublic school and used as a child care facility shall not differ from standards adopted by the director of the department of inspections, appeals, and licensing for school buildings under chapter 10A, subchapter V, part 2. Rules relating to sanitation shall be adopted by the department. ~~All rules shall be developed in consultation with the state child care advisory committee.~~ The director of the department of inspections, appeals, and licensing shall inspect the facilities.

Sec. 277. Section 237A.25, subsection 1, Code 2024, is amended to read as follows:

1. The department shall develop consumer information material to assist parents in selecting a child care provider. In developing the material, the department shall consult with department staff, department of education staff, ~~the state child care advisory committee,~~ the early childhood Iowa state

board, and child care resource and referral services. In addition, the department may consult with other entities at the local, state, and national level.

Sec. 278. Section 237A.30, subsection 1, Code 2024, is amended to read as follows:

1. The department shall work with the early childhood Iowa program established in section 256I.5 ~~and the state child care advisory committee~~ in designing and implementing a voluntary quality rating system for each provider type of child care facility.

Sec. 279. Section 249A.15, Code 2024, is amended to read as follows:

249A.15 Licensed psychologists eligible for payment — provisional licensees.

1. The department shall adopt rules pursuant to chapter 17A entitling psychologists who are licensed pursuant to chapter 154B and psychologists who are licensed in the state where the services are provided and have a doctorate degree in psychology, have had at least two years of clinical experience in a recognized health setting, or have met the standards of a national register of health service providers in psychology, to payment for services provided to recipients of medical assistance, subject to limitations and exclusions the department finds necessary on the basis of federal laws and regulations and of funds available for the medical assistance program. The rules shall also provide that an individual, who holds a provisional license to practice psychology pursuant to section 154B.6, is entitled to payment under this section for services provided to recipients of medical assistance, when such services are provided under the supervision of a supervisor who meets the qualifications determined by the board of ~~psychology~~ behavioral health professionals by rule, and claims for payment for such services are submitted by the supervisor.

2. Entitlement to payment under this section is applicable

to services provided to recipients of medical assistance under both the fee-for-service and managed care payment and delivery systems. Neither the fee-for-service nor the managed care payment and delivery system shall impose a practice or supervision restriction which is inconsistent with or more restrictive than the authority already granted by law, including the authority to provide supervision in person or remotely through electronic means as specified by rule of the board of ~~psychology~~ behavioral health professionals.

Sec. 280. Section 249A.15A, subsections 1, 2, and 3, Code 2024, are amended to read as follows:

1. The department shall adopt rules pursuant to chapter 17A entitling marital and family therapists who are licensed pursuant to chapter 154D to payment for behavioral health services provided to recipients of medical assistance, subject to limitations and exclusions the department finds necessary on the basis of federal laws and regulations. The rules shall also provide that a marital and family therapist, who holds a temporary license to practice marital and family therapy pursuant to section 154D.7, is entitled to payment under this section for behavioral health services provided to recipients of medical assistance, when such services are provided under the supervision of a qualified supervisor as determined by the board of ~~behavioral science~~ behavioral health professionals by rule, and claims for payment for such services are submitted by the qualified supervisor.

2. The department shall adopt rules pursuant to chapter 17A entitling master social workers who hold a master's degree approved by the board of ~~social work~~ behavioral health professionals, are licensed as a master social worker pursuant to section 154C.3, subsection 1, paragraph "*b*", and provide treatment services under the supervision of an independent social worker licensed pursuant to section 154C.3, subsection 1, paragraph "*c*", to payment for behavioral health services provided to recipients of medical assistance, subject to

limitations and exclusions the department finds necessary on the basis of federal laws and regulations.

3. The department shall adopt rules pursuant to chapter 17A entitling mental health counselors who are licensed pursuant to chapter 154D to payment for behavioral health services provided to recipients of medical assistance, subject to limitations and exclusions the department finds necessary on the basis of federal laws and regulations. The rules shall also provide that a mental health counselor, who holds a temporary license to practice mental health counseling pursuant to section 154D.7, is entitled to payment under this section for behavioral health services provided to recipients of medical assistance, when such services are provided under the supervision of a qualified supervisor as determined by the board of ~~behavioral science~~ behavioral health professionals by rule, and claims for payment for such services are submitted by the qualified supervisor.

Sec. 281. Section 256.3, subsections 1 and 2, Code 2024, are amended to read as follows:

1. The state board of education is established for the department. The state board consists of ~~ten~~ nine members: ~~nine~~ seven voting members, ~~and~~ one nonvoting student member, and the director of the department of workforce development, who shall serve as a nonvoting member. The voting members shall be appointed by the governor subject to senate confirmation. The nonvoting student member shall be appointed as provided in section 256.5A.

2. The voting members shall be registered voters of the state and hold no other elective or appointive state office. Not more than five voting members shall be of the same political party. ~~Three of the voting members shall have substantial knowledge related to the community college system.~~ The ~~remaining six~~ voting members shall be members of the general public. A voting member shall not be engaged in professional education for a major portion of the member's time

nor shall the member derive a major portion of income from any business or activity connected with education.

Sec. 282. Section 256.7, subsection 7, paragraph c, Code 2024, is amended by striking the paragraph.

Sec. 283. Section 256.9, subsection 31, paragraph b, Code 2024, is amended to read as follows:

b. Standards and materials developed shall include materials which employ developmentally appropriate practices and incorporate substantial parental involvement. The materials and standards shall include alternative teaching approaches including collaborative teaching and alternative dispute resolution training. The department shall consult with the child development coordinating council, ~~the state child care advisory committee established pursuant to section 135.173A,~~ the department of health and human services, the state board of regents center for early developmental education, the area education agencies, the department of human development and family studies in the college of human sciences at Iowa state university of science and technology, the early childhood elementary division of the college of education at the university of Iowa, and the college of education at the university of northern Iowa, in developing these standards and materials.

Sec. 284. Section 256.17, Code 2024, is amended to read as follows:

256.17 Postsecondary course audit ~~committee~~.

1. The department shall ~~establish and facilitate a postsecondary course audit committee which shall~~ annually audit postsecondary courses offered to high school students in accordance with chapter 261E.

~~2. The committee shall include but not be limited to representatives from the kindergarten through grade twelve education community, community colleges, and regents universities.~~

~~3.~~ 2. The ~~committee~~ department shall establish a sampling

technique that randomly selects courses for audit. The audit shall include but not be limited to a review of the course syllabus, teacher qualifications, examples of student products, and results of student assessments. Standards for review shall be established by the ~~committee and approved by the~~ department. Audit findings shall be submitted to the institutions providing the classes audited and shall be posted on the department's internet site.

~~4.~~ 3. If the ~~committee~~ department determines that a postsecondary course offered to high school students in accordance with chapter 261E does not meet the standards established by the ~~committee~~ department pursuant to subsection ~~3~~ 2, the course shall not be eligible for future supplementary weighting under section 257.11. If the institution makes changes to the course sufficient to cause the course to meet the standards of the ~~committee~~ department, the ~~committee~~ department may reinstate the eligibility of the course for future supplementary weighting under section 257.11.

Sec. 285. Section 256.32, subsection 1, Code 2024, is amended to read as follows:

1. An advisory council for agricultural education is established, which consists of ~~nine~~ seven members appointed by the governor. The ~~nine~~ seven members shall include ~~the following:~~

~~*a. Five*~~ at least four persons representing all areas of agriculture and diverse geographical areas and at least one person involved in the field of education, including but not limited to a secondary school program instructor, a postsecondary school program instructor, or a teacher educator.

~~*b. An individual representing agriculture on a council created to advise the state on career and technical education matters.*~~

~~*c. A secondary school program instructor, a postsecondary school program instructor, and a teacher educator.*~~

Sec. 286. Section 256.33, subsection 1, Code 2024, is

amended to read as follows:

1. The department shall consort with school districts, area education agencies, community colleges, and colleges and universities to provide assistance to them in the use of educational technology for instruction purposes. The department shall consult with ~~the advisory committee on telecommunications, established in section 256.7, subsection 7, and other~~ users of educational technology on the development and operation of programs under this section.

Sec. 287. Section 256.82, subsection 1, paragraph a, Code 2024, is amended to read as follows:

a. Four members shall be appointed by the governor so that the portion of the board membership appointed under this paragraph includes two male board members and two female board members at all times~~:~~

~~(1) One member shall be appointed from the business community other than the television and telecommunications industry.~~

~~(2) One member shall be appointed with experience in or knowledge about the television industry.~~

~~(3) One member shall be appointed from the membership of a fundraising nonprofit organization financially assisting the Iowa public broadcasting division~~. At least one member shall have experience in or knowledge of the television and telecommunications industry, and at least one member shall have experience with or knowledge of fundraising nonprofit organizations.

~~(4) One member shall represent the general public.~~

Sec. 288. Section 256.176, subsection 2, paragraphs a and d, Code 2024, are amended to read as follows:

a. A member of the state board of regents to be named by the state board of regents, or the executive director of the state board of regents if so appointed by the state board of regents, who shall serve for a four-year term or until the expiration of the member's term of office, and who shall serve as an ex

officio, nonvoting member.

d. ~~Nine~~ Seven additional members to be appointed by the governor as follows:

~~(1) One member shall be selected to represent private colleges and universities located in the state of Iowa. When appointing this member, the governor shall give careful consideration to any person nominated or recommended by any organization or association of some or all private colleges and universities located in the state of Iowa.~~

~~(2) One member shall be selected to represent Iowa's community colleges. When appointing this member, the governor shall give careful consideration to any person nominated or recommended by any organization or association of Iowa community colleges.~~

~~(3)~~ (1) ~~One~~ At least one member shall be enrolled as a student at an institution of higher learning governed by the board of regents, a community college, or an accredited private institution.

~~(4)~~ (2) ~~One~~ At least one member shall be a parent of a student enrolled at an institution of higher learning governed by the board of regents, a community college, or an accredited private institution.

~~(5)~~ (3) ~~One~~ At least one member shall ~~represent practitioners licensed under chapter 256, subchapter VII, part 3. When appointing this member, the governor shall give careful consideration to any person nominated by an Iowa teacher association or other education stakeholder organization~~ have knowledge and experience in financial or fiduciary matters.

~~(6) Four members shall represent the general public, none of whom shall be officers, board members, or trustees of an institution of higher learning or of an association of institutions of higher learning.~~

Sec. 289. Section 256.176, subsection 2, Code 2024, is amended by adding the following new paragraphs:

NEW PARAGRAPH. *e.* One member to represent private colleges and universities located in the state of Iowa, who shall be selected by an organization or association of some or all private colleges and universities located in the state of Iowa, and who shall serve as an ex officio, nonvoting member.

NEW PARAGRAPH. *f.* One member to represent Iowa's community colleges, who shall be selected by an organization or association of Iowa community colleges, and who shall serve as an ex officio, nonvoting member.

Sec. 290. Section 256I.4, subsection 19, Code 2024, is amended by striking the subsection and inserting in lieu thereof the following:

19. Serve as the state advisory council required under the federal Improving Head Start for School Readiness Act of 2007, Pub. L. No. 110-134, as designated by the governor.

Sec. 291. Section 260C.36, subsection 4, Code 2024, is amended to read as follows:

4. The department of education shall establish ~~the following committees:~~

~~*a.* An~~ an ad hoc accreditation quality faculty plan protocol committee to advise the department in the development of protocols related to the quality faculty planning process to be used by the accreditation teams during site visits. The committee shall, at a minimum, determine what types of evidence need to be provided, develop interview procedures and visit goals, and propose accreditation protocol revisions.

~~*b.* An ongoing quality faculty plan professional development committee. The committee shall, at a minimum, do the following:~~

~~(1) Develop systemic, ongoing, and sustainable statewide professional development opportunities that support institutional development as well as individual development and support of the quality faculty plans. The opportunities may include internet-based systems to share promising practices.~~

~~(2) Determine future professional development needs.~~

~~(3) Develop or identify training and assistance relating to the quality faculty plan process and requirements.~~

~~(4) Assist the department and community colleges in developing professional development consortia.~~

~~(5) Review and identify best practices in each community college quality faculty plan, including best practices regarding adjunct faculty.~~

~~*c.* A community college faculty advisory committee consisting of one member and one alternate from each community college, appointed by the committee established pursuant to subsection 1. The committee membership shall be equally represented by individuals from the liberal arts and sciences faculty and the career and technical faculty. The committee shall, at a minimum, keep faculty informed of higher education issues, facilitate communication between the faculty and the department on an ongoing basis, and serve as an advisory committee to the department and community colleges on faculty issues.~~

Sec. 292. Section 260C.39, subsection 3, Code 2024, is amended to read as follows:

3. The terms of employment of personnel, for the academic year following the effective date of the agreement to combine the merged areas shall not be affected by the combination of the merged areas, except in accordance with the procedures under sections 279.15, 279.16, 279.18, and 279.24, to the extent those procedures are applicable, or under the terms of the base bargaining agreement. The authority and responsibility to offer new contracts or to continue, modify, or terminate existing contracts pursuant to any applicable procedures under chapter 279, shall be transferred to the acting, and then to the new, board of the combined merged area upon certification of a favorable vote to each of the merged areas affected by the agreement. The collective bargaining agreement of the merged area receiving the greatest amount of general state aid shall serve as the base agreement for the combined merged area and the employees of the merged areas

which combined to form the new combined merged area shall automatically be accreted to the bargaining unit from that former merged area for purposes of negotiating the contracts for the following years without further action by the ~~public~~ employment ~~relations~~ appeal board. If only one collective bargaining agreement is in effect among the merged areas which are combining under this section, then that agreement shall serve as the base agreement, and the employees of the merged areas which are combining to form the new combined merged area shall automatically be accreted to the bargaining unit of that former merged area for purposes of negotiating the contracts for the following years without further action by the ~~public~~ employment ~~relations~~ appeal board. The board of the combined merged area, using the base agreement as its existing contract, shall bargain with the combined employees of the merged areas that have agreed to combine for the academic year beginning with the effective date of the agreement to combine merged areas. The bargaining shall be completed by March 15 prior to the academic year in which the agreement to combine merged areas becomes effective or within one hundred eighty days after the organization of the acting board of the new combined merged area, whichever is later. If a bargaining agreement was already concluded in the former merged area which has the collective bargaining agreement that is serving as the base agreement for the new combined merged area, between the former merged area board and the employees of the former merged area, that agreement is void, unless the agreement contained multiyear provisions affecting academic years subsequent to the effective date of the agreement to form a combined merged area. If the base collective bargaining agreement contains multiyear provisions, the duration and effect of the agreement shall be controlled by the terms of the agreement. The provisions of the base agreement shall apply to the offering of new contracts, or the continuation, modification, or termination of existing contracts between the acting or new board of the

combined merged area and the combined employees of the new combined merged area.

Sec. 293. Section 261A.6, subsection 2, Code 2024, is amended to read as follows:

2. *a.* ~~The~~ For members appointed prior to the effective date of this division of this Act, members of the authority shall be appointed by the governor for terms of six years beginning and ending as provided in section 69.19. A member of the authority is eligible for reappointment.

b. For members appointed on or after the effective date of this division of this Act, members of the authority shall be appointed by the governor for terms of four years beginning and ending as provided in section 69.19. A member of the authority shall not serve more than two full terms.

c. The governor shall fill a vacancy for the remainder of the unexpired term. A member of the authority may be removed by the governor for misfeasance, malfeasance, or willful neglect of duty or other cause after notice and a public hearing unless the notice and hearing are waived by the member in writing.

Sec. 294. Section 266.39, subsections 3 and 5, Code 2024, are amended by striking the subsections.

Sec. 295. Section 272C.1, subsection 6, paragraphs b and u, Code 2024, are amended by striking the paragraphs.

Sec. 296. Section 272C.1, subsection 6, paragraphs s and ad, Code 2024, are amended to read as follows:

s. The board of ~~psychology~~ behavioral health professionals, created pursuant to chapter 147.

ad. The ~~plumbing and mechanical systems~~ board of building and construction occupations, created pursuant to chapter ~~105~~ 103A, in performing licensing activities pursuant to chapters 103 and 105.

Sec. 297. Section 273.22, subsection 2, paragraph a, Code 2024, is amended to read as follows:

a. The collective bargaining agreement of the area education

agency with the largest basic enrollment, as defined in section 257.6, for the year prior to the year the reorganization is effective, shall serve as the base agreement in the new area education agency and the employees of the other area education agencies involved in the formation of the new area education agency shall automatically be accreted to the bargaining unit of that collective bargaining agreement for purposes of negotiating the contracts for the following years without further action by the ~~public~~ employment ~~relations~~ appeal board. If only one collective bargaining agreement is in effect among the area education agencies that are party to the reorganization, that agreement shall serve as the base agreement, and the employees of the other agencies involved in the formation of the new area education agency shall automatically be accreted to the bargaining unit of that collective bargaining agreement for purposes of negotiating the contracts for the following years without further action by the ~~public~~ employment ~~relations~~ appeal board.

Sec. 298. Section 275.33, subsection 2, paragraph a, Code 2024, is amended to read as follows:

a. The collective bargaining agreement of the district with the largest basic enrollment for the year prior to the reorganization, as defined in section 257.6, in the new district shall serve as the base agreement and the employees of the other districts involved in the formation of the new district shall automatically be accreted to the bargaining unit of that collective bargaining agreement for purposes of negotiating the contracts for the following years without further action by the ~~public~~ employment ~~relations~~ appeal board. If only one collective bargaining agreement is in effect among the districts which are party to the reorganization, then that agreement shall serve as the base agreement, and the employees of the other districts involved in the formation of the new district shall automatically be accreted to the bargaining unit of that collective bargaining agreement for purposes of

negotiating the contracts for the following years without further action by the ~~public~~ employment ~~relations~~ appeal board.

Sec. 299. Section 284.11, subsection 2, paragraph c, Code 2024, is amended to read as follows:

c. Review the use and effectiveness of the funds distributed to school districts for supplemental assistance in high-need schools under this section~~, and consider the findings and recommendations of the commission on educator leadership and compensation submitted pursuant to section 284.15, subsection 13, relating to the use and effectiveness of the funds distributed to school districts under this section~~. The department shall submit its findings and recommendations in a report to the general assembly by January 15 annually.

Sec. 300. Section 284.15, subsection 12, Code 2024, is amended by striking the subsection.

Sec. 301. Section 284.15, subsection 14, Code 2024, is amended to read as follows:

14. The provisions of this chapter shall be subject to legislative review at least every three years. ~~The review shall be based upon a status report from the commission on educator leadership and compensation, which shall be prepared with the assistance of the departments of education, management, and revenue.~~ The status report shall review and report on the department's assignment and utilization of full-time equivalent positions, and shall include information on teacher retention, teacher compensation, academic quality of beginning teachers, teacher evaluation results, student achievement trend and comparative data, and recommendations for changes to the teacher leadership supplement foundation aid and the framework or comparable systems approved pursuant to this section. The first status report shall be submitted to the general assembly by January 15, 2017, with subsequent status reports prepared and submitted to the general assembly by January 15 at least every third year thereafter.

Sec. 302. Section 312.3, subsection 1, Code 2024, is amended

to read as follows:

1. Apportion among the counties the road use tax funds credited to the secondary road fund by using the distribution methodology adopted ~~pursuant to section 312.3C~~ by the commission by rule.

Sec. 303. Section 312.3B, subsection 2, Code 2024, is amended to read as follows:

2. The Iowa county engineers association service bureau shall annually compute the secondary road fund and farm-to-market road fund distributions using the methodology determined by the ~~secondary road fund distribution committee pursuant to section 312.3C~~ commission. The Iowa county engineers association service bureau shall report the computations to ~~the secondary road fund distribution committee,~~ the department, the treasurer of state, and the counties.

Sec. 304. Section 312.5, subsection 1, Code 2024, is amended to read as follows:

1. ~~For the fiscal year ending June 30, 2006, the treasurer of state shall apportion among the counties the road use tax funds credited to the farm-to-market road fund by using the allocation method contained in section 312.5, subsection 1, Code 2005. For subsequent fiscal years~~ Each fiscal year, the treasurer of state shall apportion among the counties the road use tax funds credited to the farm-to-market road fund by using the distribution methodology adopted ~~pursuant to section 312.3C~~ by the commission.

Sec. 305. Section 312.16, Code 2024, is amended by adding the following new subsection:

NEW SUBSECTION. 01. *"Commission"* means the state transportation commission.

Sec. 306. Section 312A.3, subsection 2, Code 2024, is amended to read as follows:

2. Twenty percent for deposit in the secondary road fund, for apportionment according to the methodology adopted ~~pursuant to section 312.3C~~ by the commission, to be used by counties

for construction and maintenance projects on secondary road bridges and on highways in the farm-to-market road system. At least ten percent of the moneys allocated to a county under this subsection shall be used for bridge construction, repair, and maintenance, with priority given to projects that aid and support economic development and job creation.

Sec. 307. Section 314.1, subsection 2, Code 2024, is amended to read as follows:

2. Notwithstanding any other provision of law to the contrary, a public improvement that involves the construction, reconstruction, or improvement of a highway, bridge, or culvert and that has a cost in excess of the applicable threshold in section 73A.18, 262.34, 297.7, 309.40, 310.14, or 313.10, as modified by the ~~bid threshold subcommittee~~ director pursuant to section 314.1B, shall be advertised and let for bid, except such public improvements that involve emergency work pursuant to section 309.40A, 313.10, or 384.103, subsection 2. For a city having a population of fifty thousand or less, a public improvement that involves the construction, reconstruction, or improvement of a highway, bridge, or culvert that has a cost in excess of twenty-five thousand dollars, as modified by the ~~bid threshold subcommittee~~ director pursuant to section 314.1B, shall be advertised and let for bid, excluding emergency work. However, a public improvement that has an estimated total cost to a city in excess of a threshold of fifty thousand dollars, as modified by the ~~bid threshold subcommittee~~ director pursuant to section 314.1B, and that involves the construction, reconstruction, or improvement of a highway, bridge, or culvert that is under the jurisdiction of a city with a population of more than fifty thousand, shall be advertised and let for bid. Cities required to competitively bid highway, bridge, or culvert work shall do so in compliance with the contract letting procedures of sections 26.3 through 26.12.

Sec. 308. Section 314.1B, subsection 1, paragraph a, Code 2024, is amended by striking the paragraph.

Sec. 309. Section 314.1B, subsection 1, paragraph b, Code 2024, is amended to read as follows:

b. The ~~subcommittee~~ director, in consultation with industry and subject matter experts, shall review the competitive bid thresholds applicable to city and county highway, bridge, and culvert projects. The ~~subcommittee~~ director shall review price adjustments for all types of city and county highway, bridge, and culvert construction, reconstruction, and improvement projects, based on changes in the construction price index from the preceding year. Upon completion of the review the ~~subcommittee~~ director may make adjustments in the applicable bid thresholds for types of work based on the price adjustments.

Sec. 310. Section 314.1B, subsection 2, paragraph a, Code 2024, is amended by striking the paragraph.

Sec. 311. Section 314.1B, subsection 2, paragraphs b, c, d, and e, Code 2024, are amended to read as follows:

b. The ~~subcommittee appointed under this subsection~~ director, in consultation with industry and subject matter experts, shall review the competitive bid thresholds applicable to governmental entities under chapter 26. The ~~subcommittee~~ director shall review price adjustments for all types of construction, reconstruction, and public improvement projects based on the changes in the construction price index, building cost index, and material cost index from the preceding adjustment. Upon completion of the review the ~~subcommittee~~ director may make adjustments in the applicable bid thresholds for types of work based on the price adjustments.

c. ~~The subcommittee shall not make an initial adjustment to the competitive bid threshold in section 26.3 to be effective prior to January 1, 2012. Thereafter, the subcommittee~~ The director shall adjust the bid threshold amount in accordance with subsection 3 but shall not adjust the bid threshold to an amount less than the bid threshold applicable to a governmental entity on January 1, 2007.

d. Beginning July 1, ~~2006~~ 2024, the ~~subcommittee~~ director shall make adjustments to the competitive quotation threshold amounts in section 26.14 for vertical infrastructure in accordance with the methodology of paragraph "*b*".

e. ~~After 2012, the subcommittee~~ The director shall adjust the competitive quotation threshold amounts in section 26.14 at the same time and by the same percentage as adjustments are made to the competitive bid threshold.

Sec. 312. Section 314.1B, subsection 3, Code 2024, is amended to read as follows:

3. *Review — publication.* ~~Each subcommittee~~ The director shall ~~meet to conduct the review and~~ make the adjustments described in this section on or before August 1 of every other year, or of every year if determined necessary by the ~~subcommittee~~ director. By September 1 of each year in which a ~~subcommittee~~ director makes adjustments in the bid or quotation thresholds, the director shall cause an advisory notice to be published in the Iowa administrative bulletin and in a newspaper of general circulation in this state, stating the adjusted bid and quotation thresholds to be in effect on January 1 of the following year, as established by the ~~subcommittees~~ director under this section.

Sec. 313. Section 314.13, subsection 2, Code 2024, is amended by striking the subsection.

Sec. 314. Section 314.13, Code 2024, is amended by adding the following new subsection:

NEW SUBSECTION. 4A. "*Director*" means the director of transportation.

Sec. 315. Section 314.22, subsection 3, Code 2024, is amended to read as follows:

3. ~~*Integrated roadside vegetation management technical advisory committee*~~ *Report.*

~~*a.* The director of the department shall appoint members to an integrated roadside vegetation management technical advisory committee which is created to provide advice on the~~

~~development and implementation of a statewide integrated roadside vegetation management plan and program and related projects.~~ The department shall report annually in January to the general assembly regarding its activities ~~and those of the committee~~ under this section. ~~Activities of the committee may include but are not limited to providing advice and assistance in the following areas:~~

~~(1) Research efforts.~~

~~(2) Demonstration projects.~~

~~(3) Education and orientation efforts for property owners, public officials, and the general public.~~

~~(4) Activities of the integrated roadside vegetation management coordinator for integrated roadside vegetation management.~~

~~(5) Reviewing applications for funding assistance.~~

~~(6) Securing funding for research and demonstrations.~~

~~(7) Determining needs for revising the state weed law and other applicable Code sections.~~

~~(8) Liaison with the Iowa state association of counties, the Iowa league of cities, and other organizations for integrated roadside vegetation management purposes.~~

~~*b.* The director may appoint any number of persons to the committee but, at a minimum, the committee shall consist of all of the following:~~

~~(1) One member representing the utility industry.~~

~~(2) One member from the Iowa academy of sciences.~~

~~(3) One member representing county government.~~

~~(4) One member representing city government.~~

~~(5) Two members representing the private sector including community interest groups.~~

~~(6) One member representing soil conservation interests.~~

~~(7) One member representing the department of natural resources.~~

~~(8) One member representing county conservation boards.~~

~~*c.* Members of the committee shall serve without~~

~~compensation, but may be reimbursed for allowable expenses from the living roadway trust fund created under section 314.21. No more than a simple majority of the members of the committee shall be of the same gender as provided in section 69.16A. The director of the department shall appoint the chair of the committee and shall establish a minimum schedule of meetings for the committee.~~

Sec. 316. Section 321.252, subsection 3, paragraph a, Code 2024, is amended to read as follows:

a. The department shall establish, by rule, ~~in cooperation with a tourist signing committee,~~ the standards for tourist-oriented directional signs and shall annually review the list of attractions for which signing is in place. The rules shall conform to national standards for tourist-oriented directional signs adopted under 23 U.S.C. §131(q) and to the manual of uniform traffic-control devices.

~~(1) The tourist signing committee shall be made up of the directors or the directors' designees of the departments of agriculture and land stewardship, natural resources, and transportation, the director or the director's designee of the economic development authority, the chairperson or the chairperson's designee of the Iowa travel council, and a member of the outdoor advertising association of Iowa. The director or the director's designee of the economic development authority shall be the chairperson of the committee.~~

~~(2) The department of transportation shall be responsible for calling and setting the date of the meetings of the committee which meetings shall be based upon the amount of activity relating to signs. However, the committee shall meet at least once a month.~~

Sec. 317. Section 331.301, subsection 6, paragraph b, Code 2024, is amended to read as follows:

b. A county shall not impose any fee or charge on any individual or business licensed pursuant to chapter 105 by the ~~plumbing and mechanical systems~~ board of building and

construction occupations for the right to perform plumbing, mechanical, HVAC, refrigeration, sheet metal, or hydronic systems work within the scope of the license. This paragraph does not prohibit a county from charging fees for the issuance of permits for, and inspections of, work performed in its jurisdiction.

Sec. 318. Section 333A.2, subsection 1, paragraphs b and c, Code 2024, are amended to read as follows:

b. Five elected county officials who are regularly involved in budget preparation. ~~One county official shall be from a county with a population of less than eleven thousand five hundred, one from a county with a population of more than eleven thousand five hundred but not more than sixteen thousand, one from a county with a population of more than sixteen thousand but not more than twenty-two thousand five hundred, one from a county with a population of more than twenty-two thousand five hundred but not more than eighty thousand and one from a county with a population of more than eighty thousand.~~ The ~~governor~~ director of the department of management shall select and appoint the county officials~~, subject to the approval of two-thirds of the members of the senate~~.

c. A certified public accountant experienced in governmental accounting selected and appointed by the ~~governor with the approval of two-thirds of the members of the senate~~ director of the department of management.

Sec. 319. Section 333A.2, subsection 2, Code 2024, is amended to read as follows:

2. The members of the committee appointed by the ~~governor~~ director of the department of management are appointed for four-year terms except that of the initial appointments, two county official members shall be appointed to two-year terms. When a county official member no longer holds the office which qualified the official for appointment, the official shall no longer be a member of the committee. Any person appointed to

fill a vacancy shall be appointed to serve the unexpired term. Any member is eligible for reappointment, but a member shall not be appointed to serve more than two four-year terms.

Sec. 320. Section 357A.21, subsection 2, Code 2024, is amended to read as follows:

2. If an agreement is not reached under subsection 1, the governing body of the city or water utility or the board of directors or trustees of the district or association may request mediation pursuant to chapter 679C. The governing body or board requesting mediation shall be responsible for the costs of the mediation. A mediation committee shall be established if a governing body or board requests mediation pursuant to this subsection. The mediation committee shall consist of one member of the governing body of the city or the governing body's designee, one member of the board of directors or trustees of the district or association, as applicable, and one disinterested member chosen by the other two members. A list of qualified mediators may be obtained from the American arbitration association, the ~~public~~ employment ~~relations~~ appeal board established pursuant to section ~~20.5~~ 10A.601, or a recognized mediation organization or association.

Sec. 321. Section 364.3, subsection 3, paragraph b, Code 2024, is amended to read as follows:

b. A city shall not impose any fee or charge on any individual or business licensed pursuant to chapter 105 by the ~~plumbing and mechanical systems~~ board of building and construction occupations for the right to perform plumbing, mechanical, HVAC, refrigeration, sheet metal, or hydronic systems work within the scope of the license. This paragraph does not prohibit a city from charging fees for the issuance of permits for, and inspections of, work performed in its jurisdiction.

Sec. 322. Section 384.13, subsection 2, paragraphs c and d, Code 2024, are amended to read as follows:

c. Five city officials who are regularly involved in

budget preparation. ~~One official must be from a city with a population of not over two thousand five hundred, one from a city with a population of over two thousand five hundred but not over fifteen thousand, one from a city with a population of over fifteen thousand but not over fifty thousand, one from a city with a population of over fifty thousand, and one from any size city.~~ The ~~governor~~ director of the department of management shall select and appoint the city officials.

d. One certified public accountant experienced in city accounting, to be selected and appointed by the ~~governor~~ director of the department of management.

Sec. 323. Section 455A.5, subsection 1, Code 2024, is amended to read as follows:

1. *a.* A natural resource commission is created, which consists of seven members appointed by the governor for staggered terms of six years beginning and ending as provided in section 69.19, except as provided in paragraph "*b*". The appointees are subject to senate confirmation. The members shall be citizens of the state who have a substantial knowledge of the subjects embraced by chapter 456A. The appointments shall be based upon the training, experience, and capacity of the appointees, and not based upon political considerations, other than as provided in section 69.16. A member of the commission shall not hold any other state or federal office.

b. For members appointed on or after the effective date of this division of this Act, members shall serve staggered terms of four years beginning and ending as provided in section 69.19.

Sec. 324. Section 455A.5, subsection 6, paragraph d, Code 2024, is amended to read as follows:

d. ~~Approve~~ Provide advice and recommendations regarding the budget request prepared by the director for the programs authorized by chapters 321G, 321I, 456A, 456B, 457A, 461A, 462A, 462B, 464A, 481A, 481B, 483A, 484A, and 484B. ~~The commission may increase, decrease, or strike any item within~~

~~the department budget request for the specified programs before granting approval.~~

Sec. 325. Section 455A.6, subsection 6, paragraph d, Code 2024, is amended to read as follows:

d. ~~Approve~~ Provide advice and make recommendations regarding the budget request prepared by the director for the programs authorized by chapters 455B, 455C, 455E, 455F, 455H, and 459, subchapters II and III. ~~The commission shall approve the budget request prepared by the director for programs subject to the rulemaking authority of the commission. The commission may increase, decrease, or strike any item within the department budget request for the specified programs before granting approval.~~

Sec. 326. Section 455A.19, subsection 1, unnumbered paragraph 1, Code 2024, is amended to read as follows:

Upon receipt of any revenue, the director shall deposit the moneys in the Iowa resources enhancement and protection fund created pursuant to section 455A.18. The first three hundred fifty thousand dollars of the funds received for deposit in the fund annually shall be allocated ~~to the conservation education program board~~ for the purposes specified in section 455A.21. One percent of the revenue receipts shall be deducted and transferred to the administration fund provided for in section 456A.17. All of the remaining receipts shall be allocated to the following accounts:

Sec. 327. Section 455A.21, Code 2024, is amended to read as follows:

455A.21 Conservation education program ~~board~~.

~~1. A conservation education program board is created in the department. The board shall have five members appointed as follows:~~

~~*a.* One member appointed by the director of the department of education.~~

~~*b.* One member appointed by the director of the department of natural resources.~~

~~*c.* One member appointed by the president of the Iowa association of county conservation boards.~~

~~*d.* One member appointed by the president of the Iowa association of naturalists.~~

~~*e.* One member appointed by the president of the Iowa conservation education council.~~

~~2. Section 69.16 does not apply to appointments made pursuant to this section.~~

~~3.~~ The ~~duties of the board are to~~ department shall revise and produce conservation education materials and ~~to~~ specify stipends to Iowa educators who participate in innovative conservation education programs approved by the ~~board~~ department. The ~~board~~ department shall allocate the funds provided for under section 455A.19, subsection 1, for the educational materials and stipends.

~~4. The department shall administer the funds allocated to the conservation education program as provided in this section.~~

Sec. 328. Section 455B.190A, subsection 1, paragraph h, Code 2024, is amended by striking the paragraph.

Sec. 329. Section 455B.190A, subsection 2, paragraphs f and g, Code 2024, are amended to read as follows:

f. The department shall develop continuing education requirements for certification of a well contractor ~~in consultation with the well contractors' council~~.

g. The examination shall be developed by the department ~~in consultation with the well contractors' council~~ to determine the applicant's qualifications to perform well drilling or pump services or both. The examination shall be updated as necessary to reflect current groundwater law and well construction, maintenance, pump services, and abandonment practices. The examination shall be administered by the department or by a person designated by the department.

Sec. 330. Section 455B.190A, subsections 3 and 6, Code 2024, are amended by striking the subsections.

Sec. 331. Section 455B.190A, subsection 4, Code 2024, is

amended to read as follows:

4. The department shall develop~~, in consultation with the well contractors' council,~~ a consumer information pamphlet regarding well construction, well maintenance, well plugging, pump services, and Iowa groundwater laws. The department ~~and the council~~ shall review and revise the consumer information pamphlet as necessary. The consumer information pamphlet shall be supplied to well contractors, at cost, and well contractors shall supply one copy at no cost to potential customers prior to initiation of well services.

Sec. 332. Section 455B.190A, subsection 5, unnumbered paragraph 1, Code 2024, is amended to read as follows:

The department shall establish by rule and collect~~, in consultation with the well contractors' council,~~ the following fees to be used to implement and administer the provisions of this section:

Sec. 333. Section 461A.42, subsection 1, paragraph a, Code 2024, is amended to read as follows:

a. A firearm or other weapon authorized for hunting may be used in preserves or parts of preserves designated by the ~~state advisory board on preserves at the request of the~~ commission.

Sec. 334. Section 465C.1, subsection 2, Code 2024, is amended by striking the subsection.

Sec. 335. Section 465C.1, subsection 4, Code 2024, is amended to read as follows:

4. "*Dedication*" means the allocation of an area as a preserve by a public agency or by a private owner by written stipulation in a form approved by the ~~state advisory board for preserves~~ commission.

Sec. 336. Section 465C.2, Code 2024, is amended to read as follows:

465C.2 Advisory board.

There is hereby created a state system of preserves ~~and a state advisory board for preserves~~.

Sec. 337. Section 465C.8, unnumbered paragraph 1, Code

2024, is amended to read as follows:

The ~~board~~ commission shall have the following powers and duties with respect to this chapter:

Sec. 338. Section 465C.8, subsection 9, Code 2024, is amended by striking the subsection.

Sec. 339. Section 465C.9, Code 2024, is amended to read as follows:

465C.9 Articles of dedication.

1. The public agency or private owner shall complete articles of dedication on forms approved by the ~~board~~ commission. When the articles of dedication have been approved by the governor, the ~~board~~ commission shall record them with the county recorder for the county or counties in which the area is located.

2. The articles of dedication may contain restrictions on development, sale, transfer, method of management, public access, and commercial or other use, and may contain such other provisions as may be necessary to further the purposes of this chapter. They may define the respective jurisdictions of the owner or operating agency and the ~~board~~ commission. They may provide procedures to be applied in case of violation of the dedication. They may recognize reversionary rights. They may vary in provisions from one preserve to another in accordance with differences in relative conditions.

Sec. 340. Section 465C.10, Code 2024, is amended to read as follows:

465C.10 When dedicated as a preserve.

An area shall become a preserve when it has been approved by the ~~board~~ commission for dedication as a preserve, whether in public or private ownership, formally dedicated as a preserve within the system by a public agency or private owner and designated by the governor as a preserve.

Sec. 341. Section 465C.11, Code 2024, is amended to read as follows:

465C.11 Area held in trust.

1. An area designated as a preserve within the system is hereby declared put to its highest, best, and most important use for public benefit. It shall be held in trust and shall not be alienated except to another public use upon a finding by the ~~board~~ commission of imperative and unavoidable public necessity and with the approval of ~~the commission,~~ the general assembly by concurrent resolution~~,~~ and the governor. The ~~board's~~ commission's interest or interests in any area designated as a preserve shall not be taken under the condemnation statutes of the state without such a finding of imperative and unavoidable public necessity by the ~~board~~ commission, and with the consent of ~~the commission,~~ the general assembly by concurrent resolution~~,~~ and the governor.

2. The ~~board~~ commission, with the approval of the governor, may enter into amendments to any articles of dedication upon its finding that such amendment will not permit an impairment, disturbance, or development of the area inconsistent with the purposes of this chapter.

3. Before the ~~board~~ commission shall make a finding of imperative and unavoidable public necessity, or shall enter into any amendment to articles of dedication, the ~~board~~ commission shall provide notice of such proposal and opportunity for any person to be heard. Such notice shall be published at least once in a newspaper with a general circulation in the county or counties wherein the area directly affected is situated, and mailed within ten days of such published notice to all persons who have requested notice of all such proposed actions. Each notice shall set forth the substance of the proposed action and describe, with or without legal description, the area affected, and shall set forth a place and time not less than sixty days thence for all persons desiring to be heard to have reasonable opportunity to be heard prior to the finding of the ~~board~~ commission.

Sec. 342. Section 481C.2, subsection 3, Code 2024, is

amended to read as follows:

3. The criteria for issuing depredation licenses and permits shall be established in administrative rules ~~in consultation with the farmer advisory committee created in section 481A.10A~~. The administrative rules adopted pursuant to this section shall not require a producer to erect or maintain fencing at a cost exceeding one thousand dollars as a requisite for receiving a depredation license or permit or for participation in a depredation plan.

Sec. 343. Section 514C.32, subsection 1, paragraphs a and b, Code 2024, are amended to read as follows:

a. A licensed master social worker who is licensed by the board of ~~social work~~ behavioral health professionals as a master social worker pursuant to section 154C.3, subsection 1, paragraph "*b*", and who provides services under the supervision of an independent social worker licensed pursuant to section 154C.3, subsection 1, paragraph "*c*".

b. A licensed mental health counselor or a licensed marital and family therapist who holds a temporary license to practice mental health counseling or marital and family therapy pursuant to section 154D.7, and who provides services under the supervision of a qualified supervisor as determined by the board of ~~behavioral science~~ behavioral health professionals by rule.

Sec. 344. Section 514C.33, subsections 1 and 2, Code 2024, are amended to read as follows:

1. Notwithstanding section 514C.6, a policy or contract providing for third-party payment or prepayment of health or medical expenses shall include a provision for the payment of necessary behavioral health services provided by a person who holds a provisional license to practice psychology pursuant to section 154B.6, and who practices under the supervision of a supervisor who meets the qualifications determined by the board of ~~psychology~~ behavioral health professionals by rule.

2. A policy or contract subject to this section shall

not impose a practice or supervision restriction which is inconsistent with or more restrictive than the authority already granted by law, including the authority to provide supervision in person or remotely through electronic means as specified by rule of the board of ~~psychology~~ behavioral health professionals.

Sec. 345. Section 524.223, subsection 2, unnumbered paragraph 1, Code 2024, is amended to read as follows:

If the state bank, director, officer, employee, or substantial shareholder fails to appear at the hearing it shall be deemed to have consented to the issuance of a cease and desist order. In the event of such consent, or if upon the record made at such hearing, the superintendent shall find that any violation or unsafe or unsound practice specified in the notice has been established, the superintendent may issue and serve upon the state bank, director, officer, employee, or substantial shareholder an order to cease and desist from any such violation or practice. Such order may require the state bank and its directors, officers, employees, and shareholders to cease and desist from any such violation or practice and, further, to take affirmative action to correct the conditions resulting from any such violation or practice. In addition, if the violation or practice involves a failure to comply with chapter 12C or any rules adopted pursuant to chapter 12C, the superintendent ~~may recommend to the committee established under section 12C.6 that the bank be removed from the list of financial institutions eligible to accept public funds under section 12C.6A and~~ may require that during the current calendar quarter and up to the next succeeding eight calendar quarters that the bank do any one or more of the following:

Sec. 346. Section 542.4, subsection 1, paragraphs a and b, Code 2024, are amended to read as follows:

a. The board shall consist of ~~eight~~ five members, appointed by the governor and subject to senate confirmation, all of whom shall be residents of this state. ~~Five~~ Four of the ~~eight~~ five

members shall be holders of certificates issued under section 542.6~~, one member shall be the holder of a license issued under section 542.8,~~ and ~~two~~ one shall not be a certified public ~~accountants~~ accountant or licensed public ~~accountants~~ accountant and shall represent the general public. At least three of the holders of certificates issued under section 542.6 shall also be qualified to supervise attest services as provided in section 542.7.

b. A certified or licensed member of the board shall be actively engaged in practice as a certified public accountant or as a licensed public accountant ~~and shall have been so engaged for five years preceding appointment, the last two of which shall have been in this state~~.

Sec. 347. Section 542B.3, Code 2024, is amended to read as follows:

542B.3 Engineering and land surveying examining board created.

An engineering and land surveying examining board is created within the department of inspections, appeals, and licensing. The board consists of three members who are licensed professional engineers, two members who are licensed professional land surveyors, and two members who are not licensed professional engineers or licensed professional land surveyors and who shall represent the general public. An individual who is licensed as both a professional engineer and a professional land surveyor may serve to satisfy the board membership requirement for either a licensed professional engineer or a licensed professional land surveyor, but not both. Members shall be appointed by the governor subject to confirmation by the senate. A licensed member shall be actively engaged in the practice of engineering or land surveying ~~and shall have been so engaged for five years preceding the appointment, the last two of which shall have been in Iowa~~. Insofar as practicable, licensed engineer members of the board shall be from different branches of the

profession of engineering. Professional associations or societies composed of licensed engineers or licensed land surveyors may recommend the names of potential board members whose profession is representative of that association or society to the governor. However, the governor is not bound by the recommendations. A board member shall not be required to be a member of any professional association or society composed of professional engineers or professional land surveyors.

Sec. 348. Section 542B.15, Code 2024, is amended to read as follows:

542B.15 Examinations — report required.

Examinations for licensure shall be given as often as deemed necessary by the ~~board~~ department of inspections, appeals, and licensing, but no less than one time per year. The scope of the examinations and the methods of procedure shall be prescribed by the board. ~~Any examination may be given by representatives of the board.~~ The identity of the person taking the examination shall be concealed until after the examination has been graded by the department of inspections, appeals, and licensing. As soon as practicable after the close of each examination, a report shall be filed in the office of the secretary of the board by the ~~board~~ department of inspections, appeals, and licensing. The report shall show the action of the board upon each application and the secretary of the board shall notify each applicant of the result of the applicant's examination. Applicants who fail the examination once shall be allowed to take the examination at the next scheduled time. Thereafter, the applicant shall be allowed to take the examination at the discretion of the board. An applicant who has failed the examination may request in writing information from the board concerning the applicant's examination grade and subject areas or questions which the applicant failed to answer correctly, except that if the board administers a uniform, standardized examination, the board shall only be required to provide the examination grade and

such other information concerning the applicant's examination results which are available to the board.

Sec. 349. Section 543B.8, subsections 1 and 2, Code 2024, are amended to read as follows:

1. A real estate commission is created within the department of inspections, appeals, and licensing. The commission consists of ~~five~~ four members licensed under this chapter and ~~two members~~ one member not licensed under this chapter and who shall represent the general public. Commission members shall be appointed by the governor subject to confirmation by the senate.

2. No more than one member shall be appointed from a county. A commission member shall not hold any other elective or appointive state or federal office. At least one of the licensed members shall be a licensed real estate salesperson, except that if the licensed real estate salesperson becomes a licensed real estate broker during a term of office, that person may complete the term, but is not eligible for reappointment on the commission as a licensed real estate salesperson. A licensed member shall be actively engaged in the real estate business ~~and shall have been so engaged for five years preceding the appointment, the last two of which shall have been in Iowa~~. Professional associations or societies of real estate brokers or real estate salespersons may recommend the names of potential commission members to the governor. However, the governor is not bound by their recommendations. A commission member shall not be required to be a member of any professional association or society composed of real estate brokers or salespersons.

Sec. 350. Section 543D.4, subsections 1 and 3, Code 2024, are amended to read as follows:

1. A real estate appraiser examining board is established within the department of inspections, appeals, and licensing. The board consists of ~~seven~~ five members, ~~two~~ one of whom shall be a public ~~members~~ member and ~~five~~ four of whom shall be

certified real estate appraisers.

3. A certified real estate appraiser member of the board shall be actively engaged in practice as a certified real estate appraiser ~~and shall have been so engaged for five years preceding appointment, the last two of which shall have been in this state~~. The governor shall attempt to represent each class of certified appraisers in making the appointments.

Sec. 351. Section 544A.1, subsection 2, Code 2024, is amended to read as follows:

2. The architectural examining board is created within the department of inspections, appeals, and licensing. The board consists of ~~five~~ three members who possess a license issued under section 544A.9 ~~and who have been in active practice of architecture for not less than five years, the last two of which shall have been in Iowa~~, and ~~two members~~ one member who ~~do~~ does not possess a license issued under section 544A.9 and who shall represent the general public. Members shall be appointed by the governor subject to confirmation by the senate.

Sec. 352. Section 544C.1, subsection 1, Code 2024, is amended by striking the subsection.

Sec. 353. Section 544C.3, Code 2024, is amended to read as follows:

544C.3 Duties of ~~the board~~ department.

~~1.~~ The duties of the ~~board~~ department shall include~~,~~ but are not limited to~~,~~ all of the following:

~~a.~~ 1. Administering and enforcing this chapter.

~~b. Establishing requirements for the examination, education, and practical training of applicants for registration.~~

~~c. Holding meetings each year for the purpose of transacting business pertaining to the affairs of the board. Action at a meeting shall not be taken without the affirmative votes of a majority of members of the board.~~

~~d.~~ 2. Adopting rules under chapter 17A necessary for the proper performance of its duties. The rules shall

include provisions addressing conflicts of interest and full disclosure, including sources of compensation.

~~e.~~ 3. Establishing fees for registration as a registered interior designer, renewal of registration, reinstatement of registration, and for other activities of the ~~board~~ department pertaining to its duties. The fees shall be sufficient to defray the costs of administering this chapter, and shall be deposited in the licensing and regulation fund created in section 10A.507.

~~f.~~ 4. Maintaining records, which are open to public inspection at all reasonable times, of its proceedings relating to the issuance, refusal, renewal, suspension, and revocation of registration. The records shall also contain a roster indicating the name, place of business and residence, and the date and registration number of every registrant.

~~2. The director of the department shall provide staff to assist the board in the implementation of this chapter.~~

Sec. 354. Section 544C.5, Code 2024, is amended to read as follows:

544C.5 Qualifications for registration.

~~Each applicant for registration must meet the interior design education and practical training requirements adopted by rule by the board, and have passed an examination prescribed by the board that is task-oriented, focused on public safety, and validated by a recognized testing agency.~~ The department shall register an individual who submits an application to the ~~board~~ department on the form and in the manner prescribed by the ~~board~~ department as a registered interior designer if the individual satisfies the following requirements:

1. Submits written proof that the individual ~~has successfully passed~~ is certified by the national council for interior design qualification ~~examination~~, or its equivalent.

~~2. Has completed any of the following:~~

~~a. Four years of interior design education plus two years of full-time work experience in registered interior design.~~

~~*b. Three years of interior design education plus three years of full-time work experience in registered interior design.*~~

~~*c. Two years of interior design education plus four years of full-time work experience in registered interior design.*~~

~~3.~~ 2. Submits the required registration fee to the ~~board~~ department.

Sec. 355. Section 544C.6, unnumbered paragraph 1, Code 2024, is amended to read as follows:

The ~~board~~ department may also grant registration by reciprocity. An applicant applying to the ~~board~~ department for registration by reciprocity shall furnish satisfactory evidence that the applicant meets both of the following requirements:

Sec. 356. Section 544C.6, subsection 1, Code 2024, is amended to read as follows:

1. Holds a valid registration or license issued by another registration authority recognized by the ~~board~~ department, where the qualifications for registration or licensure were substantially equivalent to those prescribed in this state on the date of original registration or licensure with the other registration authority.

Sec. 357. Section 544C.7, Code 2024, is amended to read as follows:

544C.7 Registration issuance.

When an applicant has complied with the qualifications for registration in section 544C.5 or 544C.6 to the satisfaction of ~~a majority of the members of~~ the ~~board~~ department and has paid the fees prescribed by the ~~board~~ department, the ~~board~~ department shall enroll the applicant's name and address in the roster of registered interior designers and issue to the applicant a registration certificate, signed by the ~~officers of the board~~ director of the department. The certificate shall entitle the applicant to use the title "registered interior designer" in this state.

Sec. 358. Section 544C.9, subsection 1, unnumbered paragraph 1, Code 2024, is amended to read as follows:

The ~~board~~ department may revoke, suspend, or refuse to issue or renew the registration of any person upon a finding of any of the following:

Sec. 359. Section 544C.9, subsection 2, Code 2024, is amended to read as follows:

2. Any person may appeal a finding of the ~~board~~ department within thirty days of the date of notification of action. Upon appeal, the ~~board~~ department shall schedule a hearing in accordance with chapter 17A.

Sec. 360. Section 544C.10, subsection 2, Code 2024, is amended to read as follows:

2. A person who violates this section is guilty of a simple misdemeanor. The ~~board~~ department, in its discretion and in lieu of prosecuting a first offense under this section, may enter into a consent agreement with a violator, or with a person guilty of aiding or abetting a violator, which acknowledges the violation and the violator's agreement to refrain from any further violations.

Sec. 361. Section 544C.11, Code 2024, is amended to read as follows:

544C.11 Injunction.

In addition to any other remedies, and on the petition of the ~~board~~ department, any person violating this chapter may be restrained and permanently enjoined from committing or continuing the violations.

Sec. 362. Section 544C.14, subsection 1, Code 2024, is amended to read as follows:

1. A registered interior designer shall have a seal with which to identify all interior technical submissions issued by the registered interior designer for use in this state. The seal shall be of a design, content, and size prescribed by the ~~board~~ department. A registered interior designer shall only sign and seal an interior technical submission within the scope of registered interior design.

Sec. 363. Section 544C.15, subsection 1, paragraphs d and e,

Code 2024, are amended to read as follows:

d. Obtain or attempt to obtain registration from the ~~board~~ department by fraud.

e. Make any willfully false oath or affirmation to the ~~board~~ department.

Sec. 364. Section 602.1209, subsections 9 and 13, Code 2024, are amended by striking the subsections.

Sec. 365. Section 602.1401, subsection 3, paragraph b, Code 2024, is amended to read as follows:

b. For purposes of chapter 20, the certified representative, which on July 1, 1983, represents employees who become judicial branch employees as a result of 1983 Iowa Acts, ch. 186, shall remain the certified representative when the employees become judicial branch employees and thereafter, unless the public employee organization is not retained and recertified or is decertified in an election held under section 20.15 or amended or absorbed into another certified organization pursuant to chapter 20. Collective bargaining negotiations shall be conducted on a statewide basis and the certified employee organizations which engage in bargaining shall negotiate on a statewide basis, although bargaining units shall be organized by judicial district. The ~~public~~ employment ~~relations~~ appeal board shall adopt rules pursuant to chapter 17A to implement this subsection.

Sec. 366. Section 602.1513, Code 2024, is amended to read as follows:

602.1513 Per diem compensation.

The supreme court shall set the per diem compensation under ~~sections 602.1511 and~~ section 602.1512 at a rate per day not exceeding the rate specified in section 7E.6.

Sec. 367. Section 602.3105, Code 2024, is amended to read as follows:

602.3105 Applications.

Applications for certification shall be on forms prescribed and furnished by the ~~board~~ department of inspections, appeals,

and licensing and the ~~board~~ department shall not require that the application contain a photograph of the applicant. An applicant shall not be denied certification because of age, citizenship, sex, race, religion, marital status, or national origin although the application may require citizenship information. Character references may be required, but shall not be obtained from certified shorthand reporters.

Sec. 368. Section 602.3106, Code 2024, is amended to read as follows:

602.3106 Fees — appropriation.

1. The ~~supreme court~~ department of inspections, appeals, and licensing shall set the fee for certification examinations. The fee shall be based on the annual cost of administering the examinations and upon the administrative costs of sustaining the activities of the ~~board~~ department of inspections, appeals, and licensing under this article, which shall include but shall not be limited to the cost for per diem, expenses, and travel for ~~board members~~ employees of the department, and office facilities, supplies, and equipment.

2. The fees collected are appropriated to the ~~judicial branch~~ department and shall be used to offset the expenses of the ~~board~~ department, including the costs of administering the examination.

Sec. 369. Section 602.3107, Code 2024, is amended to read as follows:

602.3107 Examinations.

The ~~board~~ department of inspections, appeals, and licensing may administer as many examinations per year as necessary, but shall administer at least one examination per year. The scope of the examinations and the methods of procedure shall be prescribed by the ~~board~~ department. A written examination may be conducted by representatives of the ~~board~~ department. Examinations in theory shall be in writing and the identity of the person taking the examination shall be concealed until after the examination papers have been

graded. For examinations in practice, the identity of the person taking the examination also shall be concealed as far as possible. Applicants who fail the examination once may take the examination at the next scheduled time. Thereafter, the applicant may be allowed to take the examination at the discretion of the ~~board~~ department. An applicant who has failed the examination may request in writing information from the ~~board~~ department concerning the examination grade and subject areas or questions which the applicant failed to answer correctly, and the ~~board~~ department shall provide the information. However, if the ~~board~~ department administers a uniform, standardized examination, the ~~board~~ department is only required to provide the examination grade and other information concerning the applicant's examination results that is available to the ~~board~~ department.

Sec. 370. Section 602.3108, Code 2024, is amended to read as follows:

602.3108 Certification.

The ~~board~~ department of inspections, appeals, and licensing may issue a certificate to a person of good moral character and fitness who makes application on a form prescribed and furnished by the ~~board~~ department and who satisfies the education, experience, and examination requirements of this article and rules prescribed by the supreme court pursuant to this article. The ~~board~~ department may consider the applicant's past record of any felony conviction and the applicant's past record of disciplinary action with respect to certification as a shorthand reporter in any jurisdiction. The ~~board~~ department may deny certification if the ~~board~~ department finds the applicant has committed any of the acts listed in section 602.3203 or has made a false statement of material fact on the application for certification.

Sec. 371. Section 602.3201, Code 2024, is amended to read as follows:

602.3201 Requirement of certification — use of title.

A person shall not engage in the profession of shorthand reporting unless the person is certified pursuant to this chapter, or otherwise exempted pursuant to section 602.6603, subsection 4. Only a person who is certified by the ~~board~~ department of inspections, appeals, and licensing may assume the title of certified shorthand reporter, or use the abbreviation C.S.R., or any words, letters, or figures to indicate that the person is a certified shorthand reporter.

Sec. 372. Section 602.3205, subsection 3, Code 2024, is amended to read as follows:

3. *a.* An audio or video recording of a certified shorthand reporter shall be provided to the ~~board~~ department of inspections, appeals, and licensing upon request by the ~~board~~ department if a disciplinary proceeding is pending regarding the certified shorthand reporter who is a respondent under the provisions of section 602.3203 or the rules of the ~~board of examiners of shorthand reporters, Iowa court rules, ch. 46~~ department.

b. The audio and video recordings provided to the ~~board~~ department pursuant to this subsection shall be kept confidential by the ~~board~~ department in a manner as provided in section 272C.6, subsection 4.

Sec. 373. Section 602.3206, Code 2024, is amended to read as follows:

602.3206 Exempt status.

If a person's certification as a shorthand reporter is placed in exempt status, the person may transcribe or certify a proceeding the person reported while certified as an active shorthand reporter. A person transcribing or certifying a proceeding pursuant to this section shall remain subject to the jurisdiction of the ~~board of examiners of shorthand reporters~~ department of inspections, appeals, and licensing.

Sec. 374. Section 602.3301, subsection 1, unnumbered paragraph 1, Code 2024, is amended to read as follows:

~~A member~~ An employee of the ~~board~~ department of inspections,

appeals, and licensing shall not disclose information relating to the following:

Sec. 375. Section 602.3301, subsection 2, Code 2024, is amended to read as follows:

2. ~~A member~~ An employee of the ~~board~~ department who willfully communicates or seeks to communicate information referred to in subsection 1, or a person who willfully requests, obtains, or seeks to obtain information referred to in subsection 1, is guilty of a simple misdemeanor.

Sec. 376. Section 602.6603, subsection 5, Code 2024, is amended to read as follows:

5. Except as provided in subsection 4, a person shall not be appointed to the position of court reporter of the district court unless the person has been certified as a shorthand reporter by the ~~board of examiners~~ department of inspections, appeals, and licensing under article 3.

Sec. 377. Section 622.10, subsection 7, Code 2024, is amended to read as follows:

7. For the purposes of this section, "*mental health professional*" means a psychologist licensed under chapter 154B, a registered nurse licensed under chapter 152, a social worker licensed under chapter 154C, a marital and family therapist licensed under chapter 154D, a mental health counselor licensed under chapter 154D, or an individual holding at least a master's degree in a related field as deemed appropriate by the board of ~~behavioral science~~ behavioral health professionals.

Sec. 378. Section 904.103, Code 2024, is amended by adding the following new subsections:

NEW SUBSECTION. 5. Policies for the operation and conduct of the department and the implementation of all department programs.

NEW SUBSECTION. 6. Adoption of rules in accordance with chapter 17A as necessary to transact its business and for the administration and exercise of its powers and duties.

NEW SUBSECTION. 7. The approval of the locations for all

state institutions which are penal, reformatory, or corrective.

Sec. 379. Section 904.105, subsections 2, 5, 7, and 9, Code 2024, are amended to read as follows:

2. ~~Adopt and establish~~ Provide advice and recommendations to the department regarding policies for the operation and conduct of the department and the implementation of all department programs.

5. ~~Approve~~ Provide advice and recommendations to the department regarding the budget of the department prior to submission to the governor.

7. ~~Adopt rules in accordance with chapter 17A as the board deems~~ Provide advice and recommendations to the department regarding rules necessary to transact its business and for the administration and exercise of its powers and duties.

9. ~~Approve~~ Provide advice and recommendations regarding the locations for all state institutions which are penal, reformatory, or corrective.

Sec. 380. Section 904.105, subsection 3, Code 2024, is amended by striking the subsection.

Sec. 381. Section 904.802, subsection 1, Code 2024, is amended by striking the subsection.

Sec. 382. Section 904.802, subsection 2, Code 2024, is amended to read as follows:

2. *"Iowa state industries"* means prison industries that are established and maintained by the Iowa department of corrections~~, in consultation with the industries board,~~ at or adjacent to the state's adult correctional institutions, except that an inmate work program established by the state director under section 904.703 is not restricted to industries at or adjacent to the institutions.

Sec. 383. Section 904.804, Code 2024, is amended to read as follows:

904.804 Duties of ~~industries board~~ department — state industries.

The ~~industries board's principal duties~~ department shall ~~be~~

~~to promulgate and~~ adopt rules ~~and to advise the state director regarding the management of Iowa state industries so as~~ to further the intent stated by section 904.801.

Sec. 384. Section 904.805, unnumbered paragraph 1, Code 2024, is amended to read as follows:

The state director~~, with the advice of the industries board,~~ shall:

Sec. 385. Section 904.806, Code 2024, is amended to read as follows:

904.806 Authority of state director not impaired.

Nothing in this subchapter shall be construed to impair the authority of the state director over the adult correctional institutions of this state, nor over the inmates thereof. ~~It is, however, the duty of the state director to obtain the advice of the industries board to further the intent stated by section 904.801.~~

Sec. 386. Section 904.809, subsection 1, paragraph a, Code 2024, is amended to read as follows:

a. The state director ~~and the industries board~~ shall comply with the intent of section 904.801.

Sec. 387. Section 904.809, subsection 2, paragraph a, Code 2024, is amended to read as follows:

a. Any other provision of the Code to the contrary notwithstanding, the state director may~~, after obtaining the advice of the industries board,~~ lease one or more buildings or portions thereof on the grounds of any state adult correctional institution, together with the real estate needed for reasonable access to and egress from the leased buildings, for a term not to exceed twenty years, to a private corporation for the purpose of establishing and operating a factory for the manufacture and processing of products, or any other commercial enterprise deemed by the state director to be consistent with the intent stated in section 904.801.

Sec. 388. Section 904.809, subsection 2, paragraph b, subparagraph (1), Code 2024, is amended to read as follows:

(1) Persons working in the factory or other commercial enterprise operated in the leased property, except the lessee's supervisory employees and necessary support personnel approved by the ~~industries board~~ state director, shall be inmates of the institution where the leased property is located who are approved for such work by the state director and the lessee.

Sec. 389. Section 904.809, subsection 3, Code 2024, is amended to read as follows:

3. The state director ~~with the advice of the prison industries advisory board~~ may provide an inmate workforce to private industry. Under the program inmates will be employees of a private business.

Sec. 390. Section 904.813, subsection 2, paragraph a, subparagraphs (1), (2), and (3), Code 2024, are amended to read as follows:

(1) Establishment, maintenance, transfer, or closure of industrial operations, or vocational, technical, and related training facilities and services for inmates as authorized by the state director ~~in consultation with the industries board~~.

~~(2) Payment of all costs incurred by the industries board, including but not limited to per diem and expenses of its members, and of salaries, allowances, support, and maintenance of Iowa state industries.~~

~~(3)~~ (2) Direct purchases from vendors of raw materials and capital items used for the manufacturing processes of Iowa state industries, in accordance with rules which meet state bidding requirements. The rules shall be adopted by the state director ~~in consultation with the industries board~~.

Sec. 391. Section 904.814, Code 2024, is amended to read as follows:

904.814 Inmate allowance supplement revolving fund.

There is established in the treasury of the state a permanent adult correctional institutions inmate allowance supplement revolving fund, consisting solely of money paid as board and maintenance by inmates working in Iowa state industries, or

working pursuant to section 904.809. The fund established by this section may be used to supplement the allowances of inmates who perform other institutional work within and about the adult correctional institutions including those who are working in Iowa state industries. Payments made from the fund shall supplement and not replace all or any part of the allowances otherwise received by, and shall be equably distributed among such inmates. The work of inmates in other institutional or industry work shall, to the greatest extent feasible, be in accord with the intent stated in section 904.801. The fund may also be used to supplement other rehabilitation activities within the adult correctional institutions. Determination of the use of the funds is the responsibility of the state director ~~who shall first seek the advice of the prison industries advisory board~~.

Sec. 392. Section 904.909, Code 2024, is amended to read as follows:

904.909 Work release and OWI violators — reimbursement to department for transportation costs.

The department of corrections shall arrange for the return of a work release client, or offender convicted of violating chapter 321J, who escapes from the facility to which the client is assigned or violates the conditions of supervision. The client or offender shall reimburse the department of corrections for the cost of transportation incurred because of the escape or violation. The amount of reimbursement shall be the actual cost incurred by the department and shall be credited to the support account from which the billing occurred. The director of the department of corrections shall ~~recommend~~ adopt rules pursuant to chapter 17A~~, subject to approval by the board of corrections pursuant to section 904.105, subsection 7,~~ to implement this section.

Sec. 393. Section 915.82, subsection 2, Code 2024, is amended to read as follows:

2. The ~~board~~ department shall adopt rules pursuant to

chapter 17A relating to program policies and procedures.

Sec. 394. 2023 Iowa Acts, chapter 19, section 2795, subsection 3, paragraphs b and c, are amended to read as follows:

b. The following are range 4 positions: chairperson and members of the employment appeal board of the department of inspections, appeals, and licensing, director of the Iowa ~~state~~ office of civil rights ~~commission~~, director of the department for the blind, executive director of the ethics and campaign disclosure board, executive director of the Iowa public information board, and chairperson, vice chairperson, and members of the board of parole.

c. The following are range 5 positions: state public defender, labor commissioner, workers' compensation commissioner, and director of the law enforcement academy~~, and executive director of the public employment relations board~~.

Sec. 395. REPEAL. Chapters 28B and 473A, Code 2024, are repealed.

Sec. 396. REPEAL. Sections 7D.15, 8A.616, 12C.6A, 15.117, 15.480, 15F.102, 20.5, 34A.15, 80E.2, 100C.10, 103.2, 103.3, 103.4, 105.3, 135.109, 135.173A, 147.16, 153.33A, 154A.7, 155A.2A, 170.2, 190C.2, 190C.2A, 203.11B, 206.23A, 206.23B, 237A.23, 252B.22, 256.15, 256.31, 256I.12, 273.15, 312.3C, 312.3D, 328.13, 423.9A, 455B.150, 455B.151, 461A.79, 461A.80, 465C.3, 465C.4, 465C.5, 465C.6, 465C.7, 466B.31, 475A.7, 481A.10A, 544C.2, 544C.4, 544C.8, 602.1511, 602.3101, 602.3102, 602.3103, 602.3104, 691.6B, 904.803, and 907B.3, Code 2024, are repealed.

Sec. 397. CODE EDITOR DIRECTIVE — TERMINOLOGY CHANGES.

1. The Code editor is directed to change all references to the "board of directors of the Iowa lottery" created in section 99G.8 to the "Iowa lottery commission" and all references to "board" when referring to the board of directors of the Iowa lottery created in section 99G.8 to "commission" wherever they appear in the Code.

2. The Code editor is directed to change all references to the "Iowa utilities board" created in section 474.1 to the "Iowa utilities commission", all references to "utilities board" when referring to the Iowa utilities board created in section 474.1 to "utilities commission", and all references to "board" when referring to the Iowa utilities board created in section 474.1 to "commission" wherever they appear in the Code.

3. The Code editor is directed to make changes in any Code sections amended or enacted by any other Act to correspond with the changes made in this Act if there appears to be no doubt as to the proper method of making the changes and the changes would not be contrary to or inconsistent with the purposes of this Act or any other Act.

Sec. 398. CERTIFICATE OF NEED PROCESS — STUDY. The department of health and human services, in consultation with the department of inspections, appeals, and licensing, and with the assistance of other interested parties, shall conduct a study of the effectiveness of the existing certificate of need process and shall make findings and recommendations related to the continuation of the process or the implementation of a less restrictive alternative. The department of health and human services shall submit a report, including its findings and recommendations, to the governor and the general assembly by December 31, 2025.

DIVISION IX
PUBLIC OFFICERS AND EMPLOYEES

Sec. 399. Section 69.15, subsection 1, unnumbered paragraph 1, Code 2024, is amended to read as follows:

Any person who has been appointed by the governor to any board under the laws of this state shall be deemed to have submitted a resignation from such office if ~~either~~ any of the following events occurs:

Sec. 400. Section 69.15, subsection 1, Code 2024, is amended by adding the following new paragraph:

NEW PARAGRAPH. *c.* Sufficient grounds exist that would

otherwise subject the person to removal by the executive council pursuant to section 66.26.

Sec. 401. Section 69.15, subsection 2, Code 2024, is amended to read as follows:

2. ~~If~~ With respect to subsection 1, paragraphs "a" and "b", if such person received no notice and had no knowledge of a regular meeting and gives the governor a sworn statement to that effect within ten days after the person learns of the meeting, such meeting shall not be counted for the purposes of this section.

DIVISION X

COUNCIL ON HEALTH AND HUMAN SERVICES

Sec. 402. Section 125.7, Code 2024, is amended to read as follows:

125.7 Duties of the council.

The council shall:

1. ~~Approve~~ Make recommendations to the department regarding the comprehensive substance use disorder program, developed by the department pursuant to sections 125.1 through 125.3, this section, and sections 125.9, 125.10, 125.12 through 125.21, 125.25, 125.32 through 125.34, and 125.37 through 125.43.

2. Advise the department on policies governing the performance of the department in the discharge of any duties imposed on the department by law.

3. Advise or make recommendations to the governor and the general assembly relative to substance use disorder treatment, intervention, education, and prevention programs in this state.

~~4. Adopt rules for subsections 1 and 6 and review other rules necessary to carry out the provisions of this chapter, subject to review in accordance with chapter 17A.~~

~~5.~~ 4. Investigate the work of the department relating to substance use disorder, and for this purpose the council shall have access at any time to all books, papers, documents, and records of the department.

~~6.~~ 5. Consider and ~~approve or disapprove~~ make

recommendations to the department regarding the approval or disapproval of all applications for a license and all cases involving the renewal, denial, suspension, or revocation of a license.

~~7. Act as the appeal board regarding funding decisions made by the department.~~

Sec. 403. Section 125.10, subsections 1 and 11, Code 2024, are amended to read as follows:

1. Prepare and submit a state plan ~~subject to approval by the council and~~ in accordance with 42 U.S.C. §300x-21 et seq. The state plan shall designate the department as the sole agency for supervising the administration of the plan.

11. Develop and implement, with the ~~counsel and approval~~ advice of the council, the comprehensive plan for treatment of persons with a substance use disorder in accordance with this chapter.

Sec. 404. Section 125.12, subsection 1, Code 2024, is amended to read as follows:

1. The council shall review the comprehensive substance use disorder program implemented by the department for the treatment of persons with a substance use disorder and concerned family members. ~~Subject to~~ Based on the review of the council, the council shall make recommendations to the director, and the director shall divide the state into appropriate regions for the conduct of the program and establish standards for the development of the program on the regional level. In establishing the regions, consideration shall be given to city and county lines, population concentrations, and existing substance use disorder treatment services.

Sec. 405. Section 125.13, subsection 2, paragraphs a, b, i, and j, Code 2024, are amended to read as follows:

a. A hospital providing care or treatment to persons with a substance use disorder licensed under chapter 135B which is accredited by the joint commission on the accreditation of

health care organizations, the commission on accreditation of rehabilitation facilities, the American osteopathic association, or another recognized organization approved by the ~~council~~ department. All survey reports from the accrediting or licensing body must be sent to the department.

b. Any practitioner of medicine and surgery or osteopathic medicine and surgery, in the practitioner's private practice. However, a program shall not be exempted from licensing by the ~~council~~ department by virtue of its utilization of the services of a medical practitioner in its operation.

i. A substance use disorder treatment program not funded by the department which is accredited or licensed by the joint commission on the accreditation of health care organizations, the commission on the accreditation of rehabilitation facilities, the American osteopathic association, or another recognized organization approved by the ~~council~~ department. All survey reports from the accrediting or licensing body must be sent to the department.

j. A hospital substance use disorder treatment program that is accredited or licensed by the joint commission on the accreditation of health care organizations, the commission on the accreditation of rehabilitation facilities, the American osteopathic association, or another recognized organization approved by the ~~council~~ department. All survey reports for the hospital substance use disorder treatment program from the accrediting or licensing body shall be sent to the department.

Sec. 406. Section 125.14, Code 2024, is amended to read as follows:

125.14 Licenses — renewal — fees.

The ~~council~~ department shall consider all cases involving initial issuance, and renewal, denial, suspension, or revocation of a license. The department shall issue a license to an applicant whom the ~~council~~ department determines meets the licensing requirements of this chapter. Licenses shall expire no later than three years from the date of issuance

and shall be renewed upon timely application made in the same manner as for initial issuance of a license unless notice of nonrenewal is given to the licensee at least thirty days prior to the expiration of the license. The department shall not charge a fee for licensing or renewal of programs contracting with the department for provision of treatment services. A fee may be charged to other licensees.

Sec. 407. Section 125.15A, subsection 1, paragraph b, Code 2024, is amended to read as follows:

b. The ~~council~~ department has suspended, revoked, or refused to renew the existing license of the program.

Sec. 408. Section 125.16, Code 2024, is amended to read as follows:

125.16 Transfer of license or change of location prohibited.

A license issued under this chapter may not be transferred, and the location of the physical facilities occupied or utilized by any program licensed under this chapter shall not be changed without the prior written consent of the ~~council~~ department.

Sec. 409. Section 125.17, Code 2024, is amended to read as follows:

125.17 License suspension or revocation.

Violation of any of the requirements or restrictions of this chapter or of any of the rules adopted pursuant to this chapter is cause for suspension, revocation, or refusal to renew a license. The director shall at the earliest time feasible notify a licensee whose license the ~~council~~ department is considering suspending or revoking and shall inform the licensee what changes must be made in the licensee's operation to avoid such action. The licensee shall be given a reasonable time for compliance, as determined by the director, after receiving such notice or a notice that the ~~council~~ department does not intend to renew the license. When the licensee believes compliance has been achieved, or if the licensee considers the proposed suspension, revocation,

or refusal to renew unjustified, the licensee may submit pertinent information to the ~~council~~ department and the ~~council~~ department shall expeditiously make a decision in the matter and notify the licensee of the decision.

Sec. 410. Section 125.18, Code 2024, is amended to read as follows:

125.18 Hearing before ~~council~~ department.

If a licensee under this chapter makes a written request for a hearing within thirty days of suspension, revocation, or refusal to renew a license, a hearing before the ~~council~~ department shall be expeditiously arranged by the department of inspections, appeals, and licensing whose decision is subject to review by the ~~council~~ department. The ~~council~~ department shall issue a written statement of the ~~council's~~ department's findings within thirty days after conclusion of the hearing upholding or reversing the proposed suspension, revocation, or refusal to renew a license. ~~Action involving suspension, revocation, or refusal to renew a license shall not be taken by the council unless a quorum is present at the meeting.~~ A copy of the ~~council's~~ department's decision shall be promptly transmitted to the affected licensee who may, if aggrieved by the decision, seek judicial review of the actions of the ~~council~~ department in accordance with the terms of chapter 17A.

Sec. 411. Section 125.19, Code 2024, is amended to read as follows:

125.19 Reissuance or reinstatement.

After suspension, revocation, or refusal to renew a license pursuant to this chapter, the affected licensee shall not have the license reissued or reinstated within one year of the effective date of the suspension, revocation, or expiration upon refusal to renew, unless the ~~council~~ department orders otherwise. After that time, proof of compliance with the requirements and restrictions of this chapter and the rules adopted pursuant to this chapter must be presented to the ~~council~~ department prior to reinstatement or reissuance of a

license.

Sec. 412. Section 125.21, subsection 1, Code 2024, is amended to read as follows:

1. The ~~council~~ department has exclusive power in this state to approve and license chemical substitutes and antagonists programs, and to monitor chemical substitutes and antagonists programs to ensure that the programs are operating within the rules adopted pursuant to this chapter. The ~~council~~ department shall grant approval and license if the requirements of the rules are met and state funding is not requested. The chemical substitutes and antagonists programs conducted by persons exempt from the licensing requirements of this chapter pursuant to section 125.13, subsection 2, are subject to approval and licensure under this section.

Sec. 413. Section 125.43A, Code 2024, is amended to read as follows:

125.43A Prescreening — exception.

Except in cases of medical emergency or court-ordered admissions, a person shall be admitted to a state mental health institute for treatment of a substance use disorder only after a preliminary intake and assessment by a department-licensed treatment facility or a hospital providing care or treatment for persons with a substance use disorder licensed under chapter 135B and accredited by the joint commission on the accreditation of health care organizations, the commission on accreditation of rehabilitation facilities, the American osteopathic association, or another recognized organization approved by the ~~council~~ department, or by a designee of a department-licensed treatment facility or a hospital other than a state mental health institute, which confirms that the admission is appropriate to the person's substance use disorder service needs. A county board of supervisors may seek an admission of a patient to a state mental health institute who has not been confirmed for appropriate admission and the county shall be responsible for one hundred percent of the cost of

treatment and services of the patient.

Sec. 414. Section 125.58, subsection 1, Code 2024, is amended to read as follows:

1. If the department has probable cause to believe that an institution, place, building, or agency not licensed as a substance use disorder treatment and rehabilitation facility is in fact a substance use disorder treatment and rehabilitation facility as defined by this chapter, and is not exempt from licensing by section 125.13, subsection 2, the ~~council~~ department may order an inspection of the institution, place, building, or agency. If the inspector upon presenting proper identification is denied entry for the purpose of making the inspection, the inspector may, with the assistance of the county attorney of the county in which the premises are located, apply to the district court for an order requiring the owner or occupant to permit entry and inspection of the premises to determine whether there have been violations of this chapter. The investigation may include review of records, reports, and documents maintained by the facility and interviews with staff members consistent with the confidentiality safeguards of state and federal law.

Sec. 415. Section 135.141, subsection 2, paragraph i, Code 2024, is amended to read as follows:

i. Adopt rules pursuant to chapter 17A for the administration of this subchapter including rules adopted in cooperation with the Iowa pharmacy association and the Iowa hospital association for the development of a surveillance system to monitor supplies of drugs, antidotes, and vaccines to assist in detecting a potential public health disaster. Prior to adoption, the rules shall be approved by the ~~council on health and human services and the~~ director of the department of homeland security and emergency management.

Sec. 416. Section 135A.8, subsection 4, Code 2024, is amended to read as follows:

4. A local board of health seeking matching funds or grants

under this section shall apply to the department. The ~~council on health and human services~~ department shall adopt rules concerning the application and award process for the allocation of moneys in the fund and shall establish the criteria for the allocation of moneys in the fund if the moneys are insufficient to meet the needs of local boards of health.

Sec. 417. Section 135A.9, unnumbered paragraph 1, Code 2024, is amended to read as follows:

The ~~council on health and human services~~ department shall adopt rules pursuant to chapter 17A to implement this chapter which shall include but are not limited to the following:

Sec. 418. Section 135B.7, subsection 1, paragraph a, Code 2024, is amended to read as follows:

a. The department~~, with the approval of the council on health and human services,~~ shall adopt rules setting out the standards for the different types of hospitals and for rural emergency hospitals to be licensed under this chapter. The department shall enforce the rules.

Sec. 419. Section 135C.14, unnumbered paragraph 1, Code 2024, is amended to read as follows:

The department shall, in accordance with chapter 17A ~~and with the approval of the council on health and human services~~, adopt and enforce rules setting minimum standards for health care facilities. In so doing, the department~~, with the approval of the council on health and human services,~~ may adopt by reference, with or without amendment, nationally recognized standards and rules, which shall be specified by title and edition, date of publication, or similar information. The rules and standards required by this section shall be formulated in consultation with the director of health and human services or the director of health and human services' designee, with the director, and with affected industry, professional, and consumer groups, and shall be designed to further the accomplishment of the purposes of this chapter and shall relate to:

Sec. 420. Section 135J.7, Code 2024, is amended to read as follows:

135J.7 Rules.

Except as otherwise provided in this chapter, the department shall adopt rules pursuant to chapter 17A necessary to implement this chapter~~, subject to approval of the council on health and human services~~. Formulation of the rules shall include consultation with Iowa hospice organization representatives and other persons affected by this chapter.

Sec. 421. Section 135R.4, subsection 1, Code 2024, is amended to read as follows:

1. The department, with the advice ~~and approval~~ of the council on health and human services, shall adopt rules specifying the standards for ambulatory surgical centers to be licensed under this chapter. The rules shall be consistent with and shall not exceed the requirements of this chapter and the conditions for coverage in the federal Medicare program for ambulatory surgical centers under 42 C.F.R. pt. 416.

Sec. 422. Section 137.104, subsection 1, paragraph b, unnumbered paragraph 1, Code 2024, is amended to read as follows:

Make and enforce such reasonable rules and regulations not inconsistent with law and the rules of the ~~council~~ department as may be necessary for the protection and improvement of the public health.

Sec. 423. Section 137.105, subsection 1, paragraph f, Code 2024, is amended to read as follows:

f. A local board of health member shall serve without compensation, but may be reimbursed for necessary expenses in accordance with rules established by the ~~council~~ department or the applicable jurisdiction.

Sec. 424. Section 137.107, Code 2024, is amended to read as follows:

137.107 Request reviewed by state department.

The state department shall review requests submitted

pursuant to section 137.106. The state department, upon finding that all required elements are present, ~~shall present findings to the council. The council~~ may approve the formation of a district board and if the formation is approved, shall notify the county boards from whom the request was received.

Sec. 425. Section 137.114, Code 2024, is amended to read as follows:

137.114 Withdrawal from district.

A county may withdraw from an existing district board upon submission of a request for withdrawal to and approval by the state department. The request shall include a plan to reform its county board or join a different district board, information specified in section 137.106, and approval of the request by the district board ~~and, at the recommendation of the state department, the council~~. Any county choosing to withdraw from the district board shall commit to the continuity of services in its county by reestablishing its county board or joining a different district board. The remaining counties in the district shall submit an application including the information specified in section 137.106 to the state department for review as provided in section 137.107.

Sec. 426. Section 137.119, Code 2024, is amended to read as follows:

137.119 Adoption of rules.

The ~~council~~ department shall adopt rules to implement this chapter. The department is vested with discretionary authority to interpret the provisions of this chapter.

Sec. 427. Section 139A.8, subsection 3, Code 2024, is amended to read as follows:

3. Subject to the provision of subsection 4, the ~~council on health and human services~~ department may modify or delete any of the immunizations in subsection 2.

Sec. 428. Section 139A.8, subsection 4, paragraph b, Code 2024, is amended to read as follows:

b. The exemptions under this subsection do not apply in

times of emergency or epidemic as determined ~~by the council on health and human services~~ and ~~as~~ declared by the director ~~of health and human services~~.

Sec. 429. Section 139A.9, Code 2024, is amended to read as follows:

139A.9 Forcible removal — isolation — quarantine.

The forcible removal and isolation or quarantine of any infected person shall be accomplished according to the rules and regulations of the local board or the rules of the ~~council on health and human services~~ department.

Sec. 430. Section 141A.2, subsection 6, Code 2024, is amended to read as follows:

6. The department~~, with the approval of the council on health and human services,~~ may conduct epidemiological blinded and nonblinded studies to determine the incidence and prevalence of HIV infection. Initiation of any new epidemiological studies shall be contingent upon the receipt of funding sufficient to cover all the costs associated with the studies. The informed consent, reporting, and counseling requirements of this chapter shall not apply to blinded studies.

Sec. 431. Section 217.2, subsection 1, paragraph a, Code 2024, is amended to read as follows:

a. There is created within the department a council on health and human services which shall act in ~~a policymaking and~~ an advisory capacity on matters within the jurisdiction of the department. The council shall consist of nine voting members appointed by the governor subject to confirmation by the senate. Appointments shall be made on the basis of interest in public affairs, good judgment, and knowledge and ability in the field of health and human services. Appointments shall be made to provide a diversity of interest and point of view in the membership and without regard to religious opinions or affiliations. The voting members of the council shall serve for six-year staggered terms.

Sec. 432. Section 217.3, Code 2024, is amended to read as follows:

217.3 Duties of council.

The council shall:

1. Organize annually and select a chairperson and vice chairperson.

2. ~~Adopt and establish policy for the operation and~~ Advise the department on conduct of the department~~, subject to any guidelines which may be adopted by the general assembly,~~ and the implementation of all services and programs administered by the department.

3. Report immediately to the governor any failure by the department to carry out any of the policy decisions or directives of the ~~council~~ department.

4. ~~Approve~~ Advise and make recommendations to the department on the budget of the department prior to submission to the governor. Prior to ~~approval of~~ making recommendations on the budget, the council shall publicize and hold a public hearing to provide explanations and hear questions, opinions, and suggestions regarding the budget. Invitations to the hearing shall be extended to the governor, the governor-elect, the director of the department of management, and other persons deemed by the council as integral to the budget process. The budget materials submitted to the governor shall include ~~a review of options~~ recommendations for revising the medical assistance program made available by federal action or by actions implemented by other states as identified by the department, the medical assistance advisory council created in section 249A.4B, and by county representatives. The review shall address what potential revisions could be made in this state and how the changes would be beneficial to Iowans.

5. ~~Insure~~ Make recommendations to the department to ensure that all programs administered or services rendered by the department directly to any citizen or through a local agency to any citizen are coordinated and integrated so that any

citizen does not receive a duplication of services from various departments or local agencies that could be rendered by one department or local agency. ~~If the council finds that such is not the case, it shall hear and determine which department or local agency shall provide the needed service or services and enter an order of their determination by resolution of the council which must be concurred in by at least a majority of the members. Thereafter such order or resolution of the council shall be obeyed by all state departments and local agencies to which it is directed.~~

~~6. Adopt all necessary rules recommended by the department prior to their promulgation pursuant to chapter 17A.~~

~~7.~~ 6. Recommend to the governor the names of individuals qualified for the position of director when a vacancy exists in the office.

Sec. 433. Section 217.3A, Code 2024, is amended to read as follows:

217.3A Advisory committees.

The council may establish and utilize other ad hoc advisory committees as determined necessary to advise the council related to the subject matter under the purview of the department, including but not limited to child and family services, behavioral health, public health, and the department's interactions with the juvenile justice system. The council shall establish appointment provisions, membership terms, operating guidelines, and other operational requirements for committees established pursuant to this section.

Sec. 434. Section 217.6, Code 2024, is amended to read as follows:

217.6 Rules ~~and regulations~~ — organization of department.

1. The director may ~~recommend~~ submit to the council for ~~adoption~~ review and recommendation, rules ~~and regulations~~ necessary to administer the duties, functions, and programs of the department. ~~Any action taken, decision made, or administrative rule adopted may be reviewed by the director.~~

The director, ~~upon~~ may consider such ~~review, may affirm, modify, or reverse any such action, decision, or rule~~ recommendations in adopting rules for the department.

2. The rules ~~and regulations~~ adopted for the public benefits and programs administered by the department shall apply the residency eligibility restrictions required by federal and state law.

3. The director shall organize the department into subunits as necessary to most efficiently carry out the intent of this chapter and any other chapter the department is responsible for administering.

4. If the department requires or requests a service consumer, service provider, or other person to maintain required documentation in electronic form, the department shall accept such documentation submitted by electronic means and shall not require a physical copy of the documentation unless required by state or federal law.

Sec. 435. Section 218.4, subsections 1 and 2, Code 2024, are amended to read as follows:

1. The department shall ~~recommend to the council for adoption~~ adopt rules not inconsistent with law as necessary for the management of the institutions and the admission, treatment, care, custody, education and discharge of residents. It is the duty of the department to establish rules by which danger to life and property from fire will be minimized. The department may require any appointees to perform duties in addition to those required by statute.

2. Rules adopted by the ~~council~~ department pursuant to chapter 17A shall be uniform and shall apply to all institutions under the department's jurisdiction. The primary rules for use in institutions where persons with mental illness are served shall, unless otherwise indicated, uniformly apply to county or private hospitals in which persons with mental illness are served, but the rules shall not interfere with proper medical treatment administered to such persons by

competent physicians. Annually, signed copies of the rules shall be sent to the superintendent of each institution. Copies shall also be sent to the clerk of each district court, the chairperson of the board of supervisors of each county and, as appropriate, to the officer in charge of institutions or hospitals caring for persons with mental illness in each county who shall be responsible for seeing that the rules are posted in each institution or hospital in a prominent place. The rules shall be kept current to meet the public need and shall be revised and published annually.

Sec. 436. Section 222.1, subsection 2, Code 2024, is amended to read as follows:

2. The Glenwood state resource center and the Woodward state resource center are established and shall be maintained as the state's regional resource centers for the purpose of providing treatment, training, instruction, care, habilitation, and support of persons with an intellectual disability or other disabilities in this state, and providing facilities, services, and other support to the communities located in the region being served by a state resource center. In addition, the state resource centers are encouraged to serve as a training resource for community-based program staff, medical students, and other participants in professional education programs. A resource center may request the approval of the ~~council~~ department to change the name of the resource center for use in communication with the public, in signage, and in other forms of communication.

Sec. 437. Section 222.2, Code 2024, is amended to read as follows:

222.2 Definitions.

When used in this chapter, unless the context otherwise requires:

1. "*Auditor*" means the county auditor or the auditor's designee.

~~2. "*Council*" means the council on health and human services.~~

~~3.~~ 2. "*Department*" means the department of health and human services.

~~4.~~ 3. "*Director*" means the director of health and human services.

~~5.~~ 4. "*Intellectual disability*" means the same as defined in section 4.1.

~~6.~~ 5. "*Mental health and disability services region*" means a mental health and disability services region formed in accordance with section 225C.56.

~~7.~~ 6. "*Regional administrator*" means the regional administrator of a mental health and disability services region, as defined in section 225C.55.

~~8.~~ 7. "*Special unit*" means a special intellectual disability unit established at a state mental health institute pursuant to sections 222.88 through 222.91.

~~9.~~ 8. "*State resource centers*" or "*resource centers*" means the Glenwood state resource center and the Woodward state resource center.

~~10.~~ 9. "*Superintendents*" means the superintendents of the state resource centers.

Sec. 438. Section 225.33, Code 2024, is amended to read as follows:

225.33 Death of patient — disposal of body.

When a committed public patient or a voluntary public patient or a committed private patient dies while at the state psychiatric hospital or at the university hospital, the state psychiatric hospital shall have the body prepared for shipment in accordance with the rules prescribed by the ~~council on~~ department of health and human services for shipping such bodies. It is the duty of the state board of regents to make arrangements for the embalming and such other preparation as necessary to comply with the rules and for the purchase of suitable caskets.

Sec. 439. Section 225C.49, subsection 1, unnumbered paragraph 1, Code 2024, is amended to read as follows:

The department shall provide coordination of the programs administered by the department which serve individuals with a disability and the individuals' families, including but not limited to the following juvenile justice and child welfare services: family-centered services described under section 232.102, decategorization of child welfare funding provided for under section 232.188, and foster care services paid under section 234.35, subsection 3. The department shall regularly review administrative rules associated with such programs and make recommendations to the ~~council,~~ governor~~,~~ and general assembly for revisions to remove barriers to the programs for individuals with a disability and the individuals' families including the following:

Sec. 440. Section 226.1, subsections 3 and 4, Code 2024, are amended to read as follows:

3. A mental health institute may request the approval of the ~~council~~ department to change the name of the institution for use in communication with the public, in signage, and in other forms of communication.

4. For the purposes of this chapter, unless the context otherwise requires:

~~*a. "Council"* means the council on health and human services.~~

~~*b.*~~ *a. "Department"* means the department of health and human services.

~~*c.*~~ *b. "Director"* means the director of health and human services.

~~*d.*~~ *c. "Mental health and disability services region"* means a mental health and disability services region formed in accordance with section 225C.56.

~~*e.*~~ *d. "Mental health institute"* or *"state mental health institute"* means a state hospital for persons with mental illness as designated in this chapter.

~~*f.*~~ *e. "Regional administrator"* means the same as defined in section 225C.55.

Sec. 441. Section 234.1, Code 2024, is amended to read as

follows:

234.1 Definitions.

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

1. *"Child"* means either a person less than eighteen years of age or a person eighteen, nineteen, or twenty years of age who meets all of the following conditions:

a. The person was placed by court order issued pursuant to chapter 232 in foster care or in an institution listed in section 218.1 and either of the following situations apply to the person:

(1) After reaching eighteen years of age, the person has remained continuously and voluntarily under the care of an individual, as defined in section 237.1, licensed to provide foster care pursuant to chapter 237 or in a supervised apartment living arrangement, in this state.

(2) The person aged out of foster care after reaching eighteen years of age and subsequently voluntarily applied for placement with an individual, as defined in section 237.1, licensed to provide foster care pursuant to chapter 237 or for placement in a supervised apartment living arrangement, in this state.

b. The person has demonstrated a willingness to participate in case planning and to complete the responsibilities prescribed in the person's case permanency plan.

c. The department has made an application for the person for adult services upon a determination that it is likely the person will need or be eligible for services or other support from the adult services system.

~~2. *"Council"* means the council on health and human services.~~

~~3.~~ 2. *"Department"* means the department of health and human services.

~~4.~~ 3. *"Director"* means the director of health and human services.

~~5.~~ 4. *"Food programs"* means the supplemental nutrition

assistance program and donated foods programs authorized by federal law under the United States department of agriculture.

~~6.~~ 5. "*Supplemental nutrition assistance program*" or "*SNAP*" means benefits provided by the federal program administered through 7 C.F.R. pts. 270 – 283, as amended.

Sec. 442. Section 234.6, subsection 1, unnumbered paragraph 1, Code 2024, is amended to read as follows:

The director shall administer the family investment program, state supplementary assistance, food programs, child welfare, and emergency relief, family and adult service programs, and any other form of public assistance and institutions that are placed under the director's administration. The director shall perform duties, formulate and adopt rules as necessary, and outline policies, dictate procedure, and delegate powers as necessary for competent and efficient administration. ~~Subject to restrictions that may be imposed by the council, the~~ The director may abolish, alter, consolidate, or establish subunits and abolish or change existing subunits. The director may employ necessary personnel and determine their compensation; may allocate or reallocate functions and duties among subunits; and may adopt rules relating to the employment of personnel and the allocation of their functions and duties among the various subunits as required for competent and efficient administration. The director shall do all of the following:

Sec. 443. Section 234.6, subsection 1, paragraphs d and h, Code 2024, are amended to read as follows:

d. Notwithstanding any provisions to the contrary in chapter 239B relating to the consideration of income and resources of claimants for assistance, ~~and with the consent and approval of the council,~~ adopt rules necessary to qualify for federal aid in the assistance programs administered by the director.

h. ~~Recommend~~ Adopt rules ~~for their adoption by the council~~ for before and after school child care programs, conducted within and by or contracted for by school districts, that are appropriate for the ages of the children who receive services

under the programs.

Sec. 444. Section 237.1, Code 2024, is amended to read as follows:

237.1 Definitions.

As used in this chapter:

1. *"Agency"* means a person which provides child foster care and which does not meet the definition of an individual as defined under this section.

2. *"Child"* means child as defined in section 234.1.

3. *"Child foster care"* means the provision of parental nurturing, including but not limited to the furnishing of food, lodging, training, education, supervision, treatment, or other care, to a child on a full-time basis by a person, including a relative of the child if the relative is licensed under this chapter, but not including a guardian of the child. *"Child foster care"* does not include any of the following care situations:

a. Care furnished by an individual person who receives the child of a personal friend as an occasional and personal guest in the individual person's home, free of charge and not as a business.

b. Care furnished by an individual person with whom a child has been placed for lawful adoption, unless that adoption is not completed within two years after placement.

c. Care furnished by a private boarding school subject to approval by the state board of education pursuant to section 256.11.

d. Child care furnished by a child care center, a child development home, or a child care home as defined in section 237A.1.

e. Care furnished in a hospital licensed under chapter 135B or care furnished in a nursing facility licensed under chapter 135C.

f. Care furnished by a relative of a child or an individual person with a meaningful relationship with the child where the

child is not under the placement, care, or supervision of the department.

~~4. "Council" means the council on health and human services.~~

~~5.~~ 4. "*Department*" means the department of health and human services.

~~6.~~ 5. "*Director*" means the director of health and human services.

~~7.~~ 6. "*Facility*" means the personnel, program, physical plant, and equipment of a licensee.

~~8.~~ 7. "*Individual*" means an individual person or a married couple who provides child foster care in a single-family home environment and which does not meet the definition of an agency under this section.

~~9.~~ 8. "*Licensee*" means an individual or an agency licensed under this chapter.

~~10.~~ 9. "*Reasonable and prudent parent standard*" means the standard characterized by careful and sensible parenting decisions that maintain the health, safety, and best interests of a child, while at the same time encouraging the emotional and developmental growth of a child, that a caregiver shall use when determining whether to allow a child in foster care under the placement, care, or supervision of the department to participate in extracurricular, enrichment, cultural, or social activities. For the purposes of this subsection, "*caregiver*" means an individual or an agency licensed under this chapter with which a child in foster care has been placed or a juvenile shelter care home approved under chapter 232 in which a child in foster care has been placed.

Sec. 445. Section 237.3, subsection 1, Code 2024, is amended to read as follows:

1. Except as otherwise provided by subsections 3 and 4, the department shall ~~promulgate, after their adoption by the council,~~ adopt and enforce in accordance with chapter 17A, administrative rules necessary to implement this chapter. Formulation of the rules shall include consultation with

representatives of child foster care providers and other persons affected by this chapter. The rules shall encourage the provision of child foster care in a single-family, home environment, exempting the single-family, home facility from inappropriate rules.

Sec. 446. Section 237A.1, Code 2024, is amended to read as follows:

237A.1 Definitions.

As used in this chapter unless the context otherwise requires:

1. *"Child"* means either of the following:

a. A person twelve years of age or younger.

b. A person thirteen years of age or older but younger than nineteen years of age who has a developmental disability as defined under the federal Developmental Disabilities Assistance and Bill of Rights Act of 2000, Pub. L. No. 106-402, as codified in 42 U.S.C. §15002(8).

2. *"Child care"* means the care, supervision, and guidance of a child by a person other than the child's parent, guardian, or custodian for periods of less than twenty-four hours per day per child on a regular basis, but does not include care, supervision, and guidance of a child by any of the following:

a. An instructional program for children who are attending prekindergarten as defined by the state board of education under section 256.11 or a higher grade level and are at least four years of age, or are at least three years of age and eligible for special education under chapter 256B, administered by any of the following:

(1) A public or nonpublic school system accredited by the department of education or the state board of regents.

(2) A nonpublic school system which is not accredited by the department of education or the state board of regents.

b. Any of the following church-related programs:

(1) An instructional program.

(2) A youth program other than a preschool, before or after

school child care program, or other child care program.

(3) A program providing care to children on church premises while the children's parents are attending church-related or church-sponsored activities on the church premises.

c. Short-term classes of less than two weeks' duration held between school terms or during a break within a school term.

d. A child care center for sick children operated as part of a pediatrics unit in a hospital licensed by the department of inspections, appeals, and licensing pursuant to chapter 135B.

e. A program operated not more than one day per week by volunteers which meets all of the following conditions:

(1) Not more than eleven children are served per volunteer.

(2) The program operates for less than four hours during any twenty-four-hour period.

(3) The program is provided at no cost to the children's parent, guardian, or custodian.

f. A program administered by a political subdivision of the state which is primarily for recreational or social purposes and is limited to children who are five years of age or older and attending school.

g. An after school program continuously offered throughout the school year calendar to children who are at least five years of age and are enrolled in school, and attend the program intermittently or a summer-only program for such children. The program must be provided through a nominal membership fee or at no cost.

h. A special activity program which meets less than four hours per day for the sole purpose of the special activity. Special activity programs include but are not limited to music or dance classes, organized athletic or sports programs, recreational classes, scouting programs, and hobby or craft clubs or classes.

i. A nationally accredited camp.

j. A structured program for the purpose of providing therapeutic, rehabilitative, or supervisory services to

children under any of the following:

(1) A purchase of service or managed care contract with the department.

(2) A contract approved by a governance board of a decategorization of child welfare and juvenile justice funding project created under section 232.188.

(3) An arrangement approved by a juvenile court order.

k. Care provided on-site to children of parents residing in an emergency, homeless, or domestic violence shelter.

l. A child care facility providing respite care to a licensed foster family home for a period of twenty-four hours or more to a child who is placed with that licensed foster family home.

m. A program offered to a child whose parent, guardian, or custodian is engaged solely in a recreational or social activity, remains immediately available and accessible on the physical premises on which the child's care is provided, and does not engage in employment while the care is provided. However, if the recreational or social activity is provided in a fitness center or on the premises of a nonprofit organization, the parent, guardian, or custodian of the child may be employed to teach or lead the activity.

3. *"Child care center"* or *"center"* means a facility providing child care or preschool services for seven or more children, except when the facility is registered as a child development home.

4. *"Child care facility"* or *"facility"* means a child care center, preschool, or a registered child development home.

5. *"Child care home"* means a person or program providing child care to any of the following children at any one time that is not registered to provide child care under this chapter, as authorized under section 237A.3:

a. Five or fewer children.

b. Six or fewer children, if at least one of the children is school-aged.

6. "*Child development home*" means a person or program registered under section 237A.3A that may provide child care to seven or more children at any one time.

7. "*Children needing special needs care*" or "*special needs child*" means a child or children with one or more of the following conditions:

a. The child has been diagnosed by a physician or by a person endorsed for service as a school psychologist by the department of education to have a developmental disability which substantially limits one or more major life activities, and the child requires professional treatment, assistance in self-care, or the purchase of special adaptive equipment.

b. The child has been determined by a qualified intellectual disability professional to have a condition which impairs the child's intellectual and social functioning.

c. The child has been diagnosed by a mental health professional to have a behavioral or emotional disorder characterized by situationally inappropriate behavior which deviates substantially from behavior appropriate to the child's age, or which significantly interferes with the child's intellectual, social, or personal development.

~~8. "*Council*" means the council on health and human services.~~

~~9.~~ 8. "*Department*" means the department of health and human services.

~~10.~~ 9. "*Director*" means the director of health and human services.

~~11.~~ 10. "*Infant*" means a child who is less than twenty-four months of age.

~~12.~~ 11. "*Involvement with child care*" means licensed or registered under this chapter, employed in a child care facility, residing in a child care facility, receiving public funding for providing child care, or providing child care as a child care home provider, or residing in a child care home.

~~13.~~ 12. "*Licensed center*" means a center issued a full or provisional license by the department under the provisions

of this chapter or a center for which a license is being processed.

~~14.~~ 13. "*Poverty level*" means the poverty level defined by the most recently revised poverty income guidelines published by the United States department of health and human services.

~~15.~~ 14. "*Preschool*" means a child care facility which provides to children ages three through five, for periods of time not exceeding three hours per day, programs designed to help the children to develop intellectual skills, social skills, and motor skills, and to extend their interest and understanding of the world about them.

~~16.~~ 15. "*School*" means kindergarten or a higher grade level.

~~17. "*State child care advisory committee*" means the state child care advisory committee established pursuant to section 135.173A.~~

Sec. 447. Section 238.1, Code 2024, is amended to read as follows:

238.1 Definitions.

For the purpose of this chapter unless the context otherwise requires:

1. "*Child*" means the same as defined in section 234.1.

2. "*Child-placing agency*" or "*agency*" means any agency, whether public, semipublic, or private, which represents that the agency places children permanently or temporarily in private family homes or receives children for placement in private family homes, or which actually engages for gain or otherwise in the placement of children in private family homes. "*Agency*" includes individuals, institutions, partnerships, voluntary associations, and corporations, other than institutions under the management or control of the department.

~~3. "*Council*" means the council on health and human services.~~

~~4.~~ 3. "*Department*" means the department of health and human services.

~~5.~~ 4. "*Director*" means the director of health and human

services.

Sec. 448. Section 238.12, Code 2024, is amended to read as follows:

238.12 Appeal — judicial review.

1. A licensee aggrieved by a decision of the department revoking the licensee's license may appeal to the ~~council~~ department in the manner prescribed by the ~~council~~ department. The ~~council~~ department shall, upon receipt of such an appeal, give the licensee reasonable notice and opportunity for a fair hearing before the ~~council or its duly~~ department's authorized representative. Following the hearing, the ~~council~~ department shall take final action and notify the licensee in writing.

2. Judicial review of the actions of the ~~council~~ department may be sought in accordance with ~~the terms of~~ chapter 17A.

Sec. 449. Section 249.1, Code 2024, is amended to read as follows:

249.1 Definitions.

As used in this chapter:

~~1. "Council" means the council on health and human services.~~

~~2.~~ 1. "*Department*" means the department of health and human services.

~~3.~~ 2. "*Director*" means the director of health and human services.

~~4.~~ 3. "*Federal supplemental security income*" means cash payments made to individuals by the United States government under Tit. XVI of the Social Security Act as amended by Pub. L. No. 92-603, or any other amendments thereto.

~~5.~~ 4. "*Previous categorical assistance programs*" means the aid to the blind program authorized by chapter 241, the aid to the disabled program authorized by chapter 241A and the old-age assistance program authorized by chapter 249, Code 1973.

~~6.~~ 5. "*State supplementary assistance*" means cash payments made to individuals:

a. By the United States government on behalf of the state of Iowa pursuant to section 249.2.

b. By the state of Iowa directly pursuant to sections 249.3 through 249.5.

Sec. 450. Section 249.4, subsection 1, Code 2024, is amended to read as follows:

1. Applications for state supplementary assistance shall be made in the form and manner prescribed by the director or the director's designee~~, with the approval of the council,~~ pursuant to chapter 17A. Each person who applies and is found eligible under section 249.3 shall, so long as the person's eligibility continues, receive state supplementary assistance on a monthly basis, from funds appropriated to the department for the purpose.

Sec. 451. Section 249A.4B, subsections 1 and 7, Code 2024, are amended to read as follows:

1. A medical assistance advisory council is created to comply with 42 C.F.R. §431.12 based on section 1902(a)(4) of the federal Social Security Act and to advise the director about health and medical care services under the medical assistance program. The council shall meet ~~no more than quarterly~~ as necessary. The director's designee responsible for public health or their designee and a public member of the council selected by the public members of the council shall serve as co-chairpersons of the council.

7. The director shall consider the recommendations offered by the council in the director's preparation of the medical assistance budget ~~recommendations to the council on health and human services pursuant to section 217.3~~ and in implementation of medical assistance program policies.

Sec. 452. Section 331.304, subsection 9, Code 2024, is amended to read as follows:

9. A county shall not adopt or enforce any ordinance imposing any registration or licensing system or registration or license fees for or relating to owner-occupied manufactured or mobile homes including the lots, lands, or manufactured home community or mobile home park upon or in which they are

located. A county shall not adopt or enforce any ordinance imposing any registration or licensing system, or registration or license fees, or safety or sanitary standards for rental manufactured or mobile homes unless similar registration or licensing system, or registration or license fees, or safety or sanitary standards are required for other rental properties intended for human habitation. This subsection does not preclude the investigation and abatement of a nuisance or the enforcement of a tiedown system, or the enforcement of any ~~regulations~~ rules of the ~~council on~~ department of health and human services or local board of health if those ~~regulations~~ rules apply to other rental properties or to owner-occupied housing intended for human habitation.

Sec. 453. Section 364.3, subsection 5, Code 2024, is amended to read as follows:

5. A city shall not adopt or enforce any ordinance imposing any registration or licensing system or registration or license fees for or relating to owner-occupied manufactured or mobile homes including the lots, lands, or manufactured home community or mobile home park upon or in which they are located. A city shall not adopt or enforce any ordinance imposing any registration or licensing system, or registration or license fees, or safety or sanitary standards for rental manufactured or mobile homes unless a similar registration or licensing system, or registration or license fees, or safety or sanitary standards are required for other rental properties intended for human habitation. This subsection does not preclude the investigation and abatement of a nuisance or the enforcement of a tiedown system, or the enforcement of any ~~regulations~~ rules of the ~~council on~~ department of health and human services or local board of health if those ~~regulations~~ rules apply to other rental properties or to owner-occupied housing intended for human habitation.

DIVISION XI

ELIMINATION OF ADVISORY COUNCIL ON BRAIN INJURIES

Sec. 454. Section 135.22A, Code 2024, is amended to read as follows:

135.22A ~~Advisory council on brain~~ Brain injuries — policy — department as lead agency.

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

a. "Brain injury" means a brain injury as defined in section 135.22.

b. "Council" means the ~~advisory~~ council on ~~brain injuries~~ health and human services.

~~2. The advisory council on brain injuries is established. The following persons or their designees shall serve as ex officio, nonvoting members of the council:~~

~~*a.* The director of health and human services or the director's designee.~~

~~*b.* The director of the department of education.~~

~~*c.* The chief of the special education bureau of the department of education.~~

~~*d.* The administrator of the division of vocational rehabilitation services of the department of workforce development.~~

~~*e.* The director of the department for the blind.~~

~~3. The council shall be composed of a minimum of nine members appointed by the governor in addition to the ex officio members, and the governor may appoint additional members. Insofar as practicable, the council shall include persons with brain injuries; family members of persons with brain injuries; representatives of industry, labor, business, and agriculture; representatives of federal, state, and local government; and representatives of religious, charitable, fraternal, civic, educational, medical, legal, veteran, welfare, and other professional groups and organizations. Members shall be appointed representing every geographic and employment area of the state and shall include members of both sexes. A simple majority of the members appointed by the governor shall~~

~~constitute a quorum.~~

~~4. Members of the council appointed by the governor shall be appointed for terms of two years. Vacancies on the council shall be filled for the remainder of the term of the original appointment. Members whose terms expire may be reappointed.~~

~~5. The voting members of the council shall appoint a chairperson and a vice chairperson and other officers as the council deems necessary. The officers shall serve until their successors are appointed and qualified. Members of the council shall receive actual expenses for their services. Members may also be eligible to receive compensation as provided in section 7E.6. The council shall adopt rules pursuant to chapter 17A.~~

~~6.~~ 2. The council shall do all of the following:

a. Promote meetings and programs for the discussion of methods to reduce the debilitating effects of brain injuries, and disseminate information in cooperation with any other department, agency, or entity on the prevention, evaluation, care, treatment, and rehabilitation of persons affected by brain injuries.

b. Study and review current prevention, evaluation, care, treatment, and rehabilitation technologies and recommend appropriate preparation, training, retraining, and distribution of personnel and resources in the provision of services to persons with brain injuries through private and public residential facilities, day programs, and other specialized services.

c. Participate in developing and disseminating criteria and standards which may be required for future funding or licensing of facilities, day programs, and other specialized services for persons with brain injuries in this state.

d. Make recommendations to the governor for developing and administering a state plan to provide services for persons with brain injuries.

e. Meet ~~at least quarterly~~ as necessary.

~~7.~~ 3. The department is designated as Iowa's lead agency

for brain injury. For the purposes of this section, the designation of lead agency authorizes the department to perform or oversee the performance of those functions specified in subsection 6, paragraphs "a" through "c". ~~The council is assigned to the department for administrative purposes. The director shall be responsible for budgeting, program coordination, and related management functions.~~

~~8. The council may receive gifts, grants, or donations made for any of the purposes of its programs and disburse and administer them in accordance with their terms and under the direction of the director.~~

Sec. 455. Section 135.22B, subsection 2, paragraph c, Code 2024, is amended to read as follows:

c. The department shall consult with the ~~advisory~~ council ~~on brain injuries, established pursuant to section 135.22A,~~ regarding the program and shall report to the council concerning the program at least quarterly. The council shall make recommendations to the department concerning the program's operation.

DIVISION XII

ELIMINATION OF CHILDREN'S BEHAVIORAL HEALTH SYSTEM STATE BOARD

Sec. 456. Section 225C.52, Code 2024, is amended to read as follows:

225C.52 ~~Children's behavioral health system state board —~~ Council duties.

The council shall provide guidance on the implementation and management of a children's behavioral health system for the provision of services to children with a serious emotional disturbance. To the extent funding is available, the ~~state board~~ council shall perform the following duties:

1. Advise the director on the administration of the children's behavioral health system.

2. Provide ~~consultation services~~ support to agencies regarding the development of administrative rules for the children's behavioral health system.

3. Identify behavioral health outcomes and indicators for eligible children with a serious emotional disturbance to promote children living with their own families and in the community.

4. Submit a written report on or before December 1 of each year to the governor and the general assembly. At a minimum, the report shall include a summary of all activities undertaken by the ~~state board~~ council relating to the children's behavioral health system and results from identified behavioral health outcomes and indicators for the children's behavioral health system.

Sec. 457. Section 225C.55, Code 2024, is amended to read as follows:

225C.55 Definitions.

As used in this subchapter, unless the context otherwise requires:

1. *"Children's behavioral health services"* means the same as defined in section 225C.2.

2. *"Council"* means the council on health and human services.

~~2.~~ 3. *"Department"* means the department of health and human services.

~~3.~~ 4. *"Director"* means the director of health and human services.

~~4.~~ 5. *"Disability services"* means the same as defined in section 225C.2.

~~5.~~ 6. *"Population"* means, as of July 1 of the fiscal year preceding the fiscal year in which the population figure is applied, the population shown by the latest preceding certified federal census or the latest applicable population estimate issued by the United States census bureau, whichever is most recent.

~~6.~~ 7. *"Regional administrator"* means the administrative office, organization, or entity formed by agreement of the counties participating in a region to function on behalf of those counties in accordance with this subchapter.

~~7.~~ 8. "*Serious emotional disturbance*" means the same as defined in section 225C.2.

~~8. "*State board*" means the children's system state board created in section 225C.51.~~

~~9. "*State commission*" means the mental health and disability services commission created in section 225C.5.~~

Sec. 458. Section 225C.66, subsection 3, Code 2024, is amended to read as follows:

3. ~~Pursuant to recommendations made by the state board, the~~ The department shall adopt rules to define the services included in the core domains listed in this section. The rules shall provide service definitions, service provider standards, service access standards, and service implementation dates, and shall provide consistency, to the extent possible, with similar service definitions under the medical assistance program.

Sec. 459. REPEAL. Section 225C.51, Code 2024, is repealed.

DIVISION XIII

ELIMINATION OF CONGENITAL AND INHERITED DISORDERS ADVISORY COMMITTEE

Sec. 460. Section 136A.2, Code 2024, is amended to read as follows:

136A.2 Definitions.

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

1. "*Attending health care provider*" means a licensed physician, nurse practitioner, certified nurse midwife, or physician assistant.

~~2. "*Congenital and inherited disorders advisory committee*" or "*advisory committee*" means the congenital and inherited disorders advisory committee created in this chapter.~~

~~3.~~ 2. "*Congenital disorder*" means an abnormality existing prior to or at birth, including a stillbirth, that adversely affects the health and development of a fetus, newborn, child, or adult, including a structural malformation or a genetic, chromosomal, inherited, or biochemical disorder.

3. "*Council*" means the council on health and human services.

4. "*Department*" means the department of health and human services.

5. "*Disorder*" means a congenital or inherited disorder.

6. "*Genetics*" means the study of inheritance and how genes contribute to health conditions and the potential for disease.

7. "*Genomics*" means the functions and interactions of all human genes and their variation within human populations, including their interaction with environmental factors, and their contribution to health.

8. "*Inherited disorder*" means a condition caused by an abnormal change in a gene or genes passed from a parent or parents to their child. Onset of the disorder may be prior to or at birth, during childhood, or in adulthood.

9. "*Stillbirth*" means an unintended fetal death occurring after a gestation period of twenty completed weeks, or an unintended fetal death of a fetus with a weight of three hundred fifty or more grams.

Sec. 461. Section 136A.3A, Code 2024, is amended to read as follows:

136A.3A ~~Congenital and inherited disorders advisory committee established — process~~ Process for addition of conditions to newborn screening.

1. ~~A congenital and inherited disorders advisory committee is established to~~ The council shall assist the department in the development of programs that ensure the availability and access to quality genetic and genomic health care services for all Iowans.

~~2. The members of the advisory committee shall be appointed by the director and shall include persons with relevant expertise and interest including parent representatives.~~

~~3.~~ 2. The ~~advisory committee~~ council shall assist the department in designating the conditions to be included in the newborn screening and in regularly evaluating the effectiveness and appropriateness of the newborn screening.

~~4.~~ 3. *a.* Beginning July 1, 2022, the ~~advisory committee~~ council shall ensure that all conditions included in the federal recommended uniform screening panel as of January 1, 2022, are included in the newborn screening.

b. Within twelve months of the addition of a new condition to the federal recommended uniform screening panel, the ~~advisory committee~~ council shall consider and make a recommendation to the department regarding inclusion of the new condition in the newborn screening, including the current newborn screening capacity to screen for the new condition and the resources necessary to screen for the new condition going forward. If the ~~advisory committee~~ council recommends inclusion of a new condition, the department shall include the new condition in the newborn screening within eighteen months of receipt of the recommendation.

~~5.~~ 4. The department shall submit a status report to the general assembly, annually, by December 31, regarding all of the following:

a. The current conditions included in the newborn screening.

b. Any new conditions currently under consideration or recommended by the ~~advisory committee~~ council for inclusion in the newborn screening.

c. Any new conditions considered but not recommended by the ~~advisory committee~~ council in the prior twelve-month period and the reason for not recommending any such conditions.

d. Any departmental request for additional program capacity or resources necessitated by the inclusion of a recommended new condition in the newborn screening.

e. Any delay and the reason for the delay by the ~~advisory committee~~ council in complying with the specified twelve-month time frame in considering or recommending the inclusion of a new condition in the newborn screening to the department.

f. Any delay and the reason for the delay by the department in complying with the specified eighteen-month time frame in including a new condition in the newborn screening following

receipt of a recommendation from the ~~advisory committee~~ council recommending the inclusion of such condition.

~~6.~~ 5. The state hygienic laboratory shall establish the newborn screening fee schedule in a manner sufficient to support the newborn screening system of care including laboratory screening costs, short-term and long-term follow-up program costs, the newborn screening developmental fund, and the cost of the department's newborn screening data system.

DIVISION XIV

ELIMINATION OF EMERGENCY MEDICAL SERVICES ADVISORY COUNCIL

Sec. 462. Section 147A.2, Code 2024, is amended to read as follows:

147A.2 Council ~~established — terms of office~~ on health and human services — advisory duties.

~~1. An EMS advisory council shall be appointed by the director. Membership of the council shall be comprised of individuals nominated from, but not limited to, the following state or national organizations: Iowa osteopathic medical association, Iowa medical society, American college of emergency physicians, Iowa physician assistant society, Iowa academy of family physicians, university of Iowa hospitals and clinics, American academy of emergency medicine, American academy of pediatrics, Iowa EMS association, Iowa firefighters association, Iowa professional fire fighters, EMS education programs committee, Iowa nurses association, Iowa hospital association, and the Iowa state association of counties. The council shall also include at least two at-large members who are volunteer emergency medical care providers and a representative of a private service program.~~

~~2.~~ The ~~EMS advisory~~ council on health and human services shall advise the director and develop policy recommendations concerning the regulation, administration, and coordination of emergency medical services in the state.

Sec. 463. REPEAL. Section 147A.3, Code 2024, is repealed.

DIVISION XV

ELIMINATION OF TRAUMA SYSTEM ADVISORY COUNCIL

Sec. 464. Section 147A.23, Code 2024, is amended to read as follows:

147A.23 Trauma care system development.

1. The department is designated as a lead agency in this state responsible for the development of a statewide trauma care system.

2. The department~~, in consultation with the trauma system advisory council,~~ shall develop, coordinate, and monitor a statewide trauma care system. This system shall include, but not be limited to, the following:

a. (1) Development of criteria for the categorization of all hospitals and emergency care facilities according to their trauma care capabilities. These categories shall be for levels I, II, III, and IV, based on the most current guidelines published by the American college of surgeons committee on trauma, the American college of emergency physicians, and the model trauma care plan of the United States department of health and human services' health resources and services administration.

(2) The categorization of all hospitals and emergency care facilities by the department as to their capacity to provide trauma care services. The categorization shall be determined by the department from self-reported information provided to the department by the hospital or emergency care facility. This categorization shall not be construed to imply any guarantee on the part of the department as to the level of trauma care services available at the hospital or emergency care facility.

b. (1) Development of a process for the verification of the trauma care capacity of each facility and the issuance of a certificate of verification. The standards and verification process shall be established by rule and may vary as appropriate by level of trauma care capability. To the extent possible, the standards and verification process shall be

coordinated with other applicable accreditation and licensing standards.

(2) The issuance of a certificate of verification of all categorized hospitals and emergency care facilities from the department at the level preferred by the hospital or emergency care facility. ~~The standards and verification process shall be established by rule and may vary as appropriate by level of trauma care capability. To the extent possible, the standards and verification process shall be coordinated with other applicable accreditation and licensing standards.~~

c. Upon verification and the issuance of a certificate of verification, agreement by a hospital or emergency care facility ~~agrees~~ to maintain a level of commitment and resources sufficient to meet responsibilities and standards as required by the trauma care criteria established by rule under this subchapter. Verifications are valid for a period of three years or as determined by the department and are renewable. As part of the verification and renewal process, the department may conduct periodic on-site reviews of the services and facilities of the hospital or emergency care facility.

d. Implementation of an Iowa trauma care plan.

e. Development of standards for medical direction, trauma care, triage and transfer protocols, and trauma registries.

f. Promotion of public information and education activities for injury prevention.

g. The development of strategies and the review of rules adopted under this subchapter to promote optimal trauma care delivery throughout the state.

h. Development, implementation, and conducting of trauma care system evaluation, quality assessment, and quality improvement.

~~*d.*~~ 3. The department is responsible for the funding of the administrative costs of this subchapter. Any funds received by the department for this purpose shall be deposited in the emergency medical services fund established in section 135.25.

~~e.~~ 4. This section shall not be construed to limit the number and distribution of level I, II, III, and IV categorized and verified trauma care facilities in a community or region.

5. Proceedings, records, and reports developed pursuant to this section constitute peer review records under section 147.135, and are not subject to discovery by subpoena or admissible as evidence. All information and documents received from a hospital or emergency care facility under this subchapter shall be confidential pursuant to section 272C.6, subsection 4.

Sec. 465. Section 147A.26, subsection 1, Code 2024, is amended to read as follows:

1. The department shall maintain a statewide trauma reporting system by which ~~the trauma system advisory council and~~ the department may monitor the effectiveness of the statewide trauma care system.

Sec. 466. REPEAL. Section 147A.24, Code 2024, is repealed.

DIVISION XVI

ELIMINATION OF JUSTICE ADVISORY BOARD

Sec. 467. Section 216A.131, Code 2024, is amended to read as follows:

216A.131 Definitions.

For the purpose of this subchapter, unless the context otherwise requires~~:~~

~~1. "Board" means the justice advisory board.~~

~~2. "Department"~~, *"department"* means the department of health and human services.

Sec. 468. Section 216A.133, Code 2024, is amended to read as follows:

216A.133 ~~Purpose and~~ Department duties.

1. The ~~purpose of the board~~ department shall ~~be~~ do all of the following:

a. Develop short-term and long-term goals to improve the criminal and juvenile justice systems.

b. Identify and analyze justice system issues, including

the impact of present criminal and juvenile justice policy, and make recommendations for policy change.

c. Develop and assist others in implementing recommendations and plans for justice system improvement.

d. Provide the general assembly with an analysis of current and proposed criminal code provisions.

e. Provide for a clearinghouse of justice system information to coordinate with data resource agencies and assist others in the use of justice system data.

~~2. The board shall advise the department on its administration of state and federal grants and appropriations and shall carry out other functions consistent with this subchapter.~~

~~3. The duties of the board shall consist of the following:~~

~~*a.* Identifying issues and analyzing the operation and impact of present criminal and juvenile justice policy and making recommendations for policy changes.~~

~~*b.*~~ *f.* ~~Coordinating~~ Coordinate with data resource agencies to provide data and analytical information to federal, state, and local governments, and ~~assisting~~ assist agencies in the use of criminal and juvenile justice data.

~~*c.*~~ *g.* ~~Reporting~~ Report criminal justice system needs to the governor, the general assembly, and other decision makers to improve the criminal justice system.

~~*d.*~~ *h.* ~~Reporting~~ Report juvenile justice system needs to the governor, the general assembly, and other decision makers to address issues specifically affecting the juvenile justice system, including evidence-based programs for group foster care placements and the state training school, diversion, and community-based services for juvenile offenders.

~~*e.*~~ *i.* ~~Providing~~ Provide technical assistance upon request to state and local agencies.

~~*f.*~~ *j.* ~~Administering~~ Administer federal funds and funds appropriated by the state or that are otherwise available in compliance with applicable laws, regulations, and other

requirements for purposes of study, research, investigation, planning, and implementation in the areas of criminal and juvenile justice.

~~g.~~ k. ~~Making~~ Make grants to cities, counties, and other entities pursuant to applicable law.

~~h.~~ l. ~~Maintaining~~ Maintain an Iowa correctional policy project as provided in section 216A.137.

~~i.~~ m. ~~Providing~~ Provide input and make recommendations to the director including in the development of a budget ~~recommendations~~ for the department.

~~j. Developing and making recommendations to the director.~~

~~k.~~ n. ~~Serving as a liaison between the department and the public, sharing~~ Share information and ~~gathering~~ gather constituency input.

~~l. Recommending to the department the adoption of rules pursuant to chapter 17A as it deems necessary for the board and department.~~

~~m.~~ o. ~~Recommending~~ Recommend legislative and executive action to the governor and general assembly.

~~n.~~ p. ~~Establishing~~ Establish advisory committees, work groups, or other coalitions as appropriate.

~~o.~~ q. ~~Providing~~ Provide the general assembly with an analysis and recommendations of current criminal code provisions and proposed legislation which include but are not limited to all of the following:

(1) Potential disparity in sentencing.

(2) Truth in sentencing.

(3) Victims.

(4) The proportionality of specific sentences.

(5) Sentencing procedures.

(6) Costs associated with the implementation of criminal code provisions, including costs to the judicial branch, department of corrections, and judicial district departments of correctional services, costs for representing indigent defendants, and costs incurred by political subdivisions of the

state.

(7) Best practices related to the department of corrections including recidivism rates, safety and the efficient use of correctional staff, and compliance with correctional standards set by the federal government and other jurisdictions.

(8) Best practices related to the ~~Iowa child death~~ state mortality review ~~team~~ committee established in section 135.43 ~~and the Iowa domestic abuse death review team established in section 135.109~~.

~~p.~~ *r.* ~~Studying~~ Study and ~~making~~ make recommendations for treating and supervising adult and juvenile sex offenders in institutions, community-based programs, and in the community, in areas which include but are not limited to all of the following:

(1) The effectiveness of electronically monitoring sex offenders.

(2) The cost and effectiveness of special sentences pursuant to chapter 903B.

(3) Risk assessment models created for sex offenders.

(4) Determining the best treatment programs available for sex offenders and the efforts of Iowa and other states to implement treatment programs.

(5) The efforts of Iowa and other states to prevent sex abuse-related crimes including child sex abuse.

(6) Any other related issues the board deems necessary, including but not limited to computer and internet sex-related crimes, sex offender case management, best practices for sex offender supervision, the sex offender registry, and the effectiveness of safety zones.

~~q.~~ *s.* ~~Providing~~ Provide expertise and advice to the legislative services agency, the department of corrections, the judicial branch, and others charged with formulating fiscal, correctional, or minority impact statements.

~~r.~~ *t.* ~~Reviewing~~ Review data supplied by the department, the department of management, 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.

~~4.~~ 2. The ~~board~~ department shall submit reports, in accordance with section 216A.135, to the governor and general assembly regarding actions taken, issues studied, and ~~board~~ council recommendations.

Sec. 469. Section 216A.135, subsection 1, Code 2024, is amended to read as follows:

1. The ~~board~~ department shall submit a three-year criminal and juvenile justice plan for the state, beginning December 1, 2020, and every three years thereafter, by December 1. The three-year plan shall be updated annually. Each three-year plan and annual updates of the three-year plan shall be submitted to the governor and the general assembly by December 1.

Sec. 470. Section 216A.137, subsection 1, Code 2024, is amended to read as follows:

1. The department shall maintain an Iowa correctional policy project for the purpose of conducting analyses of major correctional issues affecting the criminal and juvenile justice system. The ~~board~~ department shall identify and prioritize the issues and studies to be addressed ~~by the department~~ through this project and shall report project plans and findings annually along with the report required in section 216A.135. Issues and studies to be considered ~~by the board~~ shall include but are not limited to a review of the information systems available to assess corrections trends and program effectiveness, the development of an evaluation plan for assessing the impact of corrections expenditures, and a study of the desirability and feasibility of changing the state's sentencing practices, which includes a prison population forecast.

Sec. 471. REPEAL. Section 216A.132, Code 2024, is repealed.

DIVISION XVII

ELIMINATION OF IOWA COLLABORATION FOR YOUTH DEVELOPMENT COUNCIL

Sec. 472. Section 216A.140, Code 2024, is amended to read as follows:

216A.140 ~~Iowa collaboration for youth development council — state~~ State of Iowa youth advisory council.

1. *Definitions.* For the purposes of this section, unless the context otherwise requires:

a. "*Youth*" means children and young persons who are ages six through twenty-one years.

b. "*Youth advisory council*" means the state of Iowa youth advisory council created by this section.

~~*c.* "*Youth development council*" means the Iowa collaboration for youth development council created by this section.~~

~~2. *Collaboration council created.* An Iowa collaboration for youth development council is created as an alliance of state agencies that address the needs of youth in Iowa.~~

~~3. *Purpose.* The purpose of the youth development council is to improve the lives and futures of Iowa's youth by doing all of the following:~~

~~*a.* Adopting and applying positive youth development principles and practices at the state and local levels.~~

~~*b.* Increasing the quality, efficiency, and effectiveness of opportunities and services and other supports for youth.~~

~~*c.* Improving and coordinating state youth policy and programs across state agencies.~~

~~4. *Vision statement.* All youth development activities addressed by the youth development council shall be aligned around the following vision statement:~~

~~"All Iowa youth will be safe, healthy, successful, and prepared for adulthood."~~

~~5. *Membership.* The youth development council membership shall be determined by the council itself and shall include the directors or chief administrators, or their designees, from the following state agencies and programs:~~

~~*a.* Child advocacy board.~~

~~*b.* Department of education.~~

~~*c.* Department of health and human services.~~

~~*d.* Department of workforce development.~~

~~*e.* Office of drug control policy.~~

~~*f.* Iowa cooperative extension service in agriculture and home economics.~~

~~6. *Procedure.* Except as otherwise provided by law, the youth development council shall determine its own rules of procedure and operating policies, including but not limited to terms of members. The youth development council may form committees or subgroups as necessary to achieve its purpose.~~

~~7. *Duties.* The youth development council's duties shall include but are not limited to all of the following:~~

~~*a.* Study, explore, and plan for the best approach to structure and formalize the functions and activities of the youth development council to meet its purpose, and make formal recommendations for improvement to the governor and general assembly.~~

~~*b.* Review indicator data and identify barriers to youth success and develop strategies to address the barriers.~~

~~*c.* Coordinate across agencies the state policy priorities for youth.~~

~~*d.* Strengthen partnerships with the nonprofit and private sectors to gather input, build consensus, and maximize use of existing resources and leverage new resources to improve the lives of youth and their families.~~

~~*e.* Oversee the activities of the youth advisory council.~~

~~*f.* Seek input from and engage the youth advisory council in the development of more effective policies, practices, and programs to improve the lives and futures of youth.~~

~~*g.* Report annually by February 1 to the governor and general assembly.~~

~~8.~~ 2. *State of Iowa youth advisory council.* A state of Iowa youth advisory council is created to provide input to the governor, general assembly, and state and local policymakers on

youth issues.

a. The purpose of the youth advisory council is to foster communication among a group of engaged youth and the governor, general assembly, and state and local policymakers regarding programs, policies, and practices affecting youth and families; ~~and~~ to advocate for youth on important issues affecting youth; and to improve the lives and futures of Iowa's youth.

b. The youth advisory council shall consist of no more than twenty-one youth ages fourteen through twenty years who reside in Iowa. Membership shall be for two-year staggered terms. The director or the director's designee shall select council members using an application process. The director or the director's designee shall strive to maintain a diverse council membership and shall take into consideration race, ethnicity, disabilities, gender, and geographic location of residence of the applicants.

c. Except as otherwise provided by law, the youth advisory council shall determine its own rules of procedure and operating policies, subject to approval by the director or the director's designee.

d. The youth advisory council shall ~~meet at least quarterly.~~ do all of the following:

(1) Adopt and apply positive youth development principles and practices at the state and local levels.

(2) Increase the quality, efficiency, and effectiveness of opportunities and services and other supports for youth.

(3) Improve, coordinate, and prioritize state youth policy and programs across state agencies.

(4) Align all policies around the vision that all Iowa youth will be safe, healthy, successful, and prepared for adulthood.

(5) Review indicator data, identify barriers to youth success, and develop strategies to address the barriers.

(6) Strengthen partnerships with the nonprofit and private sectors to gather input, build consensus, and maximize the use of existing resources and leverage new resources to improve the

lives of youth and their families.

(7) Report annually by February 1 to the governor and the general assembly.

~~9.~~ 3. *Lead agency.* The lead agency for support of the ~~Iowa collaboration for youth development council and the~~ state of Iowa youth advisory council is the department. The department shall coordinate activities and, with funding made available to it for such purposes, provide staff support for the ~~youth development council and the~~ youth advisory council.

DIVISION XVIII

ELIMINATION OF COMMISSIONS UNDER HUMAN RIGHTS BOARD

Sec. 473. Section 216A.1, subsection 1, paragraph a, Code 2024, is amended by striking the paragraph and inserting in lieu thereof the following:

a. Community advocacy and services on behalf of underrepresented populations in the state.

Sec. 474. Section 216A.3, Code 2024, is amended to read as follows:

216A.3 Human rights board.

1. A human rights board is created within the department.

2. The board shall consist of ~~sixteen~~ twelve members, including ~~eleven~~ seven voting members and five nonvoting members, ~~and~~ determined as follows:

a. The voting members shall consist of ~~nine~~ seven voting members ~~selected by each of the permanent commissions within the department, and two voting members, appointed by the governor. For purposes of this paragraph "a", "permanent commissions" means the commission of Latino affairs, commission on the status of women, commission of persons with disabilities, commission on community action agencies, commission of deaf services, justice advisory board, commission on the status of African Americans, commission of Asian and Pacific Islander affairs, and commission of Native American affairs~~ who shall be appointed by the governor, subject to confirmation by the senate pursuant to section 2.32, and shall

represent underrepresented populations in the state. All voting members shall reside in the state. The term of office for voting members is four years.

b. The nonvoting members shall consist of the department director, two state representatives, one appointed by the speaker of the house of representatives and one by the minority leader of the house of representatives, and two state senators, one appointed by the majority leader of the senate and one by the minority leader of the senate.

3. A majority of the voting members of the board shall constitute a quorum, and the affirmative vote of two-thirds of the voting members present is necessary for any substantive action taken by the board. The board shall select a chairperson from the voting members of the board. ~~The board shall meet not less than four times a year.~~

4. The board shall ~~develop~~ do all of the following:

a. Develop and monitor implementation of a comprehensive strategic plan to remove barriers for underrepresented populations or groups and, in doing so, to increase Iowa's productivity and inclusivity, including performance measures and benchmarks.

b. Study the opportunities for and changing needs of the underrepresented populations or groups in the state.

c. Serve as a liaison between the department and the public, sharing information and gathering constituency input.

d. Recommend to the department the adoption of rules pursuant to chapter 17A as the board deems necessary.

e. Recommend legislative and executive action to the governor and general assembly to advance the interests of underrepresented populations or groups and to improve the status of low-income persons in the state.

f. Establish advisory committees, work groups, or other coalitions as appropriate.

g. Advance the interests of underrepresented populations or groups in the areas of human rights, access to justice,

economic equality, and the elimination of discrimination.

Sec. 475. Section 216A.4, Code 2024, is amended to read as follows:

216A.4 Definitions.

For purposes of this chapter, unless the context otherwise requires:

1. *"Asian or Pacific Islander"* means an individual from any of the countries of Asia or islands of the Pacific.

~~1.~~ 2. *"Board"* means the human rights board.

~~2.~~ 3. *"Department"* means the department of health and human services.

~~3.~~ 4. *"Director"* means the director of health and human services.

5. *"Tribal government"* means the governing body of a federally recognized Indian tribe.

~~4.~~ 6. *"Underrepresented"* means the historical marginalization of populations or groups in the United States and Iowa, including but not limited to African Americans, Asian and Pacific Islanders, persons who are deaf or hard of hearing, persons with disabilities, Latinos, Native Americans, women, persons who have low socioeconomic status, at-risk youth, and adults or juveniles with a criminal history.

COMMISSION AND OFFICE OF LATINO AFFAIRS ELIMINATION

Sec. 476. REPEAL. Sections 216A.11, 216A.12, 216A.13, 216A.14, and 216A.15, Code 2024, are repealed.

COMMISSION AND OFFICE ON THE STATUS OF WOMEN ELIMINATION

Sec. 477. Section 241.3, subsection 2, Code 2024, is amended to read as follows:

2. The department shall consult and cooperate with the department of workforce development, the United States commissioner of social security administration, ~~the office on the status of women of the department,~~ the department of education, and other persons in the executive branch of the state government as the department considers appropriate to facilitate the coordination of multipurpose service programs

established under this chapter with existing programs of a similar nature.

Sec. 478. REPEAL. Sections 216A.51, 216A.52, 216A.53, and 216A.54, Code 2024, are repealed.

COMMISSION AND OFFICE ON PERSONS WITH DISABILITIES ELIMINATION

Sec. 479. REPEAL. Sections 216A.71, 216A.72, 216A.74, and 216A.75, Code 2024, are repealed.

COMBINING OF DEAF SERVICES COMMISSION AND DUAL PARTY RELAY COUNCIL

Sec. 480. Section 216A.111, subsection 2, Code 2024, is amended by striking the subsection.

Sec. 481. Section 216A.113, Code 2024, is amended to read as follows:

216A.113 Deaf services commission established.

1. The commission of deaf services is established, and shall consist of seven voting members appointed by the governor~~, subject to confirmation by the senate pursuant to section 2.32~~. Membership of the commission shall include at least four members who are deaf ~~and at least one member who is~~ or hard of hearing, and three members who are representatives of telephone companies. The commission shall also include the director, or the director's designee, as a nonvoting member. All members shall reside in Iowa.

2. ~~Members~~ Voting members of the commission shall serve four-year staggered terms which shall begin and end pursuant to section 69.19. ~~Members~~ Voting members whose terms expire may be reappointed. Vacancies on the commission may be filled for the remainder of the term in the same manner as the original appointment. ~~Members~~ Voting members shall receive actual expenses incurred while serving in their official capacity, subject to statutory limits. ~~Members~~ Voting members may also be eligible to receive compensation as provided in section 7E.6.

3. ~~Members~~ The voting members of the commission shall appoint a chairperson and vice chairperson and other officers

as the commission deems necessary. ~~The commission shall meet at least quarterly during each fiscal year.~~ A majority of the voting members currently appointed to the commission shall constitute a quorum. A quorum shall be required for the conduct of business of the commission, and the affirmative vote of a majority of the currently appointed voting members is necessary for any substantive action taken by the commission. A voting member shall not vote on any action if the voting member has a conflict of interest on the matter, and a statement by the voting member of a conflict of interest shall be conclusive for this purpose.

Sec. 482. Section 216A.114, Code 2024, is amended to read as follows:

216A.114 Commission powers and duties.

The commission shall have the following powers and duties:

1. Study the changing needs and opportunities for the deaf and hard-of-hearing people in this state.

2. Serve as a liaison between the ~~office~~ department and the public, sharing information and gathering constituency input.

3. Recommend to the board for adoption rules pursuant to chapter 17A as it deems necessary for the commission and office.

4. Recommend legislative and executive action to the governor and general assembly.

5. Establish advisory committees, work groups, or other coalitions as appropriate.

6. Advise the utilities board on the planning, establishment, administration, and promotion of a statewide program to provide dual party relay service and to secure, finance, and distribute telecommunications devices for the deaf and hard of hearing pursuant to chapter 477C.

Sec. 483. Section 477C.2, Code 2024, is amended to read as follows:

477C.2 Definitions.

As used in this chapter, unless the context otherwise

requires:

1. "*Board*" means the utilities board created in section 474.1.

2. "*Commission*" means the commission on deaf services created in section 216A.113.

~~2.~~ 3. "*Communication disorder*" means the inability to use the telephone for communication without a telecommunications device for the deaf and hard of hearing.

~~3. "*Council*" means the dual party relay council established in section 477C.5.~~

4. "*Dual party relay service*" or "*relay service*" means a communication service which provides persons with communication disorders access to the telephone system functionally equivalent to the access available to persons without communication disorders.

5. "*Telecommunications device for the deaf and hard of hearing*" means any specialized or supplemental telephone equipment used by persons with communication disorders to provide access to the telephone system.

Sec. 484. Section 477C.3, unnumbered paragraph 1, Code 2024, is amended to read as follows:

With the advice of the ~~council~~ commission, the board shall plan, establish, administer, and promote a statewide program to provide dual party relay service as follows:

Sec. 485. Section 477C.4, Code 2024, is amended to read as follows:

477C.4 Telecommunications devices for the deaf and hard of hearing.

With the advice of the ~~council~~ commission, the board may plan, establish, administer, and promote a program to secure, finance, and distribute telecommunications devices for the deaf and hard of hearing. The board may establish eligibility criteria for persons to receive telecommunications devices for the deaf and hard of hearing, including but not limited to requiring certification that the recipient cannot use the

telephone for communication without a telecommunications device for the deaf and hard of hearing.

Sec. 486. Section 477C.5, subsection 2, paragraph c, Code 2024, is amended by striking the paragraph.

Sec. 487. Section 622B.4, Code 2024, is amended to read as follows:

622B.4 List.

The ~~office of deaf services of the~~ department of health and human services shall prepare and continually update a listing of qualified and available sign language interpreters. The courts and administrative agencies shall maintain a directory of qualified interpreters for deaf and hard-of-hearing persons as furnished by the department of health and human services. The ~~office of deaf services of the~~ department of health and human services shall maintain a list of sign language interpreters which shall be made available to a court, administrative agency, or interested parties to an action using the services of a sign language interpreter.

Sec. 488. REPEAL. Sections 216A.112 and 477C.5, Code 2024, are repealed.

COMMISSION AND OFFICE ON STATUS OF AFRICAN AMERICANS ELIMINATION

Sec. 489. REPEAL. Sections 216A.141, 216A.142, 216A.143, and 216A.146, Code 2024, are repealed.

COMMISSION AND OFFICE ON ASIAN AND PACIFIC ISLANDERS ELIMINATION

Sec. 490. REPEAL. Sections 216A.151, 216A.152, 216A.153, and 216A.154, Code 2024, are repealed.

COMMISSION AND OFFICE OF NATIVE AMERICAN AFFAIRS ELIMINATION

Sec. 491. Section 216A.167, Code 2024, is amended to read as follows:

216A.167 Limitations on authority.

1. The ~~commission~~ board and ~~office~~ department shall not have the authority to do any of the following:

a. Implement or administer the duties of the state of Iowa

under the federal Indian Gaming Regulatory Act, shall not have any authority to recommend, negotiate, administer, or enforce any agreement or compact entered into between the state of Iowa and Indian tribes located in the state pursuant to section 10A.104, and shall not have any authority relative to Indian gaming issues.

b. Administer the duties of the state under the federal National Historic Preservation Act, the federal Native American Graves Protection and Repatriation Act, and chapter 263B. The ~~commission~~ board shall also not interfere with the advisory role of a separate Indian advisory council or committee established by the state archeologist by rule for the purpose of consultation on matters related to ancient human skeletal remains and associated artifacts.

2. This subchapter shall not diminish or inhibit the right of any tribal government to interact directly with the state or any of its departments or agencies for any purpose which a tribal government desires to conduct its business or affairs as a sovereign governmental entity.

Sec. 492. REPEAL. Sections 216A.161, 216A.162, 216A.163, 216A.165, and 216A.166, Code 2024, are repealed.

COMMUNITY ACTION AGENCY COMMISSION ELIMINATION

Sec. 493. Section 216A.91, Code 2024, is amended to read as follows:

216A.91 Definitions.

For purposes of this subchapter, unless the context otherwise requires:

~~1. "*Commission*" means the commission on community action agencies.~~

~~2.~~ 1. "*Community action agency*" means a public agency or a private nonprofit agency which is authorized under its charter or bylaws to receive funds to administer community action programs and is designated by the governor to receive and administer the funds.

~~3.~~ 2. "*Community action program*" means a program conducted

by a community action agency which includes projects to provide a range of services to improve the conditions of poverty in the area served by the community action agency.

Sec. 494. Section 216A.93, Code 2024, is amended to read as follows:

216A.93 Establishment of community action agencies.

The department shall recognize and assist in the designation of certain community action agencies to assist in the delivery of community action programs. These programs shall include but not be limited to outreach, community services block grant, low-income energy assistance, and weatherization programs. If a community action agency is in effect and currently serving an area, that community action agency shall become the designated community action agency for that area. If any geographic area of the state ceases to be served by a designated community action agency, the department may solicit applications and assist the governor in designating a community action agency for that area in accordance with current community services block grant requirements. The department shall supervise the collection of data regarding the scope of services provided by the community action agencies.

Sec. 495. Section 541A.1, Code 2024, is amended to read as follows:

541A.1 Definitions.

For the purposes of this chapter, unless the context otherwise requires:

1. *"Account holder"* means an individual who is the owner of an individual development account.

2. *"Charitable contributor"* means a nonprofit association described in section 501(c)(3) of the Internal Revenue Code which makes a deposit to an individual development account and which is exempt from taxation under section 501(a) of the Internal Revenue Code.

~~3. *"Commission"* means the commission on community action agencies created in section 216A.92A.~~

~~4.~~ 3. "*Department*" means the department of health and human services.

~~5.~~ 4. "*Director*" means the director of health and human services.

~~6.~~ 5. "*Federal poverty level*" means the first poverty income guidelines published in the calendar year by the United States department of health and human services.

~~7.~~ 6. "*Financial institution*" means a financial institution approved by the director as an investment mechanism for individual development accounts.

~~8.~~ 7. "*Household income*" means the annual household income of an account holder or prospective account holder, as determined in accordance with rules adopted by the director.

~~9.~~ 8. "*Individual contributor*" means an individual who makes a deposit to an individual development account and is not the account holder or a charitable contributor.

~~10.~~ 9. "*Individual development account*" means either of the following:

a. A financial instrument that is certified to have the characteristics described in section 541A.2 by the operating organization.

b. A financial instrument that is certified by the operating organization to have the characteristics described in and funded by a federal individual development account program under which federal and state funding contributed to match account holder deposits is deposited by an operating organization in accordance with federal law and regulations, and which includes but is not limited to any of the programs implemented under the following federal laws:

(1) The federal Personal Responsibility and Work Opportunity Act of 1996, 42 U.S.C. §604(h).

(2) The federal Assets for Independence Act, Pub. L. No. 105-285, Tit. IV.

~~11.~~ 10. "*Operating organization*" means an agency selected by the department for involvement in operating individual

development accounts directed to a specific target population.

~~12.~~ 11. *"Source of principal"* means any of the sources of a deposit to an individual development account under section 541A.2, subsection 2.

Sec. 496. Section 541A.5, subsections 1 and 2, Code 2024, are amended to read as follows:

1. The ~~commission~~ department, in consultation with the department of administrative services, shall adopt administrative rules to administer this chapter.

2. *a.* The rules adopted by the ~~commission~~ department shall include but are not limited to provision for transfer of an individual development account to a different financial institution than originally approved by the department, if the different financial institution has an agreement with the account's operating organization.

b. The rules for determining household income may provide categorical eligibility for prospective account holders who are enrolled in programs with income eligibility restrictions that are equal to or less than the maximum household income allowed for payment of a state match under section 541A.3.

c. Subject to the availability of funding, the ~~commission~~ department may adopt rules implementing an individual development account program for refugees. Rules shall identify purposes authorized for withdrawals to meet the special needs of refugee families.

Sec. 497. Section 541A.6, Code 2024, is amended to read as follows:

541A.6 Compliance with federal requirements.

The ~~commission~~ department shall adopt rules for compliance with federal individual development account requirements under the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996, §103, as codified in 42 U.S.C. §604(h), under the federal Assets for Independence Act, Pub. L. No. 105-285, Tit. IV, or with any other federal individual development account program requirements for drawing federal

funding. Any rules adopted under this section shall not apply the federal individual development account program requirements to an operating organization which does not utilize federal funding for the accounts with which it is connected or to an account holder who does not receive temporary assistance for needy families block grant or other federal funding.

Sec. 498. REPEAL. Sections 216A.92A and 216A.92B, Code 2024, are repealed.

ELIMINATION OF FAMILY DEVELOPMENT AND SELF-SUFFICIENCY COUNCIL

Sec. 499. Section 216A.107, Code 2024, is amended to read as follows:

216A.107 Family development and self-sufficiency — ~~council and~~ grant program.

~~1. A family development and self-sufficiency council is established within the department. The council shall consist of the following persons:~~

~~*a.* The director of the department or the director's designee.~~

~~*b.* The director of the school of social work at the university of Iowa or the director's designee.~~

~~*c.* The dean of the college of human sciences at Iowa state university or the dean's designee.~~

~~*d.* Two recipients or former recipients of the family investment program, selected by the other members of the council.~~

~~*e.* One recipient or former recipient of the family investment program who is a member of a racial or ethnic minority, selected by the other members of the council.~~

~~*f.* One member representing providers of services to victims of domestic violence, selected by the other members of the council.~~

~~*g.* The head of the department of design, textiles, gerontology, and family studies at the university of northern Iowa or that person's designee.~~

~~*h.* The director of the department of education or the~~

~~director's designee.~~

~~*i.* The director of the department of workforce development or the director's designee.~~

~~*j.* Two persons representing the business community, selected by the other members of the council.~~

~~*k.* Two members from each chamber of the general assembly serving as ex officio, nonvoting members. The two members of the senate shall be appointed one each by the majority leader and the minority leader of the senate. The two members of the house of representatives shall be appointed one each by the speaker and the minority leader of the house of representatives.~~

~~2. Unless otherwise provided by law, terms of members, election of officers, and other procedural matters shall be as determined by the council. A quorum shall be required for the conduct of business of the council, and the affirmative vote of a majority of the currently appointed voting members is necessary for any substantive action taken by the council. A member shall not vote on any action if the member has a conflict of interest on the matter, and a statement by the member of a conflict of interest shall be conclusive for this purpose.~~

~~3.~~ 1. The ~~family development and self-sufficiency~~ council on health and human services shall do all of the following:

a. Identify the factors and conditions that place Iowa families at risk of dependency upon the family investment program. The council shall seek to use relevant research findings and national and Iowa-specific data on the family investment program.

b. Identify the factors and conditions that place Iowa families at risk of family instability. The council shall seek to use relevant research findings and national and Iowa-specific data on family stability issues.

c. Subject to the availability of funds for this purpose, award grants to public or private organizations

for provision of family development services to families at risk of dependency on the family investment program or of family instability. Not more than five percent of any funds appropriated by the general assembly for the purposes of this lettered paragraph may be used for staffing and administration of the grants. Grant proposals for the family development and self-sufficiency grant program shall include the following elements:

(1) Designation of families to be served that meet one or more criteria for being at risk of dependency on the family investment program or of family instability, and agreement to serve clients that are referred by the department from the family investment program which meet the criteria. The criteria may include but are not limited to factors such as educational level, work history, family structure, age of the youngest child in the family, previous length of stay on the family investment program, and participation in the family investment program or the foster care program while the head of a household was a child. Grant proposals shall also establish the number of families to be served under the grant.

(2) Designation of the services to be provided for the families served, including assistance regarding job-seeking skills, family budgeting, nutrition, self-esteem, methamphetamine education, health and hygiene, child rearing, child education preparation, and goal setting. Grant proposals shall indicate the support groups and support systems to be developed for the families served during the transition between the need for assistance and self-sufficiency.

(3) Designation of the manner in which other needs of the families will be provided for, including but not limited to child care assistance, transportation, substance use disorder treatment, support group counseling, food, clothing, and housing.

(4) Designation of the process for training of the staff which provides services, and the appropriateness of the

training for the purposes of meeting family development and self-sufficiency goals of the families being served.

(5) Designation of the support available within the community for the program and for meeting subsequent needs of the clients, and the manner in which community resources will be made available to the families being served.

(6) Designation of the manner in which the program will be subject to audit and to evaluation.

(7) Designation of agreement provisions for tracking and reporting performance measures developed pursuant to paragraph *"d"*.

d. Develop appropriate performance measures for the grant program to demonstrate how the program helps families achieve self-sufficiency.

e. Seek to enlist research support from the Iowa research community in meeting the duties outlined in paragraphs *"a"* through *"d"*.

f. Seek additional support for the funding of grants under the program, including but not limited to funds available through the federal government in serving families at risk of long-term welfare dependency, and private foundation grants.

g. Make recommendations to the governor and the general assembly on the effectiveness of programs in Iowa and throughout the country that provide family development services that lead to self-sufficiency for families at risk of welfare dependency.

~~4.~~ 2. *a.* The department shall administer the family development and self-sufficiency grant program.

b. To the extent that the family development and self-sufficiency grant program is funded by the federal temporary assistance for needy families block grant and by the state maintenance of efforts funds appropriated in connection with the block grant, the department shall comply with all federal requirements for the block grant. The department is responsible for payment of any federal penalty imposed that is

attributable to the grant program and shall receive any federal bonus payment attributable to the grant program.

c. The department shall ensure that expenditures of moneys appropriated to the department from the general fund of the state for the family development and self-sufficiency grant program are eligible to be considered as state maintenance of effort expenditures under federal temporary assistance for needy families block grant requirements.

d. The department shall consider the recommendations of the council on health and human services in adopting rules pertaining to the grant program.

e. The department shall submit to the governor and general assembly on or before November 30 following the end of each state fiscal year, a report detailing performance measure and outcome data evaluating the family development and self-sufficiency grant program for the fiscal year that just ended.

DIVISION XIX

HAWKI BOARD AND ADVISORY COMMITTEE FOR CHILDREN WITH SPECIAL HEALTH CARE NEEDS ELIMINATION

Sec. 500. Section 249A.4B, subsection 2, paragraph b, Code 2024, is amended to read as follows:

b. The council shall include all of the following nonvoting members:

(1) The director's designee responsible for public health or their designee.

(2) The long-term care ombudsman, or the long-term care ombudsman's designee.

(3) The dean of Des Moines university college of osteopathic medicine, or the dean's designee.

(4) The dean of the university of Iowa college of medicine, or the dean's designee.

~~(5) A member of the Hawki board created in section 514I.5, selected by the members of the Hawki board.~~

~~(6)~~ (5) The following members of the general assembly, each

for a term of two years as provided in section 69.16B:

(a) Two members of the house of representatives, one appointed by the speaker of the house of representatives and one appointed by the minority leader of the house of representatives from their respective parties.

(b) Two members of the senate, one appointed by the president of the senate after consultation with the majority leader of the senate and one appointed by the minority leader of the senate.

Sec. 501. Section 514I.1, subsection 2, Code 2024, is amended to read as follows:

2. It is the intent of the general assembly that the program be implemented and administered in compliance with Tit. XXI of the federal Social Security Act. If, as a condition of receiving federal funds for the program, federal law requires implementation and administration of the program in a manner not provided in this chapter, during a period when the general assembly is not in session, the department, with the approval of the ~~Hawki board~~ medical assistance advisory council, shall proceed to implement and administer those provisions, subject to review by the next regular session of the general assembly.

Sec. 502. Section 514I.2, Code 2024, is amended to read as follows:

514I.2 Definitions.

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

1. *"Benchmark benefit package"* means any of the following:

a. The standard blue cross/blue shield preferred provider option service benefit plan, described in and offered under 5 U.S.C. §8903(1).

b. A health benefits coverage plan that is offered and generally available to state employees in this state.

c. The plan of a health maintenance organization as defined in 42 U.S.C. §300e, with the largest insured commercial, nonmedical assistance enrollment of covered lives in the state.

2. *"Cost sharing"* means the payment of a premium or copayment as provided for by Tit. XXI of the federal Social Security Act and section 514I.10.

3. *"Department"* means the department of health and human services.

4. *"Director"* means the director of health and human services.

5. *"Eligible child"* means an individual who meets the criteria for participation in the program under section 514I.8.

~~6. *"Hawki board"* or *"board"* means the entity which adopts rules and establishes policy for, and directs the department regarding, the Hawki program.~~

~~7.~~ 6. *"Hawki program"* or *"program"* means the healthy and well kids in Iowa program created in this chapter to provide health insurance coverage to eligible children.

~~8.~~ 7. *"Health insurance coverage"* means health insurance coverage as defined in 42 U.S.C. §300gg-91.

8. *"Medical assistance advisory council"* or *"advisory council"* means the medical assistance advisory council created in section 249A.4B.

9. *"Participating insurer"* means any of the following:

a. An entity licensed by the division of insurance of the department of insurance and financial services to provide health insurance in Iowa that has contracted with the department to provide health insurance coverage to eligible children under this chapter.

b. A managed care organization acting pursuant to a contract with the department to administer the Hawki program.

10. *"Qualified child health plan"* or *"plan"* means health insurance coverage provided by a participating insurer under this chapter.

Sec. 503. Section 514I.4, Code 2024, is amended to read as follows:

514I.4 Director and department — duties — powers.

1. The director, with the approval of the ~~Hawki board~~

medical assistance advisory council, shall implement this chapter. The director shall do all of the following:

a. At least every six months, evaluate the scope of the program currently being provided under this chapter, project the probable cost of continuing the program, and compare the probable cost with the remaining balance of the state appropriation made for payment of assistance under this chapter during the current appropriation period. The director shall report the findings of the evaluation to the ~~board~~ advisory council and shall annually report findings to the governor and the general assembly by January 1.

b. Establish premiums to be paid to participating insurers for provision of health insurance coverage.

c. Contract with participating insurers to provide health insurance coverage under this chapter.

d. Recommend to the ~~board~~ advisory council proposed rules necessary to implement the program.

e. Recommend to the board individuals to serve as members of the clinical advisory committee.

2. *a.* The director, with the approval of the ~~board~~ advisory council, may contract with participating insurers to provide dental-only services.

b. The director, with the approval of the ~~board~~ advisory council, may contract with participating insurers to provide the supplemental dental-only coverage to otherwise eligible children who have private health care coverage as specified in the federal Children's Health Insurance Program Reauthorization Act of 2009, Pub. L. No. 111-3.

3. The department may enter into contracts with other persons whereby the other person provides some or all of the functions, pursuant to rules adopted by the ~~board~~ advisory council, which are required of the director or the department under this section. All contracts entered into pursuant to this section shall be made available to the public.

4. The department shall do or shall provide for all of the

following:

a. Determine eligibility for program enrollment as prescribed by federal law and regulation, using policies and procedures adopted by rule of the department pursuant to chapter 17A. The department shall not enroll a child who has group health coverage unless expressly authorized by such rules.

b. Enroll qualifying children in the program with maintenance of a supporting eligibility file or database.

c. Utilize the department's eligibility system to maintain eligibility files with pertinent eligibility determination and ongoing enrollment information including but not limited to data regarding beneficiaries, enrollment dates, disenrollments, and annual financial redeterminations.

d. Provide for administrative oversight and monitoring of federal requirements.

e. Perform annual financial reviews of eligibility for each beneficiary.

f. Collect and track monthly family premiums to assure that payments are current.

g. Notify each participating insurer of new program enrollees who are enrolled by the department in that participating insurer's plan.

h. Verify the number of program enrollees with each participating insurer for determination of the amount of premiums to be paid to each participating insurer.

i. Maintain data for the purpose of quality assurance reports as required by rule of the ~~board~~ advisory council.

j. (1) Establish the family cost sharing amounts for children of families with incomes of one hundred fifty percent or more but not exceeding two hundred percent of the federal poverty level, of not less than ten dollars per individual and twenty dollars per family, if not otherwise prohibited by federal law, with the approval of the ~~board~~ advisory council.

(2) Establish for children of families with incomes

exceeding two hundred percent but not exceeding three hundred percent of the federal poverty level, family cost sharing amounts, and graduated premiums based on a rationally developed sliding fee schedule, in accordance with federal law, with the approval of the ~~board~~ advisory council.

k. Perform annual, random reviews of enrollee applications to ensure compliance with program eligibility and enrollment policies. Quality assurance reports shall be made to the ~~board~~ advisory council based upon the data maintained by the department.

l. Perform other duties as determined by the ~~board~~ advisory council.

Sec. 504. Section 514I.5, Code 2024, is amended to read as follows:

514I.5 ~~Hawki board~~ Medical assistance advisory council — duties.

1. ~~A Hawki board for the Hawki program is established.~~ The ~~board shall meet not less than six and not more than twelve times annually, for the purposes of establishing~~ medical assistance advisory council shall establish policy for, ~~directing~~ direct the department on, and ~~adopting~~ adopt rules for the Hawki program. ~~The board shall consist of seven voting members and four ex officio, nonvoting members, including all of the following:~~

~~*a.* The commissioner of insurance, or the commissioner's designee.~~

~~*b.* The director of the department of education, or the director's designee.~~

~~*c.* The director of health and human services, or the director's designee.~~

~~*d.* Four public members appointed by the governor and subject to confirmation by the senate. The public members shall be members of the general public who have experience, knowledge, or expertise in the subject matter embraced within this chapter.~~

~~*c.* Two members of the senate and two members of the house of representatives, serving as ex officio, nonvoting members. The legislative members of the board shall be appointed one each by the majority leader of the senate, after consultation with the president of the senate, and by the minority leader of the senate, and by the speaker of the house of representatives, after consultation with the majority leader of the house of representatives, and by the minority leader of the house of representatives. Legislative members shall receive compensation pursuant to section 2.12.~~

~~2. Members appointed by the governor shall serve two-year staggered terms as designated by the governor, and legislative members of the board shall serve two-year terms. The filling of positions reserved for the public representatives, vacancies, membership terms, payment of compensation and expenses, and removal of the members are governed by chapter 69. Members of the board are entitled to receive reimbursement of actual expenses incurred in the discharge of their duties. Public members of the board are also eligible to receive compensation as provided in section 7E.6. A majority of the voting members constitutes a quorum and the affirmative vote of a majority of the voting members is necessary for any substantive action to be taken by the board. The members shall select a chairperson on an annual basis from among the membership of the board.~~

~~3.~~ 2. The ~~board~~ advisory council shall approve any contract entered into pursuant to this chapter. All contracts entered into pursuant to this chapter shall be made available to the public.

~~4. The department shall act as support staff to the board.~~

~~5. The board may receive and accept grants, loans, or advances of funds from any person and may receive and accept from any source contributions of money, property, labor, or any other thing of value, to be held, used, and applied for the purposes of the program.~~

~~6.~~ 3. The ~~Hawki board~~ medical assistance advisory council shall do all of the following:

a. Define, in consultation with the department, the regions of the state for which plans are offered in a manner as to ensure access to services for all children participating in the program.

b. Approve the benefit package design, review the benefit package design on a periodic basis, and make necessary changes in the benefit design to reflect the results of the periodic reviews.

c. Develop, with the assistance of the department, an outreach plan, and provide for periodic assessment of the effectiveness of the outreach plan. The plan shall provide outreach to families of children likely to be eligible for assistance under the program, to inform them of the availability of and to assist the families in enrolling children in the program. The outreach efforts may include, but are not limited to, solicitation of cooperation from programs, agencies, and other persons who are likely to have contact with eligible children, including but not limited to those associated with the educational system, and the development of community plans for outreach and marketing. Other state agencies shall assist the department in data collection related to outreach efforts to potentially eligible children and their families.

d. In consultation with the clinical advisory committee, assess the initial health status of children participating in the program, establish a baseline for comparison purposes, and develop appropriate indicators to measure the subsequent health status of children participating in the program.

e. Review, in consultation with the department, and take necessary steps to improve interaction between the program and other public and private programs which provide services to the population of eligible children.

f. By January 1, annually, prepare, with the assistance

of the department, and submit a report to the governor, the general assembly, and the council on health and human services, concerning the ~~board's~~ advisory council's activities, findings, and recommendations.

g. Solicit input from the public regarding the program and related issues and services.

h. Establish and consult with a clinical advisory committee to make recommendations to the board regarding the clinical aspects of the Hawki program.

i. Prescribe the elements to be included in a health improvement program plan required to be developed by a participating insurer. The elements shall include but are not limited to health maintenance and prevention and health risk assessment.

j. ~~Establish an advisory committee to make~~ Make recommendations ~~to the board and~~ to the general assembly by January 1 annually concerning the provision of health insurance coverage to children with special health care needs. ~~The committee shall include individuals with experience in, knowledge of, or expertise in this area.~~ The recommendations shall address, but are not limited to, all of the following:

(1) The definition of the target population of children with special health care needs for the purposes of determining eligibility under the program.

(2) Eligibility options for and assessment of children with special health care needs for eligibility.

(3) Benefit options for children with special health care needs.

(4) Options for enrollment of children with special health care needs in and disenrollment of children with special health care needs from qualified child health plans utilizing a capitated fee form of payment.

(5) The appropriateness and quality of care for children with special health care needs.

(6) The coordination of health services provided for

children with special health care needs under the program with services provided by other publicly funded programs.

k. Develop options and recommendations to allow children eligible for the Hawki program to participate in qualified employer-sponsored health plans through a premium assistance program. The options and recommendations shall ensure reasonable alignment between the benefits and costs of the Hawki program and the employer-sponsored health plans consistent with federal law. In addition, the ~~board~~ advisory council shall implement the premium assistance program options described under the federal Children's Health Insurance Program Reauthorization Act of 2009, Pub. L. No. 111-3, for the Hawki program.

~~7.~~ 4. The ~~Hawki board~~ medical assistance advisory council, in consultation with the department, shall adopt rules which address, but are not limited to addressing, all of the following:

a. Implementation and administration of the program.

b. Qualifying standards for selecting participating insurers for the program.

c. The benefits to be included in a qualified child health plan which are those included in a benchmark or benchmark equivalent plan and which comply with Tit. XXI of the federal Social Security Act. Benefits covered shall include but are not limited to all of the following:

(1) Inpatient hospital services including medical, surgical, intensive care unit, mental health, and substance use disorder services.

(2) Nursing care services including skilled nursing facility services.

(3) Outpatient hospital services including emergency room, surgery, lab, and x-ray services and other services.

(4) Physician services, including surgical and medical, and including office visits, newborn care, well-baby and well-child care, immunizations, urgent care, specialist care, allergy

testing and treatment, mental health visits, and substance use disorder visits.

(5) Ambulance services.

(6) Physical therapy.

(7) Speech therapy.

(8) Durable medical equipment.

(9) Home health care.

(10) Hospice services.

(11) Prescription drugs.

(12) Dental services including preventive services.

(13) Medically necessary hearing services.

(14) Vision services including corrective lenses.

(15) Translation and interpreter services as specified pursuant to the federal Children's Health Insurance Program Reauthorization Act of 2009, Pub. L. No. 111-3.

(16) Chiropractic services.

(17) Occupational therapy.

d. Presumptive eligibility criteria for the program. ~~Beginning January 1, 2010, presumptive~~ Presumptive eligibility shall be provided for eligible children.

e. The amount of any cost sharing under the program which shall be assessed based on family income and which complies with federal law.

f. The reasons for disenrollment including, but not limited to, nonpayment of premiums, eligibility for medical assistance or other insurance coverage, admission to a public institution, relocation from the area, and change in income.

g. Conflict of interest provisions applicable to participating insurers and between ~~public~~ members of the ~~board~~ advisory council and participating insurers.

h. Penalties for breach of contract or other violations of requirements or provisions under the program.

i. A mechanism for participating insurers to report any rebates received to the department.

j. The data to be maintained by the department including

data to be collected for the purposes of quality assurance reports.

k. The use of provider guidelines in assessing the well-being of children, which may include the use of the bright futures for infants, children, and adolescents program as developed by the federal maternal and child health bureau and the American academy of pediatrics guidelines for well-child care.

~~8.~~ 5. *a.* The ~~Hawki board~~ medical assistance advisory council may provide approval to the director to contract with participating insurers to provide dental-only services. In determining whether to provide such approval to the director, the ~~board~~ advisory council shall take into consideration the impact on the overall program of single source contracting for dental services.

b. The ~~Hawki board~~ medical assistance advisory council may provide approval to the director to contract with participating insurers to provide the supplemental dental-only coverage to otherwise eligible children who have private health care coverage as specified in the federal Children's Health Insurance Program Reauthorization Act of 2009, Pub. L. No. 111-3.

~~9.~~ 6. The ~~Hawki board~~ medical assistance advisory council shall monitor the capacity of Medicaid managed care organizations acting pursuant to a contract with the department to administer the Hawki program to specifically and appropriately address the unique needs of children and children's health delivery.

Sec. 505. Section 514I.6, subsection 4, paragraph d, Code 2024, is amended to read as follows:

d. Other information as directed by the ~~board~~ advisory council.

Sec. 506. Section 514I.6, subsection 5, Code 2024, is amended to read as follows:

5. Submit a plan for a health improvement program to the

department, for approval by the ~~board~~ advisory council.

Sec. 507. Section 514I.8, subsection 2, paragraph e, Code 2024, is amended to read as follows:

e. Is not currently covered under a group health plan as defined in 42 U.S.C. §300gg-91(a)(1) unless allowed by rule of the ~~board~~ advisory council.

Sec. 508. Section 514I.8, subsection 3, Code 2024, is amended to read as follows:

3. In accordance with the rules adopted by the ~~board~~ advisory council, a child may be determined to be presumptively eligible for the program pending a final eligibility determination. Following final determination of eligibility, a child shall be eligible for a twelve-month period. At the end of the twelve-month period, a review of the circumstances of the child's family shall be conducted to establish eligibility and cost sharing for the subsequent twelve-month period. Pending such review of the circumstances of the child's family, the child shall continue to be eligible for and remain enrolled in the same plan if the family complies with requirements to provide information and verification of income, otherwise cooperates in the annual review process, and submits the completed review form and any information necessary to establish continued eligibility in a timely manner in accordance with administrative rules.

Sec. 509. Section 514I.9, subsection 1, Code 2024, is amended to read as follows:

1. The ~~Hawki board~~ advisory council shall review the benefits package annually and shall determine additions to or deletions from the benefits package offered. The ~~Hawki board~~ advisory council shall submit the recommendations to the general assembly for any amendment to the benefits package.

DIVISION XX

AUTISM COUNCIL ELIMINATION AND CREATION OF IOWA SPECIAL EDUCATION COUNCIL

Sec. 510. NEW SECTION. **256.35B Iowa special education**

council.

1. An Iowa special education council is created to act in an advisory capacity to the department in promoting, directing, and supervising education for children requiring special education in the schools under the supervision and control of the department.

2. The council shall consist of seven voting members appointed by the governor and confirmed by the senate. Each of the following shall be represented among the voting members:

a. One member who is a parent or guardian of a student who has a disability in obtaining an education because of autism.

b. One member who is a parent or guardian of a student who has a disability in obtaining an education because of a behavioral disorder.

c. One member who is a parent or guardian of a student who has a disability in obtaining an education because of physical disability.

d. One member who is a parent or guardian of a student who has a disability in obtaining an education because of mental learning disability or head injury.

e. One member who is a parent or guardian of a student who has a disability in obtaining an education because of a communication learning disability.

f. One member who is a parent or guardian of a student who has a disability in obtaining an education because of dyslexia.

g. One member who is a special education teacher.

3. Voting members shall serve three-year terms beginning and ending as provided in section 69.19, and appointments shall comply with section 69.16. Vacancies on the council shall be filled in the same manner as the original appointment. A person appointed to fill a vacancy shall serve only for the unexpired portion of the term. Public members shall receive reimbursement for actual expenses incurred while serving in their official capacity and may also be eligible to receive compensation as provided in section 7E.6.

4. The council shall elect a chairperson from its voting members annually. A majority of the voting members of the council shall constitute a quorum.

5. The department shall convene and provide administrative support to the council.

Sec. 511. REPEAL. Section 256.35A, Code 2024, is repealed.

Sec. 512. EFFECTIVE DATE. This division of this Act takes effect July 1, 2025.

DIVISION XXI

PROFESSIONAL LAND SURVEYORS — LICENSING

Sec. 513. Section 542B.20, subsection 1, Code 2024, is amended to read as follows:

1. *a.* A person holding a certificate of licensure as a professional engineer or professional land surveyor issued to the person by a proper authority of a state, territory, or possession of the United States, the District of Columbia, or of any foreign country, based on requirements and qualifications, in the opinion of the board equal to or higher than the requirements of this chapter, may be licensed without further examination, except as provided in paragraph "*b*".

b. A person shall not be licensed as a professional land surveyor under this subsection unless the person passes an examination specific to the laws of this state. Notwithstanding section 272C.12, subsection 3, paragraph "*c*", a person shall not be issued a temporary license as a professional land surveyor.

Sec. 514. TRANSITION PROVISIONS.

1. A temporary license to practice professional land surveying issued pursuant to section 272C.12, subsection 3, paragraph "c", prior to the effective date of this division of this Act shall continue in full force and effect until expiration or until suspension or revocation by the engineering and land surveying examining board pursuant to section 542B.21.

2. A license issued to a professional land surveyor pursuant to section 542B.20, Code 2024, prior to the effective date of

New language

this division of this Act shall continue in full force and effect until expiration or until suspension or revocation by the engineering and land surveying examining board pursuant to section 542B.21.

DIVISION XXII

MIDWIFERY ADVISORY COUNCIL

Sec. 515. Section 148I.7, Code 2024, is amended by adding the following new subsection:

NEW SUBSECTION. 4. This section is repealed July 1, 2026.

DIVISION XXIII

MISSISSIPPI RIVER PARKWAY COMMISSION

Sec. 516. Section 308.1, subsection 1, Code 2024, is amended to read as follows:

1. The Mississippi river parkway ~~planning~~ commission ~~shall~~ must be composed of ten members appointed by the governor, ~~five members to be appointed for two-year terms beginning July 1, 1959, and five members to be appointed~~ including one member each from Allamakee county, Clayton county, Clinton county, Des Moines county, Dubuque county, Jackson county, Lee county, Louisa county, Muscatine county, and Scott county, for four-year terms ~~beginning July 1, 1959~~. In addition to the above members there ~~shall~~ must be ~~seven~~ four advisory ex officio members ~~who shall be~~ as follows:

a. One member from the state department of transportation ~~commission~~.

b. One member from the natural resource commission.

c. ~~One member from the state soil conservation and water quality committee.~~ One member from the economic development authority, whose primary responsibility includes tourism under section 15.108, subsection 5.

d. One member from the state historical society of Iowa.

~~*e.* One member from the faculty of the landscape architectural division of the Iowa state university of science and technology.~~

~~*f.* One member from the economic development authority.~~

New language

~~g. One member from the environmental protection commission.~~

Sec. 517. Section 308.1, Code 2024, is amended by adding the following new subsections:

NEW SUBSECTION. 1A. The parkway commission shall submit a report regarding the economic impact of the great river road on this state on or before December 15 each year to the general assembly and to the governor.

NEW SUBSECTION. 1B. The parkway commission may establish a technical committee to advise the commission. If established, members of the committee must include at least one person each from the departments of transportation and agriculture and land stewardship, from the consumer protection division of the office of the attorney general, and from the economic development authority, designated by the applicable head of the entity. The commission may request any other state agency to designate an employee to serve on the committee.

DIVISION XXIV

TRANSITION PROVISIONS

Sec. 518. TRANSITION PROVISIONS.

1. A rule adopted by a government body eliminated in this Act that is in force and effect immediately prior to the effective date of this division of this Act shall continue in full force and effect until the earlier of the following:

a. The rule is amended, rescinded, or supplemented by the affirmative action of the board of behavioral health professionals, board of building and construction occupations, board of pharmacy, state historical society board of trustees, board of education, employment appeal board, economic development authority board, human rights board, or the government body under which the former government body was organized.

b. The rule expires by its own terms.

2. Any license or permit issued by a government body eliminated in this Act in effect on the effective date of this division of this Act shall continue in full force and effect

until expiration or renewal.

3. a. Any moneys in any account or fund of, and all client and organizational files in the possession of, the boards of behavioral science, psychology, or social work shall be transferred to the control of the board of behavioral health professionals.

b. Any moneys in any account or fund of, and all client and organizational files in the possession of, the state building code board of review, electrical examining board, or plumbing and mechanical systems board shall be transferred to the control of the board of building and construction occupations.

c. Any moneys in any account or fund of, and all client and organizational files in the possession of, the prescription monitoring program advisory council shall be transferred to the control of the board of pharmacy.

d. Any moneys in any account or fund of, and all client and organizational files in the possession of, the secondary road fund distribution committee shall be transferred to the control of the state transportation commission.

e. Any moneys in any account or fund of, and all client and organizational files in the possession of, the state historical records advisory board shall be transferred to the control of the board of trustees of the state historical society.

f. Any moneys in any account or fund of, and all client and organizational files in the possession of, the state board of preserves or farmer advisory committee shall be transferred to the control of the natural resource commission.

g. Any moneys in any account or fund of, and all client and organizational files in the possession of, the community college council or nonpublic school advisory committee shall be transferred to the control of the board of education.

h. Any moneys in any account or fund of, and all client and organizational files in the possession of, the public employment relations board shall be transferred to the control of the employment appeal board.

i. Any moneys in any account or fund of, and all client and organizational files in the possession of, the enhance Iowa board shall be transferred to the control of the economic development authority board.

j. Any moneys in any account or fund of, and all client and organizational files in the possession of, the advisory council on brain injuries, children's behavioral health system state board, congenital and inherited disorders advisory committee, emergency medical services advisory council, family development and self-sufficiency council, justice advisory board, trauma system advisory council, or Iowa collaboration for youth development council shall be transferred to the control of the council on health and human services.

k. Any moneys in any account or fund of, and all client and organizational files in the possession of, the commissions on the status of African Americans or the status of women, the commissions of Asian and Pacific Islanders, persons with disabilities, or Native Americans, or the Latino affairs commission shall be transferred to the control of the human rights board.

l. Any moneys in any account or fund of, and all client and organizational files in the possession of, the healthy and well kids in Iowa board or advisory committee shall be transferred to the control of the medical assistance advisory council.

m. Any moneys in any account or fund of, and all client and organizational files in the possession of, the dual party relay council shall be transferred to the control of the commission of deaf services.

n. Any moneys in any account or fund of, and all client and organizational files in the possession of, any other board, council, committee, or commission eliminated in this Act shall be transferred to the control of the state agency or department under which the board, council, committee, or commission was organized.

4. a. Any cause of action, statute of limitation, or

administrative action relating to or initiated by the boards of behavioral science, psychology, or social work shall not be affected as a result of this Act and shall apply to the board of behavioral health professionals.

b. Any cause of action, statute of limitation, or administrative action relating to or initiated by the state building code board of review, electrical examining board, or plumbing and mechanical systems board shall not be affected as a result of this Act and shall apply to the board of building and construction occupations.

c. Any cause of action, statute of limitation, or administrative action relating to or initiated by the prescription monitoring program advisory council shall not be affected as a result of this Act and shall apply to the board of pharmacy.

d. Any cause of action, statute of limitation, or administrative action relating to or initiated by the secondary road fund distribution committee shall not be affected as a result of this Act and shall apply to the state transportation commission.

e. Any cause of action, statute of limitation, or administrative action relating to or initiated by the state historical records advisory board shall not be affected as a result of this Act and shall apply to the board of trustees of the state historical society.

f. Any cause of action, statute of limitation, or administrative action relating to or initiated by the state board of preserves or farmer advisory committee shall not be affected as a result of this Act and shall apply to the natural resource commission.

g. Any cause of action, statute of limitation, or administrative action relating to or initiated by the community college council or nonpublic school advisory committee shall not be affected as a result of this Act and shall apply to the board of education.

h. Any cause of action, statute of limitation, or administrative action relating to or initiated by the public employment relations board shall not be affected as a result of this Act and shall apply to the employment appeal board.

i. Any cause of action, statute of limitation, or administrative action relating to or initiated by the enhance Iowa board shall not be affected as a result of this Act and shall apply to the economic development authority board.

j. Any cause of action, statute of limitation, or administrative action relating to or initiated by the advisory council on brain injuries, children's behavioral health system state board, congenital and inherited disorders advisory committee, emergency medical services advisory council, family development and self-sufficiency council, justice advisory board, trauma system advisory council, or Iowa collaboration for youth development council shall not be affected as a result of this Act and shall apply to the council on health and human services.

k. Any cause of action, statute of limitation, or administrative action relating to or initiated by the commissions on the status of African Americans or the status of women, the commissions of Asian and Pacific Islanders, persons with disabilities, or Native Americans, or the Latino affairs commission shall not be affected as a result of this Act and shall apply to the human rights board.

l. Any cause of action, statute of limitation, or administrative action relating to or initiated by the healthy and well kids in Iowa board or advisory committee shall not be affected as a result of this Act and shall apply to the medical assistance advisory council.

m. Any cause of action, statute of limitation, or administrative action relating to or initiated by the dual party relay council shall not be affected as a result of this Act and shall apply to the commission of deaf services.

n. Any cause of action, statute of limitation, or

administrative action relating to or initiated by any other board, council, committee, or commission eliminated in this Act shall not be affected as a result of this Act and shall apply to the state agency or department under which the board, council, committee, or commission was organized.

5. Any personnel in the state merit system of employment who are mandatorily transferred due to the effect of this Act shall be so transferred without any loss in salary, benefits, or accrued years of service.

6. a. Except as otherwise provided, nothing in this Act shall affect the appointment or any term of office of a member of any board, council, commission, committee, or other similar entity of the state established by the Code prior to the effective date of this division of this Act.

b. Notwithstanding any other provision to the contrary in this Act, the terms of all members serving on any board, council, commission, committee, or other similar entity merged, consolidated, or eliminated by this Act, or any such entity with fewer members or reduced term lengths for current members resulting from the provisions of this Act, shall terminate on the effective date of this division of this Act.

c. Except for those boards, councils, commissions, committees, or other similar entities eliminated by this Act, the governor or other appointing or designating authority shall appoint or designate new members to the boards, councils, commissions, committees, or other similar entities provided for in this subsection on or before the effective date of this division of this Act. The governor or other appointing or designating authority shall determine the length of the initial terms of office for each respective position, but in any event shall stagger such terms, beginning and ending as otherwise provided by law.