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House Joint Resolution 2006

H-8235

- 1 Amend House Joint Resolution 2006 as follows:
2 1. By striking page 1, line 29, through page 2, line 5.
3 2. Page 2, line 7, by striking <amendments> and inserting
4 <amendment>
5 3. Page 2, line 7, by striking <are> and inserting <is>
6 4. Title page, line 1, by striking <amendments> and
7 inserting <an amendment>
8 5. Title page, by striking lines 3 and 4 and inserting <tax
9 law changes.>
10 6. By renumbering as necessary.

KAUFMANN of Cedar

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Senate File 2391

H-8236

1 Amend Senate File 2391, as amended, passed, and reprinted by
2 the Senate, as follows:

3 1. Page 4, line 23, after <1.> by inserting <a.>

4 2. Page 4, line 23, by striking <The> and inserting <Except
5 as provided in paragraph `b`, the>

6 3. Page 4, after line 25 by inserting:

7 <b. The food product is not misbranded as a meat product
8 only because it contains a trace amount of one or more
9 plant-protein food products as determined by the department.>

SEXTON of Calhoun

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House File 2612

H-8237

1 Amend the Senate amendment, H-8220, to House File 2612, as
2 amended, passed, and reprinted by the House, as follows:

3 1. By striking page 1, line 5, through page 27, line 6, and
4 inserting:

5 <<DIVISION I

6 DIVISION OF SPECIAL EDUCATION OF THE DEPARTMENT OF EDUCATION

7 Section 1. Section 256.9, Code 2024, is amended by adding
8 the following new subsection:

9 NEW SUBSECTION. 36. Develop and distribute to school
10 districts, accredited nonpublic schools, and area education
11 agencies a list of evidence-based professional development
12 services that an area education agency may provide to a public
13 school or accredited nonpublic school pursuant to section
14 273.2, subsection 3, paragraph "b".

15 Sec. 2. Section 256B.3, Code 2024, is amended by adding the
16 following new subsections:

17 NEW SUBSECTION. 15A. Beginning July 1, 2024, oversee the
18 operation of each area education agency to ensure the area
19 education agency complies with all applicable federal and state
20 laws related to special education.

21 NEW SUBSECTION. 15B. Develop and distribute to school
22 districts and accredited nonpublic schools a process to
23 facilitate the development of individualized education
24 programs and assist individualized education program teams
25 with decisions regarding free appropriate public education
26 and placement for students enrolled in accredited nonpublic
27 schools.

28 NEW SUBSECTION. 15C. Provide professional learning and
29 other support materials and tools for individualized education
30 program teams, including students, families, teacher service
31 providers, and administrators of both school districts
32 and accredited nonpublic schools to help such individuals
33 understand the processes required under the federal law that
34 are relevant to students enrolled in accredited nonpublic
35 schools and to promote informed participation in individualized

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1 education program meetings of students enrolled in accredited
2 nonpublic schools.

3 NEW SUBSECTION. 15D. Provide information to individualized
4 education program teams and public agencies that nonpublic
5 schools shall be considered a placement option so long as the
6 individualized education program of a child with a disability
7 does not require some other arrangement.

8 NEW SUBSECTION. 15E. Develop and distribute to school
9 districts professional learning and other materials for
10 meaningful consultation for representatives of area education
11 agencies, school districts, and accredited nonpublic schools.

12 NEW SUBSECTION. 15F. Establish sustainable accountability
13 and data collection systems related to special education
14 that meet federal and state legal requirements and encourage
15 innovative models for meeting the needs of students.

16 NEW SUBSECTION. 15G. Develop and distribute to school
17 districts and accredited nonpublic schools an implementation
18 plan related to identifying, evaluating, and promoting
19 strategies and models for providing special education and
20 related services with accredited nonpublic schools that improve
21 the experiences and outcomes for students with disabilities.

22 Sec. 3. DIVISION OF SPECIAL EDUCATION — EMPLOYEES. From
23 July 1, 2024, to June 30, 2025, the division of special
24 education of the department of education shall do all of the
25 following:

26 1. Devote at least thirteen full-time equivalent positions
27 within the department of education's location in the city
28 of Des Moines to oversight of the area education agencies,
29 including the accreditation of area education agencies under
30 section 273.10.

31 a. At least one of the full-time equivalent positions shall
32 be an administrator.

33 b. At least one of the full-time equivalent positions shall
34 be a bureau chief of special education.

35 c. At least one of the full-time equivalent positions shall

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1 be a liaison for accredited nonpublic schools.

2 d. At least one of the full-time equivalent positions shall
3 be an employee whose primary job duties relate to the child
4 find process for special education.

5 e. At least one of the full-time equivalent positions
6 shall be an employee whose primary job duties relate to best
7 practices concerning the development and implementation of
8 individualized education programs.

9 f. At least five of the full-time equivalent positions shall
10 be devoted to the accreditation of area education agencies.

11 2. Within each area education agency, devote an amount of
12 full-time equivalent positions, as determined by the division
13 of special education of the department of education but not to
14 exceed forty full-time equivalent positions in the aggregate,
15 that is commensurate with the number of students enrolled in
16 school districts located within the area education agency,
17 to ensure that the area education agency complies with all
18 applicable federal and state laws related to special education
19 and to review the services the area education agency provides.

20 DIVISION II

21 AREA EDUCATION AGENCIES — GENERAL PROVISIONS

22 Sec. 4. Section 273.1, Code 2024, is amended to read as
23 follows:

24 **273.1 Intent.**

25 It is the intent of the general assembly to provide an
26 effective, efficient, and economical means of identifying and
27 serving children from under five years of age through grade
28 twelve who require special education and any other children
29 requiring special education as defined in [section 256B.2](#); to
30 provide for media services and other programs and services
31 for pupils in grades kindergarten through twelve and children
32 requiring special education as defined in [section 256B.2](#); to
33 provide a method of financing the programs and services; and
34 ~~to avoid a duplication of programs and services provided by~~
35 ~~any other school corporation in the state; and to provide~~

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1 services to school districts under a contract with those school
2 districts; to improve student achievement; and to close student
3 achievement gaps.

4 Sec. 5. Section 273.2, subsections 1, 3, and 4, Code 2024,
5 are amended to read as follows:

6 1. There are established throughout the state ~~fifteen~~
7 nine area education agencies, each of which is ~~governed by an~~
8 ~~area education agency board of directors~~ under the general
9 supervision of the director of the department of education,
10 except as otherwise provided in this chapter. Each area
11 education agency shall have an area education agency board
12 of directors that shall serve in an advisory capacity. The
13 boundaries of an area education agency shall not divide a
14 school district. The director of the department of education
15 shall change boundaries of area education agencies to take
16 into account mergers of local school districts and changes
17 in boundaries of local school districts, when necessary
18 to maintain the policy of [this chapter](#) that a local school
19 district shall not be a part of more than one area education
20 agency.

21 3. a. The area education agency ~~board~~ shall furnish
22 educational services and programs as provided in [section 273.1](#),
23 this section, [sections 273.3 through 273.8](#), and [chapter 256B](#)
24 to the pupils enrolled in public or nonpublic schools ~~located~~
25 ~~within its boundaries~~ which are on the list of accredited
26 schools pursuant to [section 256.11](#), which request to receive
27 such services. The programs and services provided shall be
28 at least commensurate with programs and services existing on
29 July 1, 1974. The programs and services provided to pupils
30 enrolled in nonpublic schools shall be comparable to programs
31 and services provided to pupils enrolled in public schools
32 within constitutional guidelines.

33 b. The area education agency may furnish evidence-based
34 professional development services to public or nonpublic
35 schools which are on the list of accredited schools pursuant

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1 to section 256.11 if any of the following requirements are
2 satisfied:

3 (1) The professional development service is included on the
4 list developed by the director of the department of education
5 pursuant to section 256.9, subsection 36.

6 (2) The director of the department of education grants
7 approval to the area education agency to furnish the
8 evidence-based professional development services.

9 4. The area education agency ~~board~~ shall provide for special
10 education services and media services for ~~the local~~ school
11 districts ~~in the area~~ and shall encourage and assist school
12 districts ~~in the area~~ to establish programs for gifted and
13 talented children. The ~~board~~ area education agency shall
14 assist in facilitating interlibrary loans of materials between
15 school districts and other libraries.

16 Sec. 6. Section 273.2, Code 2024, is amended by adding the
17 following new subsections:

18 NEW SUBSECTION. 4A. a. The area education agency may
19 furnish services under subsection 3 or 4 to public or nonpublic
20 schools located within its boundaries, or within the boundaries
21 of a contiguous area education agency, which are on the list of
22 accredited schools pursuant to section 256.11.

23 b. Notwithstanding paragraph "a", the area education agency
24 may furnish services under subsection 3 or 4 to a public
25 school located within the boundaries of an area education
26 agency that is not contiguous if the school district shares
27 a superintendent with another school district, pursuant to
28 section 257.11, subsection 5, that receives services from the
29 area education agency pursuant to paragraph "a".

30 NEW SUBSECTION. 12. The area education agency shall
31 charge reasonable costs that are consistent with current
32 market rates for the educational services, special education
33 services, professional development services, and media services
34 established by the area education agency.

35 NEW SUBSECTION. 13. The area education agency shall provide

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1 an annual report by January 1 of each year to the department of
2 education, and to public schools and nonpublic schools located
3 within the area education agency's boundaries which are on
4 the list of accredited schools pursuant to section 256.11,
5 a detailed description of the educational services, special
6 education programs and services, professional development
7 services, and media services that the area education agency
8 provides, and the cost associated with purchasing such programs
9 and services from the area education agency.

10 Sec. 7. Section 273.3, Code 2024, is amended to read as
11 follows:

12 **273.3 Duties and powers of area education agency board —**
13 **additional powers of area education agencies.**

14 The board in carrying out the provisions of [section 273.2](#)
15 shall:

16 1. ~~Determine the policies of~~ Advise and consult with the
17 area education agency on policies and procedures for providing
18 programs and services.

19 2. Be authorized to receive and expend money for providing
20 programs and services as provided in [sections 273.1, 273.2,](#)
21 this section, [sections 273.4 through 273.8,](#) and [chapters 256B](#)
22 and [257](#). All costs incurred in providing the programs and
23 services, including administrative costs, shall be paid from
24 funds received pursuant to [sections 273.1, 273.2, this section,](#)
25 [sections 273.4 through 273.8,](#) and [chapters 256B and 257](#).

26 3. Provide data and prepare reports as directed by the
27 director of the department of education.

28 4. Provide for advisory committees as deemed necessary.

29 5. Be Area education agencies are authorized, subject to
30 rules of the state board of education, to provide directly or
31 by contractual arrangement with public or private agencies
32 for special education programs and services, media services,
33 and educational programs and services requested by the local
34 boards of education as provided in [this chapter](#), including
35 but not limited to contracts for the area education agency to

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1 provide programs or services to the local school districts
2 and contracts for local school districts, other educational
3 agencies, and public and private agencies to provide programs
4 and services to the local school districts in the area
5 education agency in lieu of the area education agency providing
6 the services. Contracts may be made with public or private
7 agencies located outside the state if the programs and services
8 comply with the rules of the state board. Rules adopted by
9 the state board of education shall be consistent with rules,
10 adopted by the board of educational examiners, relating to
11 licensing of practitioners.

12 6. Area education agencies may cooperate and contract
13 between themselves and with other public agencies to provide
14 special education programs and services, media services, and
15 educational services to schools and children residing within
16 their respective areas. Area education agencies may provide
17 print and nonprint materials to public and private colleges and
18 universities that have teacher education programs approved by
19 the state board of education.

20 7. Be Area education agencies are authorized to lease,
21 purchase, or lease-purchase, subject to the approval of the
22 state board of education or its designee and to receive by gift
23 and operate and maintain facilities and buildings necessary to
24 provide authorized programs and services. However, a lease
25 for less than ten years and with an annual cost of less than
26 the amount stated in [section 26.3, subsection 1](#), does not
27 require the approval of the state board. The state board shall
28 not approve a lease, purchase, or lease-purchase until the
29 state board is satisfied by investigation that public school
30 corporations within the area do not have suitable facilities
31 available. A purchase of property that is not a lease-purchase
32 may be made only within two years of a disaster as defined in
33 [section 29C.2, subsection 4](#), and subject to the requirements
34 of [this subsection](#).

35 8. Be Area education agencies are authorized, subject to

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1 the approval of the director of the department of education,
2 to enter into agreements for the joint use of personnel,
3 buildings, facilities, supplies, and equipment with school
4 corporations as deemed necessary to provide authorized programs
5 and services.

6 9. Be Area education agencies are authorized to make
7 application for, accept, and expend state and federal funds
8 that are available for programs of educational benefit
9 approved by the director of the department of education,
10 and cooperate with the department in the manner provided in
11 federal-state plans or department rules in the effectuation
12 and administration of programs approved by the director, or
13 approved by other educational agencies, which agencies have
14 been approved as state educational authorities.

15 10. Be authorized to perform all other acts necessary to
16 carry out the provisions and intent of [this chapter](#).

17 11. Employ personnel to carry out the functions of the
18 area education agency which shall include the employment of
19 an administrator who shall possess a license issued under
20 chapter 256, subchapter VII, part 3. The administrator shall
21 be employed pursuant to [section 279.20](#) and [sections 279.23](#),
22 [279.24](#), and [279.25](#). The salary for an area education agency
23 administrator shall be established by the board based upon
24 the previous experience and education of the administrator;
25 provided, however, that the salary for an area education
26 agency administrator shall not exceed one hundred twenty-five
27 percent of the average salary of all superintendents of the
28 school districts that are located within the boundaries of the
29 area education agency at the time the employment agreement is
30 entered into or renewed between an area education agency and an
31 area education agency administrator. [Section 279.13](#) applies to
32 the area education agency board and to all teachers employed by
33 the area education agency. [Sections 279.23](#), [279.24](#), and [279.25](#)
34 apply to the area education board and to all administrators
35 employed by the area education agency. [Section 279.69](#) applies

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1 to the area education agency board and employees of the board,
2 including part-time, substitute, or contract employees, who
3 provide services to a school or school district.

4 12. ~~Prepare~~ Area education agencies shall prepare an annual
5 budget estimating income and expenditures for programs and
6 services as provided in sections 273.1, 273.2, this section,
7 sections 273.4 through 273.8, and chapter 256B within the
8 limits of funds provided under section 256B.9 and chapter
9 257. ~~The board shall post notice of a public hearing on the~~
10 ~~proposed budget on the area education agency's internet site~~
11 ~~and by publication in the newspaper of general circulation~~
12 ~~in the territory of the area education agency in which the~~
13 ~~principal place of business of a school district that is a part~~
14 ~~of the area education agency is located. The notice shall~~
15 ~~specify the date, which shall be not later than March 1 of~~
16 ~~each year, the time, and the location of the public hearing~~
17 submit the proposed budget to the director of the department
18 of education for approval not later than March 1 of each year,
19 and the director shall either approve or reject the proposed
20 budget for changes within ten days after submission. The
21 proposed budget as approved by the ~~board~~ director of the
22 department of education shall then be submitted to the state
23 board of education, on forms provided by the department,
24 no later than March 15 preceding the next fiscal year for
25 approval. The state board shall review the proposed budget of
26 each area education agency and shall before May 1, either grant
27 approval or return the budget without approval with comments
28 of the state board included. An unapproved budget shall be
29 resubmitted to the state board for final approval not later
30 than May 15. The state board shall give final approval only to
31 budgets submitted by area education agencies accredited by the
32 state board or that have been given conditional accreditation
33 by the state board.

34 13. Be authorized to pay, out of funds available to the
35 board reasonable annual dues to an Iowa association of school

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1 boards. Membership shall be limited to those duly elected
2 members of the area education agency board.

3 14. a. The board may establish a plan, in accordance with
4 section 403(b) of the Internal Revenue Code, as defined in
5 section 422.3, for employees, which plan shall consist of one
6 or more investment contracts, on a group or individual basis,
7 acquired from a company, or a salesperson for that company,
8 that is authorized to do business in this state.

9 b. The selection of investment contracts to be included
10 within the plan established by the board shall be made either
11 pursuant to a competitive bidding process conducted by the
12 board, in coordination with employee organizations representing
13 employees eligible to participate in the plan, or pursuant to
14 an agreement with the department of administrative services
15 to make available investment contracts included in a deferred
16 compensation or similar plan established by the department
17 pursuant to [section 8A.438](#), which plan meets the requirements
18 of [this subsection](#). The determination of whether to select
19 investment contracts for the plan pursuant to a competitive
20 bidding process or by agreement with the department of
21 administrative services shall be made by agreement between the
22 board and the employee organizations representing employees
23 eligible to participate in the plan.

24 c. The board may make elective deferrals in accordance with
25 the plan as authorized by an eligible employee for the purpose
26 of making contributions to the investment contract on behalf of
27 the employee. The deferrals shall be made in the manner which
28 will qualify contributions to the investment contract for the
29 benefits under section 403(b) of the Internal Revenue Code,
30 as defined in [section 422.3](#). In addition, the board may make
31 nonelective employer contributions to the plan.

32 d. As used in [this subsection](#), unless the context otherwise
33 requires, "investment contract" shall mean a custodial account
34 utilizing mutual funds or an annuity contract which meets the
35 requirements of section 403(b) of the Internal Revenue Code, as

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1 defined in [section 422.3](#).

2 15. Be authorized to establish and pay all or any part
3 of the cost of group health insurance plans, nonprofit group
4 medical service plans and group life insurance plans adopted by
5 the board for the benefit of employees of the area education
6 agency, from funds available to the board.

7 16. Meet at least annually with the members of the boards
8 of directors of the merged areas in which the area education
9 agency is located to discuss coordination of programs and
10 services and other matters of mutual interest to the boards.

11 17. Be authorized to issue warrants and anticipatory
12 warrants pursuant to [chapter 74](#). The applicable rate of
13 interest shall be determined pursuant to [sections 74A.2, 74A.3,](#)
14 [and 74A.7](#). [This subsection](#) shall not be construed to authorize
15 a board to levy a tax.

16 18. Be authorized to issue school credit cards allowing area
17 education agency employees to pay for the actual and necessary
18 expenses incurred in the performance of work-related duties.

19 19. Pursuant to rules adopted by the state board of
20 education, be authorized to charge user fees for certain
21 materials and services that are not required by law or by rules
22 of the state board of education and are specifically requested
23 by a school district or accredited nonpublic school.

24 20. Be authorized to purchase equipment as provided in
25 [section 279.48](#).

26 21. Be authorized to sell, lease, or dispose of, in whole
27 or in part, property belonging to the area education agency.
28 Before the area education agency may sell property belonging
29 to the agency, the board of directors shall comply with the
30 requirements set forth in [section 297.22](#). Before the board
31 of directors of an area education agency may lease property
32 belonging to the agency, the board shall obtain the approval of
33 the director of the department of education.

34 22. Meet annually with the members of the boards of
35 directors of the school districts located within its boundaries

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1 if requested by the school district boards.

2 23. By October 1 of each year, submit to the department of
3 education the following information:

4 a. The contracted salary including bonus wages and benefits,
5 annuity payments, or any other benefit for the administrators
6 of the area education agency.

7 b. The contracted salary and benefits and any other expenses
8 related to support for governmental affairs efforts, including
9 expenditures for lobbyists and lobbying activities for the area
10 education agency.

11 24. Be authorized to sell software and support services,
12 professional development programs and materials, online
13 professional development, and online training to entities
14 other than school districts within the state and to school
15 districts and other public agencies located outside of the
16 state. The board may also sell to school districts within this
17 state software and support services, professional development
18 programs and materials, online professional development,
19 and online training which the area education agency is not
20 otherwise required to provide to a school district under this
21 chapter or [chapter 256B](#) or [257](#).

22 25. Require, by July 1, 2024, any person employed by
23 the area education agency who holds a license, certificate,
24 statement of recognition, or authorization other than a
25 coaching authorization, issued by the board of educational
26 examiners under [chapter 256, subchapter VII, part 3](#), to
27 complete the Iowa reading research center dyslexia overview
28 module. Such persons employed after July 1, 2024, shall
29 complete the module within one year of the employee's initial
30 date of hire.

31 Sec. 8. Section 273.3, Code 2024, is amended by adding the
32 following new subsection:

33 NEW SUBSECTION. 26. On a quarterly basis, the area
34 education agency shall prepare and submit to each school
35 district that receives services from the area education agency

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1 a report that includes all of the following:

2 a. A monetary accounting of payments the area education
3 agency received from the school district, including payments
4 under section 257.35.

5 b. A description of all of the following:

6 (1) The special education services provided by the area
7 education agency to the school district.

8 (2) The services provided by the area education agency under
9 part C of the federal Individuals with Disabilities Education
10 Act.

11 (3) The services provided by the area education agency that
12 are related to the child find process for special education.

13 (4) The services provided by the area education agency to
14 accredited nonpublic schools and charter schools.

15 Sec. 9. Section 273.5, unnumbered paragraph 1, Code 2024,
16 is amended to read as follows:

17 There shall be established a division of special education
18 of the area education agency which shall provide for special
19 education programs and services to the local school districts.
20 The division of special education shall be headed by a director
21 of special education who meets certification standards of the
22 department of education. The director of special education
23 shall be an employee of the division of special education of
24 the department of education. The director of special education
25 shall not be an employee of the area education agency, shall
26 not receive compensation from the area education agency, shall
27 not supervise or manage employees of the area education agency,
28 and shall not directly provide special education services for
29 the agency. The director of special education's primary job
30 duties and responsibilities to the area education agency are
31 to provide oversight of the area education agency's special
32 education services. The director of special education shall
33 also have the responsibility for implementation of state
34 regulations and guidelines relating to special education
35 programs and services. The director of special education shall

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1 have the following powers and duties:

2 Sec. 10. Section 273.8, subsection 1, Code 2024, is amended
3 to read as follows:

4 1. *Board of directors.*

5 a. The board of directors of an area education agency shall
6 consist of ~~not less than five nor more than~~ nine members,
7 each a resident of and elected in the manner provided in this
8 section from a director district that is approximately equal
9 in population to the other director districts in the area
10 education agency. Each director shall serve a four-year term
11 which commences at the organization meeting.

12 b. Five members of the board of directors of an area
13 education agency must be residents of and elected in the
14 manner provided in this section from a director district that
15 is approximately equal in population to the other director
16 districts in the area education agency.

17 c. Four members of the board of directors of an area
18 education agency must be appointed by the majority vote of
19 the superintendents of school districts located within the
20 boundaries of the area education agency. A member appointed
21 pursuant to this paragraph must be a superintendent of a school
22 district located within the boundaries of the area education
23 agency; provided, however, that a superintendent appointed
24 pursuant to this paragraph may designate any individual to
25 serve for all, or the remainder of, the superintendent's term.

26 Sec. 11. Section 273.8, subsection 2, paragraphs c and d,
27 Code 2024, are amended to read as follows:

28 c. The board of each separate school district that is
29 located entirely or partially inside an area education agency
30 director district shall cast a vote for director of the area
31 education agency board described in subsection 1, paragraph
32 "b", based upon the ratio that the population of the school
33 district, or portion of the school district, in the director
34 district bears to the total population in the director
35 district. The population of each school district or portion

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1 shall be determined by the department of education. The member
2 of the area education agency board described in subsection 1,
3 paragraph "b", to be elected may be a member of a local school
4 district board of directors and shall be an elector and a
5 resident of the director district, but shall not be a school
6 district employee.

7 *d. (1) ~~Vacancies~~ A vacancy,* as defined in [section 277.29](#),
8 *in ~~the~~ a membership position* of the area education agency board
9 *described in subsection 1, paragraph "b",* shall be filled
10 for the unexpired portion of the term at a director district
11 convention called and conducted in the manner provided in
12 subsection 3.

13 *(2) A vacancy,* as defined in [section 277.29](#), in a membership
14 *position of the area education agency board described in*
15 *subsection 1, paragraph "c",* shall be filled for the unexpired
16 *portion of the term by an individual who is appointed by*
17 *the majority vote of the superintendents of school districts*
18 *located within the boundaries of the area education agency.*

19 Sec. 12. Section 273.8, subsection 3, Code 2024, is amended
20 to read as follows:

21 3. *Director district convention.* If no candidate files with
22 the area education agency secretary by the deadline specified
23 in [subsection 2](#), or a vacancy occurs, or if otherwise required
24 as provided in [section 273.23, subsection 3](#), a director
25 district convention, attended by members of the boards of
26 directors of the local school districts located within the
27 director district, shall be called to elect a board member
28 described in subsection 1, paragraph "b", for that director
29 district. The convention location shall be determined by the
30 area education agency administrator. Notice of the time, date,
31 and place of a director district convention shall be published
32 by the area education agency administrator in at least one
33 newspaper of general circulation in the director district at
34 least thirty days prior to the day of the convention. The cost
35 of publication shall be paid by the area education agency. A

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1 candidate for election to the area education agency board shall
2 file a statement of candidacy with the area education agency
3 secretary at least ten days prior to the date of the director
4 district convention on forms prescribed by the department of
5 education, or nominations may be made at the convention by a
6 delegate from a board of directors of a school district located
7 within the director district. A statement of candidacy shall
8 include the candidate's name, address, and school district.
9 Delegates to director district conventions shall not be bound
10 by a school board or any school board member to pledge their
11 votes to any candidate prior to the date of the convention.

12 Sec. 13. Section 273.10, subsection 6, Code 2024, is amended
13 to read as follows:

14 6. a. If the deficiencies in an area education program have
15 not been corrected, the ~~agency board~~ director of the department
16 of education shall take one of the following actions within
17 sixty days from removal of accreditation:

18 (1) Merge the deficient program with a program from another
19 accredited area education agency.

20 (2) Contract with another area education agency or other
21 public educational institution for purposes of program
22 delivery.

23 b. The rules developed by the state board of education for
24 the accreditation process shall include provisions for removal
25 of accreditation, including provisions for proper notice to the
26 administrator of the area education agency, each member of the
27 board of directors of the area education agency, the department
28 of education, and the superintendents and administrators of the
29 schools of the districts served by the area education agency.

30 Sec. 14. Section 273.11, Code 2024, is amended to read as
31 follows:

32 **273.11 Standards for accrediting area education programs.**

33 1. The state board of education, in consultation with the
34 division of special education of the department of education,
35 shall develop standards and rules for the accreditation of area

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1 education agencies. Standards shall be general in nature,
2 but at a minimum shall identify requirements addressing the
3 services provided by each division, as well as identifying
4 indicators of quality that will permit area education agencies,
5 school districts, the division of special education of the
6 department of education, and the general public to judge
7 accurately the effectiveness of area education agency services.

8 2. Standards developed shall include, but are not limited
9 to, the following:

10 a. Support for school-community planning, including a means
11 of assessing needs, developing collaborative relationships
12 among community agencies, establishing shared direction, and
13 implementing program plans and reporting progress toward goals
14 for all students, including students with disabilities.

15 b. ~~Professional~~ Evidence-based professional development
16 programs that respond to current needs.

17 c. Support for curriculum development, instruction, and
18 assessment ~~for~~ services that address the areas of reading,
19 language arts, math, and science, using research-based
20 methodologies, for all students, including students with
21 disabilities.

22 d. Special education ~~compliance and~~ support.

23 e. Management services, including financial reporting and
24 purchasing as requested and funded by local districts.

25 f. Support for instructional media services that supplement
26 and support local district media centers and services.

27 g. Support for school technology planning and staff
28 development for implementing instructional technologies.

29 h. A program and services evaluation and reporting system
30 that includes information related to special education.

31 i. Support for school district libraries in accordance with
32 section 273.2, subsection 4.

33 j. Support for early childhood service coordination for
34 families and children, age birth through three years, to
35 meet health, safety, and learning needs, including service

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1 coordination.

2 k. Timely submission of required reports and documents to
3 the state board of education, the department of education,
4 and the division of special education of the department of
5 education.

6 l. Support for schools and school districts in analyzing
7 student achievement data related to the learning environment,
8 comparing data to the external knowledge base, and using that
9 information to guide schools and school districts in setting
10 goals and implementing actions to improve student learning for
11 all students, including students with disabilities.

12 m. Support for addressing the diverse learning needs of
13 all children and youths, including children and youths who are
14 eligible for special education through services that include
15 direct services to students with disabilities.

16 n. Support for schools and school districts to ensure
17 compliance with rules adopted by the state board of education
18 related to special education.

19 o. Support necessary to implement effective instruction for
20 all students, including students with disabilities, through
21 school technology services.

22 p. Support for students using educational programs and
23 services in a manner that is consistent with the educational
24 standards established pursuant to section 256.11.

25 q. Support for staff development and adult learners
26 utilizing evidence-based professional development in a manner
27 that meets the professional needs of staff and adult learners
28 consistent with standards adopted by the state board of
29 education.

30 r. Compliance with all relevant federal and state laws
31 in the provision of services and supports to students with
32 disabilities.

33 Sec. 15. Section 284.6, subsection 10, Code 2024, is amended
34 to read as follows:

35 10. If funds are allocated for purposes of professional

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1 development pursuant to [section 284.13, subsection 1](#), paragraph
2 "c", the department shall, ~~in collaboration with the area~~
3 ~~education agencies~~, establish teacher development academies
4 for public and nonpublic school-based teams of teachers and
5 instructional leaders. Each academy shall include an institute
6 and shall provide follow-up training and coaching.

7 Sec. 16. AREA EDUCATION AGENCY — TASK FORCE.

8 1. The legislative council shall convene an area education
9 agency task force that shall do all of the following:

10 a. Study and make recommendations related to how to improve
11 the outcomes of students who utilize services provided by area
12 education agencies.

13 b. Study and make recommendations related to the amount of
14 compensation paid to administrators employed by area education
15 agencies, core services provided by area education agencies,
16 and how to best fund the following services provided by area
17 education agencies:

18 (1) Crisis response services.

19 (2) Media services for nonpublic schools.

20 (3) Professional development services.

21 (4) Cooperative purchasing.

22 (5) Services associated with regional planning
23 partnerships.

24 (6) Services associated with the federal Carl D. Perkins
25 Career and Technical Education Improvement Act of 2006,
26 codified at 20 U.S.C. §2301 et seq., as amended.

27 (7) Services associated with the federal Every Student
28 Succeeds Act, Pub. L. No. 114-95.

29 (8) Services provided in conjunction with special education
30 equipment.

31 c. Study and make recommendations related to all of the
32 following:

33 (1) The real property and facilities utilized by each area
34 education agency.

35 (2) The media services, educational services, and special

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1 education services provided by each area education agency.

2 (3) What services area education agencies should provide.

3 (4) Current accountability measures applicable to area
4 education agencies.

5 (5) The special education services provided by the division
6 of special education of the department of education, area
7 education agencies, and school districts.

8 (6) The overall organizational structure that determines
9 how special education services are provided to students in this
10 state.

11 (7) How the operation of area education agencies is
12 overseen.

13 (8) The accreditation standards related to area education
14 agencies.

15 (9) A timeline for modifications to the staffing numbers of
16 area education agencies and the transition of responsibilities
17 related to the oversight of area education agencies.

18 2. a. The task force shall consist of the following
19 voting members who are appointed by the legislative council to
20 represent different geographical regions of this state:

21 (1) One special education teacher who is employed by a
22 school district with a total enrollment of greater than or
23 equal to one thousand students.

24 (2) One special education teacher who is employed by a
25 school district with a total enrollment of less than one
26 thousand students.

27 (3) One superintendent who is employed by a school district
28 with a total enrollment of greater than or equal to one
29 thousand students.

30 (4) One superintendent who is employed by a school district
31 with a total enrollment of less than one thousand students.

32 (5) One teacher who is employed by a school district and who
33 does not provide special education programs or services.

34 (6) One parent or guardian of a student who has an
35 individualized education program.

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1 (7) One parent or guardian of a student who has a plan under
2 section 504 of the federal Rehabilitation Act, 29 U.S.C. §794.

3 (8) One president or chief executive officer of an
4 accredited nonpublic school.

5 b. The task force shall also consist of the following voting
6 members:

7 (1) One member to be appointed by the governor.

8 (2) One member to be appointed by the director of the
9 department of education.

10 (3) One member who is the chief administrator of the
11 heartland area education agency.

12 c. The task force shall also consist of the following ex
13 officio, nonvoting members of the general assembly:

14 (1) Two state senators appointed by the majority leader of
15 the senate.

16 (2) One state senator appointed by the minority leader of
17 the senate.

18 (3) Two state representatives appointed by the speaker of
19 the house of representatives.

20 (4) One state representative appointed by the minority
21 leader of the house of representatives.

22 3. Any expenses incurred by a member of the task force
23 shall be the responsibility of the individual member or the
24 respective entity represented by the member.

25 4. The task force shall submit its findings and
26 recommendations in a report to the general assembly on
27 or before December 31, 2024. The report shall include an
28 examination and evaluation of the impact to area education
29 agencies and their operations and services made by this Act.

30 Sec. 17. AREA EDUCATION AGENCIES — CONTINUOUS
31 IMPROVEMENT. On or before January 1, 2025, each area education
32 agency shall submit a report to the director of the department
33 of education and the general assembly that contains all of the
34 following information:

35 1. Progress the area education agency has made in reducing

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1 expenditures associated with administration and administrators,
2 including chief administrators, directors and department heads,
3 regional administrators, regional and zone coordinators,
4 district coordinators, and human resources and personnel
5 managers by at least thirty percent by July 1, 2026.

6 2. A proposal for the reorganization of services provided by
7 area education agencies to centralize some services provided by
8 the area education agencies, including media services, and to
9 create centers of excellence for other services.

10 3. Progress the area education agency has made to improve
11 the outcomes achieved by students receiving special education
12 services and a description of how the area education agency is
13 focusing the moneys it receives on providing service in the
14 classroom.

15 Sec. 18. TRANSITION PROVISIONS.

16 1. An area education agency that was accredited pursuant to
17 section 273.10 on or before the effective date of the section
18 of this division of this Act amending section 273.10 shall
19 remain accredited unless and until the division of special
20 education of the department of education takes action to remove
21 accreditation from the area education agency pursuant to
22 section 273.10, as amended in this division of this Act.

23 2. Within a reasonable time after July 1, 2024, the
24 division of special education of the department of education
25 shall employ at least one individual to serve as a director of
26 special education in each area education agency. During the
27 hiring process associated with employing an individual to serve
28 as director of special education in an area education agency,
29 the division of special education shall give preference to
30 qualified personnel employed by the area education agency.

31 Sec. 19. EFFECTIVE DATE. The following take effect July 1,
32 2025:

33 1. The section of this division of this Act amending section
34 273.10.

35 2. The section of this division of this Act amending section

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1 273.11.

2 Sec. 20. APPLICABILITY. The following applies to
3 employment agreements entered into or renewed between an area
4 education agency and an area education agency administrator on
5 or after July 1, 2024:

6 The portion of the section of this division of this Act
7 amending section 273.3, subsection 11.

8 Sec. 21. APPLICABILITY. The following applies to the
9 election of directors and vacancies occurring under section
10 273.8, as amended in this division of this Act, on or after
11 July 1, 2024:

12 The sections of this division of this Act amending section
13 273.8.

14 Sec. 22. APPLICABILITY. The following apply to school years
15 beginning on or after July 1, 2025:

16 1. The portion of the section of this division of this Act
17 amending section 273.2, subsection 3.

18 2. The portion of the section of this division of this Act
19 amending section 273.2, subsection 4.

20 3. The portion of the section of this division of this Act
21 enacting section 273.2, subsection 4A.

22 DIVISION III

23 AREA EDUCATION AGENCIES — FUNDING

24 Sec. 23. Section 257.1, subsection 2, paragraph b, Code
25 2024, is amended to read as follows:

26 *b.* For the budget year commencing July 1, 1999, and for
27 each succeeding budget year beginning before July 1, 2022,
28 the regular program foundation base per pupil is eighty-seven
29 and five-tenths percent of the regular program state cost per
30 pupil. For the budget year commencing July 1, 2022, and for
31 each succeeding budget year, the regular program foundation
32 base per pupil is eighty-eight and four-tenths percent of the
33 regular program state cost per pupil. For the budget year
34 commencing July 1, 1991, and for each succeeding budget year
35 the special education support services foundation base is

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1 seventy-nine percent of the special education support services
2 state cost per pupil. The combined foundation base is the sum
3 of the regular program foundation base, the special education
4 support services foundation base, the total teacher salary
5 supplement district cost, the total professional development
6 supplement district cost, the total early intervention
7 supplement district cost, the total teacher leadership
8 supplement district cost, and the total area education agency
9 teacher salary supplement district cost, ~~and the total area~~
10 ~~education agency professional development supplement district~~
11 ~~cost.~~

12 Sec. 24. Section 257.1, subsection 3, Code 2024, is amended
13 to read as follows:

14 3. *Computations rounded.* In making computations and
15 payments under [this chapter](#), except in the case of computations
16 relating to funding of special education support services,
17 media services, and educational services ~~provided through the~~
18 ~~area education agencies~~ under section 257.37, and the teacher
19 salary supplement, the professional development supplement,
20 the early intervention supplement, and the teacher leadership
21 supplement, the department of management shall round amounts to
22 the nearest whole dollar.

23 Sec. 25. Section 257.4, subsection 1, paragraph a,
24 subparagraph (7), Code 2024, is amended by striking the
25 subparagraph.

26 Sec. 26. Section 257.9, subsection 10, Code 2024, is amended
27 by striking the subsection.

28 Sec. 27. Section 257.10, subsection 7, Code 2024, is amended
29 to read as follows:

30 7. *Special education support services district cost.* Special
31 education support services district cost for a school district
32 for a budget year is equal to the special education support
33 services district cost per pupil for the budget year multiplied
34 by the special education support services weighted enrollment
35 for the district for the budget year. If the special education

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1 support services district cost for a school district for
2 a budget year is less than the special education support
3 services district cost for that district for the base year, the
4 department of management shall adjust the special education
5 support services district cost for that district for the budget
6 year to equal the special education support services district
7 cost for the base year. Funds calculated under this subsection
8 and received by a school district shall be used for special
9 education support services. For budget years beginning on
10 or after July 1, 2025, not less than ninety percent of funds
11 calculated under this subsection and received by a school
12 district shall be used by the school district for special
13 education support services contracted from an area education
14 agency. The contract between the school district and the area
15 education agency shall not require the school district to
16 describe the specific special education support services the
17 school district will receive from the area education agency.
18 The special education services provided by the area education
19 agency to the school district pursuant to the contract shall
20 not be limited by the amount of funding the school district
21 provided to the area education agency.

22 Sec. 28. Section 257.10, subsection 8, paragraph a, Code
23 2024, is amended to read as follows:

24 a. Combined district cost is the sum of the regular
25 program district cost per pupil multiplied by the weighted
26 enrollment, the special education support services district
27 cost, the total teacher salary supplement district cost, the
28 total professional development supplement district cost, the
29 total early intervention supplement district cost, and the
30 total teacher leadership supplement district cost, plus the sum
31 of the additional district cost allocated to the district to
32 fund media services and educational services ~~provided through~~
33 ~~the area education agency~~ under section 257.37, and the area
34 education agency total teacher salary supplement district cost
35 ~~and the area education agency total professional development~~

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1 ~~supplement district cost.~~

2 Sec. 29. Section 257.16, subsection 4, Code 2024, is amended
3 to read as follows:

4 4. Notwithstanding any provision to the contrary, if
5 the governor orders budget reductions in accordance with
6 section 8.31, the teacher salary supplement district cost,
7 the professional development supplement district cost, the
8 early intervention supplement district cost, and the teacher
9 leadership supplement district cost as calculated under section
10 257.10, subsections 9, 10, 11, and 12, and the area education
11 agency teacher salary supplement district cost ~~and the area~~
12 ~~education agency professional development supplement district~~
13 ~~cost~~ as calculated under section 257.37A, ~~subsections 1 and 2,~~
14 shall be paid in full as calculated and the reductions in the
15 appropriations provided in accordance with [this section](#) shall
16 be reduced from the remaining moneys appropriated pursuant
17 to [this section](#) and shall be distributed on a per pupil
18 basis calculated with the weighted enrollment determined in
19 accordance with [section 257.6, subsection 5](#).

20 Sec. 30. Section 257.35, subsections 1, 2, and 17, Code
21 2024, are amended to read as follows:

22 1. a. (1) The For fiscal years beginning before July 1,
23 2024, the department of management shall deduct the amounts
24 calculated for special education support services, media
25 services, area education agency teacher salary supplement
26 district cost, area education agency professional development
27 supplement district cost, and educational services for each
28 school district from the state aid due to the district pursuant
29 to [this chapter](#) and shall pay the amounts to the respective
30 area education agencies on a monthly basis from September 15
31 through June 15 during each school year.

32 (2) For the fiscal year beginning July 1, 2024, the
33 department of management shall deduct the following amounts
34 from the state aid due to each school district pursuant to
35 [this chapter](#) and shall pay the amounts to the respective area

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1 education agencies on a monthly basis from September 15 through
2 June 15 during each school year:

3 (a) The amount calculated for special education support
4 services for the school district.

5 (b) Forty percent of the amount calculated for media
6 services for the school district.

7 (c) The area education agency teacher salary supplement
8 district cost.

9 (d) Forty percent of the amount calculated in section 257.37
10 for educational services for the school district.

11 (e) The amount due to the area education agency as the
12 result of supplementary weighting for shared operational
13 functions under section 257.11, subsection 5, paragraph "e".

14 (3) For the fiscal year beginning July 1, 2025, and each
15 fiscal year thereafter, the department of management shall
16 deduct the following from the state aid due to each school
17 district pursuant to this chapter and shall pay the amounts to
18 the respective area education agencies on a monthly basis from
19 September 15 through June 15 during each school year:

20 (a) The area education agency teacher salary supplement
21 district cost.

22 (b) The amount due to the area education agency as the
23 result of supplementary weighting for shared operational
24 functions under section 257.11, subsection 5, paragraph "e".

25 b. The department of management shall notify each school
26 district of the amount of state aid deducted for these purposes
27 and the balance of state aid shall be paid to the district. If
28 a district does not qualify for state aid under [this chapter](#)
29 in an amount sufficient to cover its amount due to the area
30 education agency as calculated by the department of management,
31 the school district shall pay the deficiency to the area
32 education agency from other moneys received by the district, on
33 a quarterly basis during each school year.

34 2. Notwithstanding the deduction and payment under
35 [subsection 1](#), the state aid for area education agencies and

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1 ~~the portion of the combined district cost calculated for these~~
2 ~~agencies amounts specified for school districts and area~~
3 ~~education agencies in subsection 1, paragraph "a", for the~~
4 ~~fiscal year beginning July 1, 2002 2024, and each succeeding~~
5 ~~fiscal year, shall be reduced by the department of management~~
6 ~~by seven million five hundred thousand dollars. The reduction~~
7 ~~for each area education agency shall be equal to the reduction~~
8 ~~that the agency received in the fiscal year beginning July 1,~~
9 ~~2001~~ The department of management shall calculate a reduction
10 such that such amounts shall be reduced proportionally to the
11 amount that the agency would otherwise have received under this
12 section if the reduction imposed pursuant to this subsection
13 did not apply.

14 17. a. Notwithstanding [subsection 1](#), and in addition to the
15 reductions applicable pursuant to [subsection 2](#) and paragraph
16 "b" of [this subsection](#), the state aid for area education
17 agencies and the portion of the combined district cost
18 calculated for these agencies related to expenditures other
19 than expenditures for professional development for the fiscal
20 year beginning July 1, 2022, and ending June 30, 2023, shall
21 be reduced by the department of management by fifteen million
22 dollars. The reduction for each area education agency shall be
23 prorated based on the reduction that the agency received in the
24 fiscal year beginning July 1, 2003.

25 b. Notwithstanding [subsection 1](#), and in addition to
26 the reductions applicable pursuant to [subsection 2](#) and
27 paragraph "a" of [this subsection](#), the state aid for area
28 education agencies and the portion of the combined district
29 cost calculated for these agencies related to professional
30 development expenditures for the fiscal year beginning July
31 1, 2022, and ending June 30, 2023, shall be reduced by the
32 department of management by an amount equal to the sum of the
33 area education agency professional development supplement
34 district cost for all area education agencies determined under
35 section 257.37A, subsection 2, [Code 2022](#), for the budget

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1 year beginning July 1, 2022. The reduction for each area
2 education agency shall be equal to the area education agency's
3 professional development district cost determined under section
4 257.37A, subsection 2, Code 2022, for the budget year beginning
5 July 1, 2022. The amounts reduced under this paragraph shall
6 be considered funds paid to school districts and area education
7 agencies under chapter 284 for purposes of requirements for
8 providing professional development opportunities.

9 Sec. 31. Section 257.36, subsection 1, Code 2024, is amended
10 to read as follows:

11 1. Notwithstanding chapters 256B and 273 and sections
12 of this chapter relating to the moneys available to school
13 districts and area education agencies for special education
14 support services, for each school year, the department of
15 education may direct the department of management to deduct
16 amounts from the portions of school district budgets that
17 fund special education support services in an area education
18 agency. The total amount deducted ~~in an area~~ for a school
19 district shall be based upon excess special education support
20 services unreserved and undesignated fund balances in that
21 school district or paid by the school district to an area
22 education agency for a school year that remain unreserved and
23 undesignated as determined by the department of education. The
24 department of management shall determine the amount deducted
25 from each school district in an area education agency on
26 a proportional basis. The department of management shall
27 determine from the amounts deducted from the portions of school
28 district budgets that fund area education agency special
29 education support services the amount that would have been
30 local property taxes and the amount that would have been state
31 aid and for the next following budget year shall increase the
32 district's total state school aid available under this chapter
33 for area education agency special education support services
34 and reduce the district's property tax levy for area education
35 agency special education support services by the amount

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1 necessary for the property tax portion of the deductions made
2 under [this section](#) during the budget year.

3 Sec. 32. Section 257.37, Code 2024, is amended to read as
4 follows:

5 **257.37 Funding media and educational services.**

6 Media services and educational services provided by a school
7 district or through the area education agencies agency shall be
8 funded, to the extent provided, by an addition to the combined
9 district cost of each school district, determined as follows:

10 1. For the budget year beginning July 1, 1991, and
11 succeeding budget years, the total amount funded in each area
12 for media services shall be computed as provided in this
13 subsection. For the budget year beginning July 1, 1991, the
14 total amount funded in each area for media services in the base
15 year shall be divided by the enrollment served in the base year
16 to provide an area media services cost per pupil in the base
17 year, and the department of management shall compute the state
18 media services cost per pupil in the base year which is equal
19 to the average of the area media services costs per pupil in
20 the base year. For the budget year beginning July 1, 1991, and
21 succeeding budget years, the department of management shall
22 compute the supplemental state aid for media services in the
23 budget year by multiplying the state media services cost per
24 pupil in the base year times the state percent of growth for
25 the budget year, and the total amount funded in each area for
26 media services cost in the budget year equals the area media
27 services cost per pupil in the base year plus the supplemental
28 state aid for media services in the budget year times the
29 enrollment served in the budget year. Funds For fiscal years
30 beginning before July 1, 2025, funds shall be paid to area
31 education agencies as provided in [section 257.35](#). For fiscal
32 years beginning on or after July 1, 2024, funds not required to
33 be paid to an area education agency may be used by the school
34 district for any school district general fund purpose.

35 2. Up to thirty percent of the budget of an area for media

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1 services may be expended for media resource material including
2 the purchase or replacement of material required in section
3 273.6, subsection 1. ~~Funds shall be paid to area education~~
4 ~~agencies as provided in section 257.35.~~

5 3. For the budget year beginning July 1, 1991, and
6 succeeding budget years, the total amount funded in each area
7 for educational services shall be computed as provided in this
8 subsection. For the budget year beginning July 1, 1991, the
9 total amount funded in each area for educational services
10 in the base year shall be divided by the enrollment served
11 in the area in the base year to provide an area educational
12 services cost per pupil in the base year, and the department of
13 management shall compute the state educational services cost
14 per pupil in the base year, which is equal to the average of
15 the area educational services costs per pupil in the base year.
16 For the budget year beginning July 1, 1991, and succeeding
17 budget years, the department of management shall compute the
18 supplemental state aid for educational services by multiplying
19 the state educational services cost per pupil in the base year
20 times the state percent of growth for the budget year, and the
21 total amount funded in each area for educational services for
22 the budget year equals the area educational services cost per
23 pupil for the base year plus the supplemental state aid for
24 educational services in the budget year times the enrollment
25 served in the area in the budget year. Funds For fiscal years
26 beginning before July 1, 2025, funds shall be paid to area
27 education agencies as provided in section 257.35. For fiscal
28 years beginning on or after July 1, 2024, funds not required to
29 be paid to an area education agency may be used by the school
30 district for any school district general fund purpose.

31 4. "Enrollment served" means the basic enrollment of all
32 school districts within the boundaries of the area education
33 agency plus the number of nonpublic school pupils served by
34 the area education agency with media services or educational
35 services, as applicable, except that if a nonpublic school

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1 pupil or a pupil attending another district under a whole grade
2 sharing agreement or open enrollment receives services through
3 an area other than the area of the pupil's residence, the
4 pupil shall be deemed to be served by the area of the pupil's
5 residence, which shall by contractual arrangement reimburse
6 the area through which the pupil actually receives services.
7 Each school district shall include in the enrollment report
8 submitted pursuant to [section 257.6, subsection 1](#), the number
9 of nonpublic school pupils within each school district for
10 media and educational services served by the area. However,
11 the school district shall not include in the enrollment report
12 nonpublic school pupils receiving classes or services funded
13 entirely by federal grants or allocations.

14 5. a. If an area education agency does not serve nonpublic
15 school pupils in a manner comparable to services provided
16 public school pupils for media and educational services, as
17 determined by the state board of education, the state board
18 shall instruct the department of management to reduce the funds
19 for media services and educational services within the area one
20 time by an amount to compensate for such reduced services. The
21 media services budget shall be reduced by an amount equal to
22 the product of the cost per pupil in basic enrollment for the
23 budget year for media services times the difference between
24 the enrollment served and the basic enrollment recorded for
25 the area. The educational services budget shall be reduced by
26 an amount equal to the product of the cost per pupil in basic
27 enrollment for the budget year for educational services times
28 the difference between the enrollment served and the basic
29 enrollment recorded for the area.

30 b. [This subsection](#) applies only to media and educational
31 services which cannot be diverted for religious purposes.

32 c. Notwithstanding [this subsection](#), an area education agency
33 shall distribute to nonpublic schools media materials purchased
34 wholly or partially with federal funds in a manner comparable
35 to the distribution of such media materials to public schools

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1 as determined by the director of the department of education.

2 6. For the budget year beginning July 1, 2002, and each
3 succeeding budget year, notwithstanding the requirements of
4 this section for determining the budgets and funding of media
5 services and education services, an area education agency or
6 school district may, ~~within the limits of the total of the~~
7 ~~funds provided for the budget years pursuant to [section 257.35](#),~~
8 expend for special education support services an amount that
9 exceeds the payment for special education support services
10 ~~pursuant to [section 257.35](#)~~ in order to maintain the level
11 of required special education support services in the area
12 education agency or the school district, as applicable.

13 Sec. 33. Section 257.37A, Code 2024, is amended to read as
14 follows:

15 **257.37A Area education agency salary supplement funding.**

16 ~~1. *Area education agency teacher salary supplement cost per*~~
17 ~~*pupil and district cost.*~~

18 ~~a. 1.~~ For the budget year beginning July 1, 2009, the
19 department of management shall add together the teacher
20 compensation allocation made to each area education agency for
21 the fiscal year beginning July 1, 2008, pursuant to section
22 284.13, subsection 1, paragraph `i`, Code 2009, and the phase II
23 allocation made to each area education agency for the fiscal
24 year beginning July 1, 2008, pursuant to section 294A.9, Code
25 2009, and divide that sum by the special education support
26 services weighted enrollment in the fiscal year beginning July
27 1, 2009, to determine the area education agency teacher salary
28 supplement cost per pupil. For the budget year beginning July
29 1, 2010, and succeeding budget years, the area education agency
30 teacher salary supplement district cost per pupil for each area
31 education agency for a budget year is the area education agency
32 teacher salary supplement district cost per pupil for the base
33 year plus the area education agency teacher salary supplement
34 supplemental state aid amount for the budget year.

35 ~~b. 2.~~ For the budget year beginning July 1, 2010, and

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1 succeeding budget years, if the department of management
2 determines that the unadjusted area education agency teacher
3 salary supplement district cost of an area education agency
4 for a budget year is less than one hundred percent of the
5 unadjusted area education agency teacher salary supplement
6 district cost for the base year for the area education agency,
7 the area education agency shall receive a budget adjustment for
8 that budget year equal to the difference.

9 ~~c.~~ ~~(1)~~ 3. a. The unadjusted area education agency teacher
10 salary supplement district cost is the area education agency
11 teacher salary supplement district cost per pupil for each area
12 education agency for a budget year multiplied by the special
13 education support services weighted enrollment for that area
14 education agency.

15 ~~(2)~~ b. The total area education agency teacher salary
16 supplement district cost is the sum of the unadjusted area
17 education agency teacher salary supplement district cost plus
18 the budget adjustment for that budget year.

19 ~~d.~~ 4. For the budget year beginning July 1, 2009, the
20 use of the funds calculated under this ~~subsection~~ section
21 shall comply with requirements of [chapter 284](#) and shall be
22 distributed to teachers pursuant to [section 284.3A](#). For the
23 budget year beginning July 1, 2010, and succeeding budget
24 years, the use of the funds calculated under this ~~subsection~~
25 section shall comply with the requirements of [chapter 284](#) and
26 shall be distributed to teachers pursuant to [section 284.3A](#).

27 ~~2. Area education agency professional development supplement~~
28 ~~cost per pupil and district cost.~~

29 ~~a.~~ ~~For the budget year beginning July 1, 2009, the~~
30 ~~department of management shall divide the area education~~
31 ~~agency professional development supplement made to each~~
32 ~~area education agency for the fiscal year beginning July 1,~~
33 ~~2008, pursuant to [section 284.13, subsection 1](#), paragraph~~
34 ~~"d", Code 2009, by the special education support services~~
35 ~~weighted enrollment in the fiscal year beginning July 1, 2009,~~

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1 ~~to determine the professional development supplement cost~~
2 ~~per pupil. For the budget year beginning July 1, 2010, and~~
3 ~~succeeding budget years, the area education agency professional~~
4 ~~development supplement district cost per pupil for each area~~
5 ~~education agency for a budget year is the area education agency~~
6 ~~professional development supplement district cost per pupil~~
7 ~~for the base year plus the area education agency professional~~
8 ~~development supplement supplemental state aid amount for the~~
9 ~~budget year.~~

10 ~~b. For the budget year beginning July 1, 2010, and~~
11 ~~succeeding budget years, if the department of management~~
12 ~~determines that the unadjusted area education agency~~
13 ~~professional development supplement district cost of an area~~
14 ~~education agency for a budget year is less than one hundred~~
15 ~~percent of the unadjusted area education agency professional~~
16 ~~development supplement district cost for the base year for~~
17 ~~the area education agency, the area education agency shall~~
18 ~~receive a budget adjustment for that budget year equal to the~~
19 ~~difference.~~

20 ~~c. (1) The unadjusted area education agency professional~~
21 ~~development supplement district cost is the area education~~
22 ~~agency professional development supplement district cost~~
23 ~~per pupil for each area education agency for a budget year~~
24 ~~multiplied by the special education support services weighted~~
25 ~~enrollment for that area education agency.~~

26 ~~(2) The total area education agency professional~~
27 ~~development supplement district cost is the sum of the~~
28 ~~unadjusted area education agency professional development~~
29 ~~supplement district cost plus the budget adjustment for that~~
30 ~~budget year.~~

31 ~~d. The use of the funds calculated under this subsection~~
32 ~~shall comply with requirements of [chapter 284](#).~~

33 Sec. 34. Section 284.3A, subsection 4, Code 2024, is amended
34 to read as follows:

35 4. The teacher salary supplement district cost as

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1 calculated under [section 257.10, subsection 9](#), and the area
2 education agency teacher salary supplement district cost as
3 calculated under [section 257.37A, subsection 1](#), are not subject
4 to a uniform reduction in accordance with [section 8.31](#).

5 Sec. 35. Section 284.4, subsection 1, paragraph b,
6 subparagraph (3), Code 2024, is amended to read as follows:

7 (3) Determine, following the adoption of the Iowa
8 professional development model by the state board of education,
9 the use and distribution of the professional development
10 funds calculated and paid to the school district ~~or agency~~ as
11 provided in [section 257.9, subsection 10](#), ~~or~~ [section 257.10,](#)
12 [subsection 10](#), based upon school district ~~or agency~~, attendance
13 center, and individual teacher and professional development
14 plans.

15 Sec. 36. Section 284.6, subsections 8 and 9, Code 2024, are
16 amended to read as follows:

17 8. For each year in which a school district receives funds
18 calculated and paid to school districts for professional
19 development pursuant to [section 257.10, subsection 10](#), ~~or~~
20 [section 257.37A, subsection 2](#), the school district shall create
21 quality professional development opportunities. Not less than
22 thirty-six hours in the school calendar, held outside of the
23 minimum school day, shall be set aside during nonpreparation
24 time or designated professional development time to allow
25 practitioners to collaborate with each other to deliver
26 educational programs and assess student learning, or to engage
27 in peer review pursuant to [section 284.8, subsection 1](#). The
28 funds may be used to implement the professional development
29 provisions of the teacher career paths and leadership roles
30 specified in [section 284.15](#), including but not limited to
31 providing professional development to teachers, including
32 additional salaries for time beyond the normal negotiated
33 agreement; activities and pay to support a beginning teacher
34 mentoring and induction program that meets the requirements
35 of [section 284.5](#); pay for substitute teachers, professional

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1 development materials, speakers, and professional development
2 content; textbooks and curriculum materials used for classroom
3 purposes if such textbooks and curriculum materials include
4 professional development; administering assessments pursuant to
5 section 256.7, subsection 21, paragraph "b", subparagraphs (1)
6 and (2), if such assessments include professional development;
7 and costs associated with implementing the individual
8 professional development plans. The use of the funds shall
9 be balanced between school district, attendance center,
10 and individual professional development plans, making every
11 reasonable effort to provide equal access to all teachers.

12 9. Moneys received pursuant to section 257.10, subsection
13 10, ~~or section 257.37A, subsection 2~~, shall be maintained
14 as a separate listing within a school district's ~~or area~~
15 ~~education agency's~~ budget for funds received and expenditures
16 made pursuant to [this subsection](#). The department shall not
17 require a school district ~~or area education agency~~ to allocate
18 a specific amount or percentage of moneys received pursuant to
19 section 257.10, subsection 10, ~~or section 257.37A, subsection~~
20 ~~2~~, for professional development related to implementation of
21 the core curriculum under [section 256.7, subsection 26](#). A
22 school district shall certify to the department how the school
23 district allocated the funds and that moneys received under
24 this subsection were used to supplement, not supplant, the
25 professional development opportunities the school district
26 would otherwise make available. For budget years beginning
27 on or after July 1, 2017, all or a portion of the moneys
28 received pursuant to [section 257.10, subsection 10](#), that remain
29 unexpended and unobligated at the end of a fiscal year may,
30 pursuant to [section 257.10, subsection 10](#), paragraph "d", be
31 transferred for deposit in the school district's flexibility
32 account established under [section 298A.2, subsection 2](#).

33 Sec. 37. EFFECTIVE DATE. This division of this Act, being
34 deemed of immediate importance, takes effect upon enactment.

35 Sec. 38. APPLICABILITY. This division of this Act applies

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1 July 1, 2024, for school budget years beginning on or after
2 that date.

3 DIVISION IV

4 TEACHER COMPENSATION AND IPERS

5 Sec. 39. Section 97B.52A, subsection 1, paragraph c,
6 subparagraph (2), Code 2024, is amended by adding the following
7 new subparagraph division:

8 NEW SUBPARAGRAPH DIVISION. (d) For a member whose first
9 month of entitlement is July 2024 or later, but before July
10 2027, the member may return to covered employment as a teacher
11 for a covered employer after receiving one month of retirement
12 benefits. For the purposes of this subparagraph division,
13 "teacher" means a teacher licensed under chapter 256.

14 Sec. 40. Section 257.10, subsection 12, paragraph d, Code
15 2024, is amended to read as follows:

16 *d.* Except as otherwise allowed under this paragraph, for
17 the budget year beginning July 1, 2014, and succeeding budget
18 years, the use of the funds calculated under [this subsection](#)
19 shall comply with the requirements of [chapter 284](#) and shall
20 be distributed to teachers pursuant to [section 284.15](#). The
21 funds shall be used only to increase the payment for a teacher
22 assigned to a leadership role pursuant to a framework or
23 comparable system approved pursuant to [section 284.15](#); to
24 increase the percentages of teachers assigned to leadership
25 roles; to increase the minimum teacher starting salary to
26 ~~thirty-three thousand five hundred dollars~~ the amount provided
27 in section 284.15, subsection 2, paragraph "a", subparagraph
28 (1); to cover the costs for the time mentor and lead teachers
29 are not providing instruction to students in a classroom;
30 for coverage of a classroom when an initial or career
31 teacher is observing or co-teaching with a teacher assigned
32 to a leadership role; for professional development time to
33 learn best practices associated with the career pathways
34 leadership process; and for other costs associated with a
35 framework or comparable system approved by the department of

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1 education under [section 284.15](#) with the goals of improving
2 instruction and elevating the quality of teaching and student
3 learning. If all requirements for the school district for
4 the use of funds calculated under [this subsection](#) are met
5 and funds received under [this subsection](#) remain unexpended
6 and unobligated at the end of a fiscal year beginning on or
7 after July 1, 2020, the school district may transfer all or a
8 portion of such unexpended and unobligated funds for deposit
9 in the school district's flexibility account established
10 under [section 298A.2, subsection 2](#). At the end of a fiscal
11 year beginning on or after July 1, 2022, school districts may
12 use all or a portion of funds under [this subsection](#) for the
13 purposes authorized under [subsection 9](#), paragraph "d", and,
14 notwithstanding any provision of law to the contrary, school
15 districts shall not be required to participate in or comply
16 with [section 284.15](#) in order to continue to receive funding
17 under [this subsection](#).

18 Sec. 41. Section 284.15, subsection 2, paragraph a,
19 subparagraph (1), Code 2024, is amended to read as follows:

20 (1) (a) The For the fiscal year beginning July 1, 2024, the
21 salary for an initial teacher who has successfully completed an
22 approved practitioner preparation program as defined in section
23 256.145 or holds an initial or intern teacher license issued
24 under [chapter 256, subchapter VII, part 3](#), shall be at least
25 ~~thirty-three~~ forty-seven thousand five hundred dollars, which
26 shall also constitute the minimum salary for an Iowa teacher.

27 (b) For the fiscal year beginning July 1, 2025, and each
28 subsequent fiscal year, the salary for an initial teacher who
29 has successfully completed an approved practitioner preparation
30 program as defined in section 256.145 or holds an initial or
31 intern teacher license issued under chapter 256, subchapter
32 VII, part 3, shall be at least fifty thousand dollars, which
33 shall also constitute the minimum salary for an Iowa teacher.

34 Sec. 42. Section 284.15, Code 2024, is amended by adding the
35 following new subsection:

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1 NEW SUBSECTION. 2A. a. For the fiscal year beginning July
2 1, 2024, the salary for a career teacher, model teacher, mentor
3 teacher, or lead teacher, who holds a valid license issued
4 under chapter 256, subchapter VII, part 3, and who has been
5 a teacher for at least twelve years, shall be at least sixty
6 thousand dollars.

7 b. For the fiscal year beginning July 1, 2025, and each
8 subsequent fiscal year, the salary for a career teacher, model
9 teacher, mentor teacher, or lead teacher, who holds a valid
10 license issued under chapter 256, subchapter VII, part 3, and
11 who has been a teacher for at least twelve years, shall be at
12 least sixty-two thousand dollars.

13 Sec. 43. Section 284.16, subsection 1, paragraph a,
14 unnumbered paragraph 1, Code 2024, is amended to read as
15 follows:

16 ~~The~~ For the fiscal year beginning July 1, 2024, the beginning
17 teacher shall be paid not less than ~~thirty-three~~ forty-seven
18 thousand five hundred dollars and. For the fiscal year
19 beginning July 1, 2025, and each subsequent fiscal year, the
20 beginning teacher shall be paid not less than fifty thousand
21 dollars. Each beginning teacher shall meet the following
22 requirements:

23 Sec. 44. Section 284.16, Code 2024, is amended by adding the
24 following new subsection:

25 NEW SUBSECTION. 1A. a. *Experienced teacher.* For
26 the fiscal year beginning July 1, 2024, a career teacher,
27 instructional coach, curriculum and professional development
28 leader, or model teacher, who has been a teacher for at least
29 twelve years, shall be paid not less than sixty thousand
30 dollars.

31 b. For the fiscal year beginning July 1, 2025, and each
32 subsequent fiscal year, a career teacher, instructional coach,
33 curriculum and professional development leader, or model
34 teacher, who has been a teacher for at least twelve years,
35 shall be paid not less than sixty-two thousand dollars.

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1 Sec. 45. Section 284.17, subsection 1, Code 2024, is amended
2 to read as follows:

3 1. a. A For the fiscal year beginning July 1, 2024, the
4 minimum salary of ~~thirty-three~~ forty-seven thousand five
5 hundred dollars for a full-time teacher who has less than
6 twelve years of teaching experience and a minimum salary of
7 sixty thousand dollars for a full-time teacher who has at least
8 twelve years of teaching experience.

9 b. For the fiscal year beginning July 1, 2025, and each
10 subsequent fiscal year, the minimum salary of fifty thousand
11 dollars for a full-time teacher who has less than twelve years
12 of teaching experience and a minimum salary of sixty-two
13 thousand dollars for a full-time teacher who has at least
14 twelve years of teaching experience.

15 DIVISION V

16 TEACHER SALARY SUPPLEMENT DISTRICT COST PER PUPIL

17 Sec. 46. Section 257.10, subsection 9, paragraph a, Code
18 2024, is amended to read as follows:

19 a. (1) For the budget year beginning July 1, 2009, the
20 department of management shall add together the teacher
21 compensation allocation made to each district for the fiscal
22 year beginning July 1, 2008, pursuant to section 284.13,
23 subsection 1, paragraph "h", Code 2009, and the phase II
24 allocation made to each district for the fiscal year beginning
25 July 1, 2008, pursuant to [section 294A.9, Code 2009](#), and divide
26 that sum by the district's budget enrollment in the fiscal
27 year beginning July 1, 2009, to determine the teacher salary
28 supplement district cost per pupil. For the budget year
29 beginning July 1, 2010, and succeeding budget years beginning
30 before July 1, 2024, the teacher salary supplement district
31 cost per pupil for each school district for a budget year
32 is the teacher salary supplement program district cost per
33 pupil for the base year plus the teacher salary supplement
34 supplemental state aid amount for the budget year.

35 (2) (a) For the budget year beginning July 1, 2024, the

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1 teacher salary supplement district cost per pupil for each
2 school district shall be determined under this subparagraph.

3 (b) The department of management shall categorize all
4 school districts into not more than ten tiers according to each
5 school district's actual enrollment. Each tier established
6 by the department of management containing a school district
7 with an actual enrollment above three thousand five hundred
8 pupils shall contain, to the extent feasible, the same number
9 of school districts as other tiers containing school districts
10 with an actual enrollment of more than three thousand five
11 hundred pupils. Each tier established by the department
12 of management containing a school district with an actual
13 enrollment equal to or less than three thousand five hundred
14 pupils shall contain, to the extent feasible, the same number
15 of school districts as other tiers containing school districts
16 with an actual enrollment equal to or less than three thousand
17 five hundred pupils.

18 (c) (i) To support school districts with meeting the
19 minimum teacher starting salary requirement of forty-seven
20 thousand five hundred dollars and the minimum teacher salary
21 requirement for full-time teachers with at least twelve years
22 of experience of sixty thousand dollars under chapter 284
23 and other costs associated with such salary requirements, as
24 identified in subparagraph subdivision (ii), the department of
25 management shall calculate and assign to all school districts
26 in a tier established under subparagraph division (b), a
27 teacher salary supplement district cost per pupil in an amount
28 based in part on the average cost to school districts within
29 the tier to meet the requirements.

30 (ii) If, however, a school district's total teacher salary
31 supplement district cost under paragraph "c" as calculated
32 using the teacher salary supplement district cost per
33 pupil assigned to the school district's applicable tier, is
34 insufficient to comply with the applicable minimum teacher
35 salary requirements of the school district, including costs

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1 associated with the employer's share of contributions to the
2 Iowa public employees' retirement system and the employer's
3 share of the tax imposed by the federal Insurance Contributions
4 Act, the department of management shall set the school
5 district's teacher salary supplement district cost per pupil
6 at an amount necessary to meet the district's minimum salary
7 requirements and associated costs.

8 (3) (a) For the budget year beginning July 1, 2025, the
9 teacher salary supplement district cost per pupil for each
10 school district shall be determined under this subparagraph.

11 (b) The department of management shall categorize all
12 school districts into not more than ten tiers according to each
13 school district's actual enrollment. Each tier established
14 by the department of management containing a school district
15 with an actual enrollment above three thousand five hundred
16 pupils shall contain, to the extent feasible, the same number
17 of school districts as other tiers containing school districts
18 with an actual enrollment of more than three thousand five
19 hundred pupils. Each tier established by the department
20 of management containing a school district with an actual
21 enrollment equal to or less than three thousand five hundred
22 pupils shall contain, to the extent feasible, the same number
23 of school districts as other tiers containing school districts
24 with an actual enrollment equal to or less than three thousand
25 five hundred pupils.

26 (c) (i) To support school districts with meeting the
27 minimum teacher starting salary requirement of fifty thousand
28 dollars and the minimum teacher salary requirement for
29 full-time teachers with at least twelve years of experience of
30 sixty-two thousand dollars under chapter 284 and other costs
31 associated with such salary requirements, as identified in
32 subparagraph subdivision (ii), the department of management
33 shall calculate and assign to all school districts in a tier
34 established under subparagraph division (b), a teacher salary
35 supplement district cost per pupil in an amount based in part

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1 on the average cost to school districts within the tier to meet
2 the requirements.

3 (ii) If, however, a school district's total teacher
4 salary supplement district cost under paragraph "c", as
5 calculated using the teacher salary supplement district cost
6 per pupil assigned to the school district's applicable tier,
7 is insufficient to comply with the applicable minimum teacher
8 salary requirements of the school district, including costs
9 associated with the employer's share of contributions to the
10 Iowa public employees' retirement system and the employer's
11 share of the tax imposed by the federal Insurance Contributions
12 Act, the department of management shall set the school
13 district's teacher salary supplement district cost per pupil
14 at an amount necessary to meet the district's minimum salary
15 requirements and associated costs.

16 (4) For the budget year beginning July 1, 2026, and
17 succeeding budget years, the teacher salary supplement district
18 cost per pupil for each school district for a budget year
19 is the teacher salary supplement program district cost per
20 pupil for the base year plus the teacher salary supplement
21 supplemental state aid amount for the budget year.

22 Sec. 47. EFFECTIVE DATE. This division of this Act, being
23 deemed of immediate importance, takes effect upon enactment.

24 DIVISION VI

25 STATE PERCENTS OF GROWTH

26 Sec. 48. Section 257.8, subsections 1 and 2, Code 2024, are
27 amended to read as follows:

28 1. *State percent of growth.* ~~The state percent of growth for~~
29 ~~the budget year beginning July 1, 2021, is two and four-tenths~~
30 ~~percent.~~ The state percent of growth for the budget year
31 beginning July 1, 2022, is two and one-half percent. The state
32 percent of growth for the budget year beginning July 1, 2023,
33 is three percent. The state percent of growth for the budget
34 year beginning July 1, 2024, is two and one-half percent. The
35 state percent of growth for each subsequent budget year shall

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1 be established by statute which shall be enacted within thirty
2 days of the transmission of the governor's budget required by
3 February 1 under [section 8.21](#) during the regular legislative
4 session beginning in the base year.

5 2. *Categorical state percent of growth.* ~~The categorical~~
6 ~~state percent of growth for the budget year beginning July~~
7 ~~1, 2021, is two and four-tenths percent.~~ The categorical
8 state percent of growth for the budget year beginning July
9 1, 2022, is two and one-half percent. The categorical state
10 percent of growth for the budget year beginning July 1,
11 2023, is three percent. The categorical state percent of
12 growth for the budget year beginning July 1, 2024, is two and
13 one-half percent. The categorical state percent of growth
14 for each budget year shall be established by statute which
15 shall be enacted within thirty days of the transmission of the
16 governor's budget required by February 1 under [section 8.21](#)
17 during the regular legislative session beginning in the base
18 year. The categorical state percent of growth may include
19 state percents of growth for the teacher salary supplement, the
20 professional development supplement, the early intervention
21 supplement, the teacher leadership supplement, and for budget
22 years beginning on or after July 1, 2020, transportation equity
23 aid payments under [section 257.16C](#).

24 Sec. 49. Section 257.16B, subsections 1 and 2, Code 2024,
25 are amended to read as follows:

26 1. For each fiscal year beginning on or after July 1, ~~2021~~
27 2022, there is appropriated from the general fund of the state
28 to the department of education an amount necessary to make all
29 school district property tax replacement payments under this
30 section, as calculated in [subsection 2](#).

31 2. ~~a. For the budget year beginning July 1, 2021, the~~
32 ~~department of management shall calculate for each school~~
33 ~~district all of the following:~~

34 (1) ~~The regular program state cost per pupil for the budget~~
35 ~~year beginning July 1, 2012, multiplied by one hundred percent~~

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1 ~~less the regular program foundation base per pupil percentage~~
2 ~~pursuant to [section 257.1](#) for the budget year beginning July~~
3 ~~1, 2021.~~

4 ~~(2) The regular program state cost per pupil for the budget~~
5 ~~year beginning July 1, 2021, multiplied by one hundred percent~~
6 ~~less the regular program foundation base per pupil percentage~~
7 ~~pursuant to [section 257.1](#) for the budget year beginning July~~
8 ~~1, 2021.~~

9 ~~(3) The amount of each school district's property tax~~
10 ~~replacement payment. Each school district's property tax~~
11 ~~replacement payment equals the school district's weighted~~
12 ~~enrollment for the budget year beginning July 1, 2021,~~
13 ~~multiplied by the remainder of the amount calculated for~~
14 ~~the school district under subparagraph (2) minus the amount~~
15 ~~calculated for the school district under subparagraph (1).~~

16 ~~b. a.~~ (1) For the budget year beginning July 1, 2022,
17 the amount of each school district's property tax replacement
18 payment shall be the product of the school district's weighted
19 enrollment for the budget year multiplied by the per pupil
20 property tax replacement amount for the budget year calculated
21 under subparagraph (2).

22 (2) The per pupil property tax replacement amount for the
23 budget year beginning July 1, 2022, is equal to the sum of one
24 hundred fifty-three dollars plus the difference between the
25 following:

26 (a) The regular program state cost per pupil for the budget
27 year beginning July 1, 2022, multiplied by one hundred percent
28 less the regular program foundation base per pupil percentage
29 pursuant to [section 257.1](#) for the budget year beginning July
30 1, 2022.

31 (b) The regular program state cost per pupil for the budget
32 year beginning July 1, 2021, multiplied by one hundred percent
33 less the regular program foundation base per pupil percentage
34 pursuant to [section 257.1](#) for the budget year beginning July
35 1, 2022.

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1 ~~e.~~ b. (1) For each the budget year beginning ~~on or after~~
2 July 1, 2023, the amount of each school district's property
3 tax replacement payment shall be the product of the school
4 district's weighted enrollment for the budget year multiplied
5 by the per pupil property tax replacement amount for the budget
6 year calculated under subparagraph (2).

7 (2) The per pupil property tax replacement amount for
8 the budget ~~years~~ year beginning ~~on or after~~ July 1, 2023, is
9 equal to the sum of one hundred fifty-three dollars plus the
10 difference between the following:

11 (a) The regular program state cost per pupil for the budget
12 year beginning July 1, 2023, multiplied by one hundred percent
13 less the regular program foundation base per pupil percentage
14 pursuant to [section 257.1](#) for the ~~applicable~~ budget year under
15 ~~this paragraph~~ beginning July 1, 2023.

16 (b) The regular program state cost per pupil for the budget
17 year beginning July 1, 2021, multiplied by one hundred percent
18 less the regular program foundation base per pupil percentage
19 pursuant to [section 257.1](#) for the ~~applicable~~ budget year under
20 ~~this paragraph~~ beginning July 1, 2023.

21 c. (1) For each budget year beginning on or after July
22 1, 2024, the amount of each school district's property
23 tax replacement payment shall be the product of the school
24 district's weighted enrollment for the budget year multiplied
25 by the per pupil property tax replacement amount for the budget
26 year calculated under subparagraph (2).

27 (2) The per pupil property tax replacement amount for budget
28 years beginning on or after July 1, 2024, is equal to the sum
29 of one hundred fifty-three dollars plus the difference between
30 the following:

31 (a) The regular program state cost per pupil for the budget
32 year beginning July 1, 2024, multiplied by one hundred percent
33 less the regular program foundation base per pupil percentage
34 pursuant to [section 257.1](#) for the applicable budget year under
35 this paragraph.

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1 (b) The regular program state cost per pupil for the budget
2 year beginning July 1, 2021, multiplied by one hundred percent
3 less the regular program foundation base per pupil percentage
4 pursuant to section 257.1 for the applicable budget year under
5 this paragraph.

6 Sec. 50. CODE SECTION 257.8 — IMPLEMENTATION. The
7 requirements of section 257.8, subsections 1 and 2, regarding
8 the enactment of bills establishing the state percent of growth
9 and the categorical state percent of growth within thirty
10 days of the transmission of the governor's budget required by
11 February 1 under section 8.21 during the regular legislative
12 session beginning in the base year, do not apply to this
13 division of this Act.

14 Sec. 51. EFFECTIVE DATE. This division of this Act, being
15 deemed of immediate importance, takes effect upon enactment.

16 DIVISION VII

17 EDUCATION SUPPORT PERSONNEL SALARY SUPPLEMENT

18 Sec. 52. EDUCATION SUPPORT PERSONNEL SALARY SUPPLEMENT —
19 FY 2024-2025.

20 1. If funds are appropriated by the general assembly to the
21 department of education for the fiscal year beginning July 1,
22 2024, and ending June 30, 2025, to make all payments to school
23 districts required under subsection 2, such funds shall be used
24 to provide a funding supplement to each school district during
25 the fiscal year beginning July 1, 2024, and ending June 30,
26 2025, to supplement education support personnel compensation.

27 2. In order to receive the funding supplement, a school
28 district shall first report to the department of education
29 on or before July 1, 2024, the number of education support
30 personnel employed by the school district, including all
31 other information related to such personnel required by the
32 department of education. Each school district's funding
33 supplement amount shall be equal to fourteen million dollars
34 multiplied by the quotient of the school district's budget
35 enrollment for the budget year beginning July 1, 2023, and

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1 ending June 30, 2024, divided by the statewide total budget
2 enrollment for the budget year beginning July 1, 2023, and
3 ending June 30, 2024. For purposes of this section, "education
4 support personnel" means regular and part-time employees of a
5 school district who are not salaried.

6 3. The payment of funding supplement amounts under this
7 section shall be paid by the department of education at the
8 same time and in the same manner as foundation aid is paid
9 under section 257.16 for the fiscal year beginning July 1,
10 2024, and ending June 30, 2025, and may be included in the
11 monthly payment of state aid under section 257.16, subsection
12 2.

13 Sec. 53. EFFECTIVE DATE. This division of this Act, being
14 deemed of immediate importance, takes effect upon enactment.

15 DIVISION VIII

16 STATE MANDATE

17 Sec. 54. IMPLEMENTATION OF ACT. Section 25B.2, subsection
18 3, shall not apply to this Act.>>

19 2. Page 27, by striking lines 8 through 15 and inserting
20 <<An Act relating to education, including modifying provisions
21 related to the duties and powers of area education agencies,
22 the membership of the boards of directors of area education
23 agencies, the department of education, area education agency
24 funding, the calculation of the teacher salary supplement
25 district cost per pupil and minimum teacher salaries, Iowa
26 public employees' retirement system bona fide retirement
27 requirements, and property tax replacement payments,
28 establishing the state percent of growth and the categorical
29 state percent of growth for supplemental state aid calculations
30 for the budget year beginning July 1, 2024, and including
31 transition, effective date, and applicability provisions.>>

WHEELER of Sioux

Iowa General Assembly
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House File 2662

H-8238

1 Amend House File 2662 as follows:

2 1. Page 3, line 24, by striking <each fiscal year>

3 2. Page 3, line 26, by striking <five> and inserting <ten>

BLOOMINGDALE of Worth

Iowa General Assembly
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Senate File 2391

H-8239

1 Amend Senate File 2391, as amended, passed, and reprinted by
2 the Senate, as follows:

3 1. Page 1, after line 33 by inserting:

4 <__. *"Dairy animal"* means an agricultural food animal
5 classified as a cow, goat, or sheep that is actively producing
6 milk.>

7 2. Page 1, after line 35 by inserting:

8 <__. *a. "Egg"* means a food product that is the
9 reproductive output of an agricultural food animal classified
10 as a chicken.

11 *b. "Egg"* includes albumen and yolk encased in a
12 calcium-based shell.

13 __. *"Egg processing"* means the processing of eggs that may
14 include any of the following:

15 *a. The handling, preparation, and packaging of whole shelled*
16 *or unshelled eggs.*

17 *b. The handling, preparation, heating, and packaging of*
18 *whole shelled or unshelled eggs.*

19 *c. The breaking of eggs and the separation of eggs;*
20 *pasteurization; filtering, mixing, stabilizing, or blending*
21 *parts of the egg; any cooling, freezing, or drying of parts of*
22 *the egg; storage; and packaging.*

23 __. *"Egg product"* means a food product derived from
24 egg processing in which eggs or egg parts are the primary
25 ingredient.>

26 3. Page 2, after line 5 by inserting:

27 <__. *a. "Identifying egg term"* means any word or phrase
28 that states, indicates, suggests, or describes an egg product,
29 regardless of whether the word or phrase is used individually,
30 as a portmanteau, or as a compound word.

31 *b. "Identifying egg term"* includes but is not limited to any
32 of the following:

33 (1) (a) A common name for a type of a chicken, including
34 laying hen, hen, or layer, cage-free, poultry, or fowl.

35 (b) A common name for a characteristic of a chicken based

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1 on age, breed, or sex.

2 (2) Any part of the egg, including its egg, eggshell, egg
3 white, or yolk.

4 (3) (a) A common name that a reasonable purchaser would
5 immediately and exclusively associate with an egg product
6 prepared for sale in normal commercial channels such as
7 custard, eggnog, frittata, huevos rancheros, omelette,
8 mayonnaise, meringue, sunny side up, over easy, over hard,
9 scrambled, or quiche.

10 (b) A comparable word or phrase as approved by the
11 department.>

12 4. By striking page 2, line 34, through page 3, line 2,
13 and inserting <pepperoni, porterhouse, rib or sparerib, roast,
14 salami, sausage, shank, sirloin, or tenderloin.>

15 5. Page 3, before line 3 by inserting:

16 <(e) A comparable word or phrase as approved by the
17 department.

18 _____. a. *"Identifying milk term"* means any word or phrase
19 that states, indicates, suggests, or describes a milk product,
20 regardless of whether the word or phrase is used individually,
21 as a portmanteau, or as a compound word.

22 b. *"Identifying milk term"* includes but is not limited to
23 any of the following:

24 (1) (a) A common name for a type of dairy animal, including
25 cow, goat, or sheep.

26 (b) A common name for a characteristic of a dairy animal
27 based on age, breed, or sex.

28 (2) (a) A common name that a reasonable purchaser would
29 immediately and exclusively associate with a milk product
30 prepared for sale in normal commercial channels such as butter,
31 buttermilk, cheese, clabber, creme fraiche, eggnog, frozen
32 custard, kefir, gelato, half-and-half, pudding, or yogurt.

33 (b) A common name that a reasonable purchaser would
34 immediately and exclusively associate with a type of cheese,
35 including asiago, brie, bocconcini, burrata, camembert,

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1 cheddar, coija, colby, curd, edam, feta, emmental, fontina,
2 gorgonzola, gouda, gruyere, halloumi, havarti, jalsberg,
3 limburger, manchego, mascarpone, monterey jack, mozzarella,
4 muenster, neufchatel, parmesan, paneer, provolone, ricotta,
5 rommano, or roquefort.

6 (c) A comparable word or phrase as approved by the
7 department.>

8 6. Page 3, by striking lines 13 through 15 and inserting:

9 <___. *"Manufactured-protein product"* means a food product,
10 if any of the following apply:

11 a. It has one or more sensory attributes that resemble
12 an egg product but that, in lieu of being the output of a
13 chicken commonly referred to as a laying hen, is derived from
14 manufactured plants or other organic materials.

15 b. It is a cultivated-protein food product, insect-protein
16 food product, or plant-protein food product.

17 c. It has one or more sensory attributes that resemble
18 a milk product but that, in lieu of being derived from
19 the lacteal secretion of a dairy animal, is derived from
20 manufactured plants or other organic materials.>

21 7. Page 3, after line 21 by inserting:

22 <___. *"Milk"* means the raw lacteal secretion of a dairy
23 animal.

24 ___. *"Milk processing"* means the processing of milk that may
25 include any of the following:

26 a. Grading, pasteurization, and homogenization.

27 b. Any further physical or chemical operation, which may
28 include separation, agitation, coagulation, fermentation,
29 conversion, concentration, freezing, or drying; storage; and
30 packaging.

31 ___. *"Milk product"* means a food product derived from
32 processing milk in which the milk is the primary ingredient.>

33 8. Page 3, line 29, by striking <meat> and inserting <egg
34 products, meat products, or milk>

35 9. Page 3, line 30, by striking <a meat> and inserting <an

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1 egg product, meat product, or milk>
2 10. By striking page 3, line 31, through page 4, line 1, and
3 inserting:
4 <b. (1) "Qualifying term" includes but is not limited
5 to fake, imitation, plant, plant-based, vegan, vegetable,
6 vegetarian, or veggie.
7 (2) "Qualifying term" also includes the following:
8 (a) Eggless or egg free, for a manufactured-protein product
9 that resembles an egg product.
10 (b) Cell-cultivated, cell-cultured, insect, insect-based,
11 insect-protein, lab-created, lab-grown, meatless, or meat
12 free, for a manufactured-protein product that resembles a meat
13 product.
14 (c) Milk free or dairy free, for a manufactured-protein
15 product that resembles a milk product.
16 (d) A comparable word or phrase.>
17 11. Page 4, line 8, by striking <a meat> and inserting <an
18 egg product, meat product, or milk>
19 12. Page 4, line 13, by striking <meat> and inserting <egg
20 products, meat products, or milk>
21 13. Page 4, line 21, by striking <a meat> and inserting <an
22 egg product, meat product, or milk>
23 14. Page 4, line 23, by striking <manufactured-protein
24 food> and inserting <manufactured-protein>
25 15. Page 4, line 24, by striking <manufactured-protein
26 food> and inserting <manufactured-protein>
27 16. Page 4, line 30, by striking <meat> and inserting <egg
28 term, identifying meat term, or identifying milk>
29 17. Page 4, line 33, by striking <meat> and inserting <egg
30 term, identifying meat term, or identifying milk>
31 18. Page 5, line 1, by striking <a meat> and inserting <an
32 egg product, meat product, or milk>
33 19. Page 5, line 6, by striking <a meat> and inserting <an
34 egg product, meat product, or milk>
35 20. Page 5, line 11, by striking <a meat> and inserting <an

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- 1 egg product, meat product, or milk>
2 21. Page 5, line 17, by striking <a meat> and inserting <an
3 egg product, meat product, or milk>
4 22. Page 5, line 19, by striking <meat> and inserting <egg
5 product, meat product, or milk>
6 23. Page 5, line 28, by striking <a meat> and inserting <an
7 egg product, meat product, or milk>
8 24. Page 7, line 7, by striking <a meat> and inserting <an
9 egg product, meat product, or milk>
10 25. Page 7, line 11, by striking <meat> and inserting <egg
11 **products, meat products, or milk**>
12 26. Page 7, line 16, by striking <a meat> and inserting <an
13 egg product, meat product, or milk>
14 27. Page 7, line 20, by striking <meat> and inserting <egg
15 **products, meat products, or milk**>
16 28. Page 7, line 24, by striking <a meat> and inserting <an
17 egg product, meat product, or milk>
18 29. Page 7, line 28, by striking <meat> and inserting <egg
19 **products, meat products, or milk**>
20 30. Page 7, line 32, by striking <a meat> and inserting <an
21 egg product, meat product, or milk>
22 31. By renumbering, redesignating, and correcting internal
23 references as necessary.

MOMMSEN of Clinton

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House File 2662

H-8240

1 Amend House File 2662 as follows:

2 1. Page 2, after line 17 by inserting:

3 <(c) The requirement that the first public viewing of any
4 qualified production that is a feature film or documentary
5 shown in this state shall be at a film festival that has been
6 promoted by the produce Iowa program of the state office of
7 film and media under the authority.>

ISENHART of Dubuque

STAED of Linn

KURTH of Scott

SCHOLTEN of Woodbury

CROKEN of Scott

SRINIVAS of Polk

LEVIN of Johnson

HF 2662.3790 (2) 90

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JAMES of Dubuque

STECKMAN of Cerro Gordo

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House File 2671 - Introduced

HOUSE FILE 2671
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO HF 2242)

A BILL FOR

1 An Act relating to aid, processes, services, and support
2 staff for children in, adopted from, or in need of foster
3 care, including the establishment of a legal representation
4 for juvenile cases interim study committee, and making
5 appropriations.

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

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H.F. 2671

1 Section 1. Section 232.96A, subsection 6, Code 2024, is
2 amended to read as follows:

3 6. The child is in need of treatment to cure or alleviate a
4 serious chemical dependency or mental illness or disorder, or
5 emotional damage as evidenced by severe anxiety, depression,
6 withdrawal, or behavioral health disorder that compromises
7 the child's safety or causes untoward aggressive behavior
8 toward the child's self or others in the household, and the
9 child's parent, guardian, or custodian is unwilling to provide
10 such treatment or the parent's, guardian's, or custodian's
11 efforts to secure needed treatment have been exhausted and
12 unsuccessful.

13 Sec. 2. Section 232.96A, subsections 11, 12, and 13, Code
14 2024, are amended by striking the subsections.

15 Sec. 3. Section 234.38, Code 2024, is amended to read as
16 follows:

17 **234.38 Foster care reimbursement rates.**

18 The department shall make reimbursement payments directly
19 to foster parents for services provided to children pursuant
20 to [section 234.6, subsection 1](#), paragraph "e", subparagraph
21 (2), or [section 234.35](#). ~~In any fiscal year, the reimbursement~~
22 ~~rate shall be based upon sixty five percent of the United~~
23 ~~States department of agriculture estimate of the cost to raise~~
24 ~~a child in the calendar year immediately preceding the fiscal~~
25 ~~year. The department may pay an additional stipend for a child~~
26 ~~with special needs. The department shall review reimbursement~~
27 payment rates paid to foster parents under this section no less
28 than once every three years. The department shall adopt rules
29 to implement this section.

30 Sec. 4. Section 234.39, subsection 2, Code 2024, is amended
31 to read as follows:

32 2. a. A person entitled to periodic support payments
33 pursuant to an order or judgment entered in any action for
34 support, who also is or has a child receiving foster care
35 services, is deemed to have assigned to the department

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1 current and accruing support payments attributable to the
2 child effective as of the date the child enters foster care
3 placement, to the extent of expenditure of foster care funds.
4 The department shall notify the clerk of the district court
5 when a child entitled to support payments is receiving foster
6 care services pursuant to [chapter 234](#). Upon notification
7 by the department that a child entitled to periodic support
8 payments is receiving foster care services, the clerk of
9 the district court shall make a notation of the automatic
10 assignment in the judgment docket and lien index. The notation
11 constitutes constructive notice of assignment. The clerk of
12 court shall furnish the department with copies of all orders
13 and decrees awarding support when the child is receiving
14 foster care services. At the time the child ceases to receive
15 foster care services, the assignment of support shall be
16 automatically terminated. Unpaid support accrued under the
17 assignment of support rights during the time that the child was
18 in foster care remains due to the department up to the amount
19 of unreimbursed foster care funds expended. The department
20 shall notify the clerk of court of the automatic termination
21 of the assignment. Unless otherwise specified in the support
22 order, an equal and proportionate share of any child support
23 awarded shall be presumed to be payable on behalf of each child
24 subject to the order or judgment for purposes of an assignment
25 under [this section](#).

26 b. This subsection shall not apply when a child is placed
27 with a relative or fictive kin as those terms are defined in
28 section 232.2, who is not licensed under chapter 237 to provide
29 child foster care.

30 Sec. 5. Section 600.8, subsection 3, Code 2024, is amended
31 to read as follows:

32 3. a. The department, an agency, or a certified adoption
33 investigator shall conduct all investigations and reports
34 required under [subsection 2](#).

35 b. The department shall pay the costs of the preplacement

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1 investigation and the postplacement investigation under
2 subsection 2, up to a maximum of two thousand dollars for the
3 preplacement investigation and up to a maximum of two thousand
4 dollars for the postplacement investigation.

5 c. The department shall not pay the costs of the
6 preplacement investigation or the postplacement investigation
7 as required under paragraph "b" until a prospective adoption
8 petitioner has been approved under subsection 1, paragraph "a",
9 subparagraph (3), by the person making the investigation.

10 Sec. 6. 2023 Iowa Acts, chapter 112, section 7, subsection
11 7, is amended to read as follows:

12 7. For child and family protective services:

13 \$ 32,380,654
14 35,380,654

15 Of the funds appropriated in this subsection, up to
16 \$3,000,000 shall be used for the kinship caregiver stipend
17 program.

18 Sec. 7. DEPARTMENT OF HEALTH AND HUMAN SERVICES —
19 SUPERVISOR TO SOCIAL WORKER RATIO REDUCTION. There is
20 appropriated from the general fund of the state to the
21 department of health and human services for the fiscal year
22 beginning July 1, 2024, and ending June 30, 2025, the following
23 amount, or so much thereof as is necessary, to be used for the
24 purposes designated:

25 To lower the required ratio of supervisors to social workers
26 from one supervisor for every six and one-half social workers
27 to one supervisor for every five social workers:

28 \$ 2,623,748

29 Notwithstanding section 8.33, moneys appropriated under this
30 section shall not revert at the close of the fiscal year, but
31 shall remain available for the purposes designated.

32 Sec. 8. DEPARTMENT OF HEALTH AND HUMAN SERVICES — FOSTER
33 FAMILY CARE PER DIEM RATE INCREASE. There is appropriated from
34 the general fund of the state to the department of health and
35 human services for the fiscal year beginning July 1, 2024, and

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1 ending June 30, 2025, the following amount, or so much thereof
2 as is necessary, to be used for the purposes designated:

3 To increase foster care reimbursement rates paid pursuant
4 to section 234.38, ten percent higher than the rates in effect
5 on June 30, 2024:

6 \$ 617,530

7 Notwithstanding section 8.33, moneys appropriated under this
8 section shall not revert at the close of the fiscal year, but
9 shall remain available for the purposes designated.

10 Sec. 9. DEPARTMENT OF HEALTH AND HUMAN SERVICES — ADOPTION
11 SUBSIDY RATE INCREASE. The department of health and human
12 services shall amend its administrative rules pursuant to
13 chapter 17A to increase the adoption subsidy paid to persons
14 pursuant to section 600.17 ten percent higher than the rates
15 in effect on June 30, 2024, provided that the person qualified
16 for the payments by adopting a child on or after the effective
17 date of this Act.

18 Sec. 10. DEPARTMENT OF HEALTH AND HUMAN SERVICES — LEGAL
19 REPRESENTATION FOR JUVENILE CASES INTERIM STUDY COMMITTEE.

20 1. The department of health and human services shall
21 establish a legal representation for juvenile cases interim
22 study committee for the 2024 interim to investigate, study, and
23 propose legislation relating to client-directed representation
24 for children in juvenile court cases.

25 2. The committee shall consist of the following voting
26 members:

27 a. Two members of the house of representatives, one
28 of whom shall be appointed by the speaker of the house of
29 representatives and one of whom shall be appointed by the
30 minority leader of the house of representatives.

31 b. Two members of the senate, one of whom shall be appointed
32 by the majority leader of the senate and one of whom shall be
33 appointed by the minority leader of the senate.

34 3. The committee shall also following ex officio, nonvoting
35 members:

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- 1 a. The state public defender.
2 b. A person who works for an organization providing advocacy
3 for kids, appointed by the governor.
4 c. A juvenile court judge, appointed by the judicial branch.
5 d. A county attorney working in juvenile courts, appointed
6 by the Iowa county attorneys association.
7 4. The committee shall submit a report to the general
8 assembly by January 10, 2025.

9 Sec. 11. EFFECTIVE DATE. The section of this Act amending
10 2023 Iowa Acts, chapter 112, section 7, subsection 7, being
11 deemed of immediate importance, takes effect upon enactment.

12 EXPLANATION

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

15 This bill relates to aid, processes, services, and support
16 staff for children in, adopted from, or in need of foster care,
17 including the establishment of a legal representation for
18 juvenile cases interim study committee.

19 The bill allows a court to adjudicate a child in need
20 of assistance when the child requires treatment to cure or
21 alleviate a serious chemical dependency or mental or behavioral
22 health disorder that compromises the child's safety or causes
23 untoward aggressive behavior toward others in the household,
24 and the child's parent, guardian, or custodian is unwilling
25 to provide such treatment, or the parent's, guardian's, or
26 custodian's efforts to secure needed treatment have been
27 exhausted and unsuccessful. Under current law, the child would
28 need treatment to cure or alleviate a serious mental illness or
29 disorder, or emotional damage as evidenced by severe anxiety,
30 depression, withdrawal, or untoward aggressive behavior toward
31 the child's self or others and the child's parent, guardian, or
32 custodian is unwilling to provide such treatment.

33 The bill eliminates certain circumstances when a child may
34 be adjudicated as a child in need of assistance.

35 The bill removes the requirement that certain reimbursements

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1 to foster parents must be based on 65 percent of the United
2 States department of agriculture estimate of the cost to raise
3 a child in the calendar year immediately preceding the fiscal
4 year. The bill also removes the additional stipend for special
5 needs children. Instead, the bill requires the department of
6 health and human services (HHS) to adopt rules relating to the
7 foster parent reimbursements and requires HHS to review the
8 foster parent reimbursement rates no less than once every three
9 years.

10 Under current law, if a person is entitled to periodic
11 support payments pursuant to an order or judgment entered in
12 any action for support, and the person also is or has a child
13 receiving foster care services, then the support payments
14 are automatically assigned to HHS. The bill exempts support
15 payments from automatic assignment to HHS if the support
16 payments are related to a child placed with a relative or
17 fictive kin as those terms are defined in Code section 232.2,
18 who is not licensed under Code chapter 237 (child foster care
19 facilities) to provide child foster care.

20 The bill requires HHS to reimburse an adoption petitioner
21 for the costs of the preplacement and postplacement
22 investigations related to the adoption up to a maximum
23 amount of \$2,000 per investigation. The bill prohibits HHS
24 from making such reimbursements until the person performing
25 the preplacement background check approves the adoption
26 petitioner's initial required background checks.

27 The bill renames the 2023 appropriation for child and family
28 services from the federal temporary assistance for needy
29 families block grant to "child protective services". The bill
30 also adds an additional \$3 million to the appropriation and
31 requires up to \$3 million to be used from the appropriation for
32 the kinship caregiver stipend program. This section of the
33 bill is effective upon the bill's enactment.

34 The bill makes an appropriation from the general fund of the
35 state to HHS for FY 2024-2025 in the amount of \$2,623,748 to

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1 be used to lower the required ratio of supervisors to social
2 workers from one supervisor for every six and one-half social
3 workers to one supervisor for every five social workers.
4 Moneys so appropriated do not revert at the close of the fiscal
5 year, but remain available for the purposes designated.

6 The bill makes an appropriation from the general fund of
7 the state to HHS for FY 2024-2025 in the amount of \$617,530
8 to increase reimbursement rates paid to foster parents for
9 foster care provided to a child, or when the state is otherwise
10 obligated to pay for a child's foster care, 10 percent higher
11 than the rates in effect as of June 30, 2024. The appropriated
12 moneys do not revert at the close of the fiscal year, but
13 remain available for the purposes designated.

14 The bill requires HHS to amend its administrative rules to
15 increase the adoption subsidy 10 percent higher than the rates
16 in effect as of June 30, 2024, provided that the person to
17 receive the adoption subsidy qualified for payments by adopting
18 a child on or after the effective date of the bill.

19 The bill requires HHS to establish a legal representation
20 for juvenile cases interim study committee for the 2024
21 legislative interim to investigate, study, and propose
22 legislation relating to client-directed representation for
23 children in juvenile court cases. The bill details who
24 shall be the voting committee members. The bill requires the
25 committee to submit a report to the general assembly by January
26 10, 2025.

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House File 2672 - Introduced

HOUSE FILE 2672
BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO HF 2093)

A BILL FOR

1 An Act relating to forest and fruit-tree reservation tax
2 exemptions, including county participation and minimum size
3 requirements for forest reservations.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Iowa General Assembly
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H.F. 2672

1 Section 1. Section 427C.1, Code 2024, is amended to read as
2 follows:

3 **427C.1 Tax exemption.**

4 ~~Any~~ Subject to the provisions of section 427C.14, any person
5 who establishes a forest or fruit-tree reservation as provided
6 in this chapter shall be entitled to the tax exemption provided
7 by law.

8 Sec. 2. Section 427C.2, Code 2024, is amended to read as
9 follows:

10 **427C.2 Reservations.**

11 On any tract of land in the state of Iowa, the owner or
12 owners may select a permanent, subject to section 427C.14,
13 forest reservation or reservations, each not less than ~~two~~
14 five acres in continuous area, or a fruit-tree reservation or
15 reservations, not less than one nor more than ten acres in
16 total area, or both, and upon compliance with the provisions
17 of this chapter, such owner or owners shall be entitled to the
18 benefits provided by law.

19 Sec. 3. Section 427C.6, Code 2024, is amended to read as
20 follows:

21 **427C.6 Groves.**

22 The trees of a forest reservation shall be in groves not
23 less than four rods wide except when the trees are growing or
24 are planted in or along a gully or ditch to control erosion in
25 which case any width will qualify provided the area meets the
26 size requirement of ~~two~~ five acres.

27 Sec. 4. Section 427C.7, Code 2024, is amended to read as
28 follows:

29 **427C.7 Fruit-tree reservation — duration of exemption.**

30 A fruit-tree reservation shall contain on each acre,
31 at least forty apple trees, or seventy other fruit trees,
32 growing under proper care and annually pruned and sprayed. A
33 reservation may be claimed as a fruit-tree reservation, under
34 this chapter, for a period of eight years, subject to section
35 427C.14, after planting provided application is made or on file

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1 on or before February 1 of the exemption year.

2 Sec. 5. Section 427C.12, Code 2024, is amended to read as
3 follows:

4 **427C.12 Application — inspection — continuation of**
5 **exemption — recapture of tax.**

6 1. It shall be the duty of the assessor to secure the facts
7 relative to fruit-tree and forest reservations by taking the
8 sworn statement, or affirmation, of the owner or owners making
9 application under [this chapter](#); and to make special report to
10 the county auditor of all reservations made in the county under
11 the provisions of [this chapter](#).

12 2. a. The board of supervisors shall designate the county
13 conservation board or the assessor who shall inspect the area
14 for which an application is filed for a fruit-tree or forest
15 reservation tax exemption before the application is accepted.

16 b. Use of aerial photographs may be substituted for on-site
17 inspection when appropriate.

18 c. The application can only be accepted if it meets the
19 criteria established by the natural resource commission to be a
20 fruit-tree or forest reservation.

21 3. Once the application has been accepted, and subject to
22 section 427C.14, the area shall continue to receive the tax
23 exemption during each year in which the area is maintained as a
24 fruit-tree or forest reservation without the owner having to
25 refile.

26 4. If the property is sold or transferred, the seller shall
27 notify the buyer that all, or part of, the property is in
28 fruit-tree or forest reservation and subject to the recapture
29 tax provisions of [this section](#).

30 5. The tax exemption shall continue to be granted for the
31 remainder of the eight-year period for fruit-tree reservation
32 and for the following years for forest reservation or until
33 the property no longer qualifies as a fruit-tree or forest
34 reservation.

35 6. a. The area may be inspected each year by the county

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1 conservation board or the assessor to determine if the area is
2 maintained as a fruit-tree or forest reservation.

3 b. If the area is not maintained, no longer meets the
4 requirements applicable to the type of exemption granted
5 for the area, or is used for economic gain other than as a
6 fruit-tree reservation during any year of the eight-year
7 exemption period and any year of the following five years or as
8 a forest reservation during any year for which the exemption
9 is granted and any of the five years following those exemption
10 years, the assessor shall assess the property for taxation
11 at its fair market value as of January 1 of that year and
12 in addition the area shall be subject to a recapture tax.

13 ~~However, the~~

14 c. The area shall not be subject to the recapture tax if the
15 owner, including one possessing under a contract of sale, and
16 the owner's direct antecedents or descendants have owned the
17 area for more than ten years.

18 7. a. The tax due after a county conservation board or
19 assessor determines, pursuant to subsection 6, paragraph "b",
20 that an area is no longer entitled to an exemption shall be
21 computed by multiplying the consolidated levy for each of those
22 years, if any, of the five preceding years for which the area
23 received the exemption for fruit-tree or forest reservation
24 times the assessed value of the area that would have been taxed
25 but for the tax exemption.

26 b. This tax shall be entered against the property on the tax
27 list for the current year and shall constitute a lien against
28 the property in the same manner as a lien for property taxes.

29 c. The tax when collected shall be apportioned in the manner
30 provided for the apportionment of the property taxes for the
31 applicable tax year.

32 Sec. 6. Section 427C.13, Code 2024, is amended to read as
33 follows:

34 **427C.13 Report to department of natural resources.**

35 The county assessor shall keep a record of all forest and

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1 fruit-tree reservations in the county and submit a report of
2 the reservations to the department of natural resources not
3 later than June 15 of each year. This section shall not apply
4 to counties which have an ordinance passed pursuant to section
5 427C.14, subsection 1, in effect.

6 Sec. 7. NEW SECTION. **427C.14 Availability of exemptions**
7 **within county.**

8 1. A county board of supervisors may discontinue exemptions
9 pursuant to this chapter in the county by ordinance.

10 2. Areas within a county designated as a forest or
11 fruit-tree reservation pursuant to this chapter prior to the
12 passage of such an ordinance shall no longer be designated as a
13 forest or fruit-tree reservation on January 1 of the assessment
14 year after passage of the ordinance.

15 3. An application for an exemption pursuant to this chapter
16 that has not been processed by January 1 of the assessment
17 year after the passage of an ordinance pursuant to subsection
18 1 shall be disallowed.

19 4. *a.* If a county previously passed an ordinance pursuant
20 to subsection 1, the board may reinstate exemptions pursuant
21 to this chapter by ordinance.

22 *b.* An owner of an area previously designated as a forest or
23 fruit-tree reservation shall be required to reapply in order to
24 receive a forest or fruit-tree reservation exemption upon the
25 passage of an ordinance pursuant to this subsection.

26 EXPLANATION

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

29 Current Code chapter 427C authorizes a property tax
30 exemption for certain forest reservations and fruit-tree
31 reservations. This bill sets a new minimum required acreage
32 for forest reservations and authorizes county boards of
33 supervisors (boards) to determine whether the boards'
34 respective county permits forest and fruit-tree reservation tax
35 exemptions.

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1 Under current law, a forest reservation must be not less than
2 two acres in continuous area to receive an exemption. The bill
3 increases this minimum size to five acres.

4 The bill allows a board to discontinue any exemptions for
5 establishing a forest or fruit-tree reservation by ordinance.
6 The bill removes all designations of areas within a county as a
7 forest or fruit-tree reservation on January 1 of the assessment
8 year following the passage of an ordinance to discontinue the
9 exemptions in the county. Any applications which have not
10 yet been processed for a forest or fruit-tree reservation
11 exemption upon January 1 of the assessment year following
12 the passage of an ordinance to discontinue the exemptions
13 are disallowed. A board may reinstate forest and fruit-tree
14 reservation exemptions by ordinance. An owner of an area
15 previously designated as a forest or fruit-tree reservation
16 must reapply in order to receive the exemption upon the passage
17 of an ordinance reinstating the exemptions.

18 The bill allows county assessors to assess land designated
19 as a forest or fruit-tree reservation at the land's fair market
20 value as of January 1 of any year in which the land no longer
21 meets the requirements applicable to the type of exemption
22 granted to the land.

23 The bill makes conforming changes.

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Senate File 2414 - Introduced

SENATE FILE 2414
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO SF 2327)
(SUCCESSOR TO SSB 3177)

A BILL FOR

1 An Act relating to underground storage tanks, including
2 repealing the Iowa comprehensive petroleum underground
3 storage tank fund and eliminating the Iowa comprehensive
4 petroleum underground storage tank fund board, making
5 appropriations, and including effective date and transition
6 provisions.

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

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DIVISION I

STORAGE TANK MANAGEMENT ACCOUNT

1
2
3 Section 1. Section 455B.471, subsections 1 and 3, Code 2024,
4 are amended by striking the subsections.

5 Sec. 2. Section 455B.471, Code 2024, is amended by adding
6 the following new subsections:

7 NEW SUBSECTION. 1A. "*Account*" means the storage tank
8 management account created in the groundwater protection fund
9 created in section 455E.11.

10 NEW SUBSECTION. 1B. "*Claimant*" means an owner or operator
11 who has received assistance under the account or the Iowa
12 comprehensive petroleum underground storage tank fund created
13 in section 455G.3, Code 2024.

14 NEW SUBSECTION. 1C. "*Community remediation*" means a
15 curriculum of coordinated testing, planning, or remediation
16 involving two or more tank sites potentially connected with a
17 continuous contaminated area, pursuant to rules adopted by the
18 commission under section 455B.474. A community remediation
19 does not expand the scope of coverage otherwise available or
20 relieve liability otherwise imposed under state or federal law.

21 NEW SUBSECTION. 2A. "*Costs*" means all costs, charges,
22 expenses, or other indebtedness incurred by a claimant that
23 are determined by the department to be reasonable for carrying
24 out all works and undertakings necessary or incidental to the
25 accomplishment of any project. "*Costs*" includes reasonable
26 attorney fees and costs of litigation for which moneys are
27 expended from the account in connection with a release.

28 NEW SUBSECTION. 3A. "*Insurance*" means any form of financial
29 assistance or showing of financial responsibility sufficient
30 to comply with the federal Resource Conservation and Recovery
31 Act, 42 U.S.C. §6901 et seq., or the department's underground
32 storage tank financial responsibility rules.

33 NEW SUBSECTION. 7A. "*Potentially responsible party*" means a
34 person who may be responsible or liable for a release for which
35 payments from the account were made for corrective action or

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1 third-party liability.

2 NEW SUBSECTION. 7B. *“Program”* means the storage tank
3 management account financing program created pursuant to
4 section 455B.472A.

5 NEW SUBSECTION. 10A. *“Third-party liability”* means any of
6 the following:

7 a. Property damage including physical injury to tangible
8 property, but not including loss of use. Property damage does
9 not include costs to remediate.

10 b. Bodily injury including sickness, physical injury, or
11 death.

12 Sec. 3. NEW SECTION. **455B.472A Storage tank management**
13 **account financing program.**

14 1. The department shall establish and administer a storage
15 tank management account financing program for the purpose of
16 reimbursing eligible claimants for all or part of the costs of
17 corrective action for petroleum releases previously eligible
18 for payment from the Iowa comprehensive petroleum underground
19 storage tank fund pursuant to chapter 455G, Code 2024.

20 2. The department shall distribute financial assistance, up
21 to one million dollars total, for work conducted by eligible
22 entities that comply with the requirements of the program. The
23 department shall determine if work completed is eligible for
24 reimbursement under the program.

25 3. The department may enter into any agreements and provide
26 any documents, instruments, certificates, data, or information
27 necessary in connection with the operation, administration,
28 and financing of the program consistent with this part 8 of
29 subchapter IV, the federal Resource Conservation and Recovery
30 Act, 42 U.S.C. §6901 et seq., the rules of the commission, and
31 other applicable federal and state law.

32 4. The department may act to conform the program to the
33 applicable guidance and regulations adopted by the United
34 States environmental protection agency.

35 5. The department shall administer the moneys in the account

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1 transferred pursuant to this Act to carry out the purposes
2 of the program and shall manage the revenue, administration,
3 restrictions, and disposition of the moneys in the account
4 transferred pursuant to this Act.

5 6. Moneys in the account transferred pursuant to this Act
6 are appropriated to the department for the purposes set forth
7 in section 455E.11, subsection 2, paragraph `d`, subparagraph
8 (1A).

9 7. Payments for reimbursement or other costs relating to any
10 claim or cause of action in connection with a tank not owned or
11 operated by the state or an agency of the state shall be made
12 solely from the account and no liability is otherwise imposed
13 upon the state. Moneys from the account transferred pursuant
14 to this Act are limited to the extent of coverage provided by
15 the provisions set forth in section 455E.11, subsection 2,
16 paragraph `d`, subparagraph (1A). A court, an administrative
17 law judge, the department, or the commission shall not order or
18 approve a remedy that would require the account to exceed the
19 account's then current funding limitations to satisfy an award
20 or that would restrict the availability of moneys for higher
21 priority sites. The state is not otherwise liable for a claim
22 related to the account and moneys from the general fund shall
23 not be used to pay for reimbursement or other costs relating
24 to any claim or cause of action in connection with a tank not
25 owned or operated by the state or an agency of the state.

26 Sec. 4. NEW SECTION. **455B.472B Cost recovery enforcement.**

27 1. *Full recovery sought by department.* The department
28 may seek full recovery from an owner, operator, or other
29 potentially responsible party liable for a release that is
30 the subject of a corrective action for which moneys from
31 the account are expended, or for which moneys from the Iowa
32 comprehensive petroleum underground storage tank fund created
33 in section 455G.3, Code 2024, were expended, including for
34 third-party liability and for all other costs. If federal
35 cleanup moneys are recovered, the federal cleanup moneys shall

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1 be used solely for the purpose of future cleanup activities.

2 2. *Limitation of liability of owner or operator.* Except
3 as provided in subsection 3, the department shall not seek
4 recovery for expenses in connection with corrective action for
5 a release from an owner or operator eligible for assistance
6 under the program, except for any unpaid portion of the
7 deductible or copayment. This subsection does not affect any
8 authorization of the department to impose or collect civil or
9 administrative fines, penalties, or fees. Moneys from the
10 account shall not be used to pay for any third-party liability.

11 3. *Owner or operator not in compliance.* Notwithstanding
12 subsection 2, the liability of an owner or operator shall be
13 the full and total costs of corrective action and bodily injury
14 or property damage to third parties, as specified in subsection
15 1, if the owner or operator has not complied with the financial
16 responsibility or other underground storage tank rules of
17 the department or with this part 8 of subchapter IV or rules
18 adopted under this part.

19 4. *Lien on tank site.* Any amount for which an owner or
20 operator is required to pay to the account by statute, rule,
21 contract, or determination of liability by the department after
22 hearing, if not paid when due, shall constitute a lien upon the
23 real property where the tank that was the subject of corrective
24 action is located, and the payment shall be collected in the
25 same manner as the environmental protection charge pursuant to
26 section 424.11, Code 2016.

27 5. *Joinder of parties.* The department has standing in
28 any case or contested action related to the account or a tank
29 to assert any claim that the department may have regarding
30 the tank at issue in the case or contested action. Upon
31 motion and sufficient showing by a party to a cost recovery or
32 subrogation action provided for under this section, the court
33 or the administrative law judge shall join to the action any
34 potentially responsible party who may be liable for costs and
35 expenditures of the type recoverable pursuant to this section.

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1 6. *Third-party contracts.* An insurance, indemnification,
2 hold-harmless, conveyance, or similar risk-sharing or
3 risk-shifting agreement shall not be effective to transfer
4 any liability for costs recoverable under this section. The
5 department may proceed directly against the owner, operator,
6 or other potentially responsible party. This subsection does
7 not bar any agreement to insure, hold harmless, or indemnify
8 a party to the agreement for any costs or expenditures under
9 this part 8 of subchapter IV, and does not modify rights
10 between the parties to an agreement, except to the extent the
11 agreement shifts liability to an owner or operator eligible
12 for assistance under the program for any damages or other
13 costs in connection with a corrective action for which another
14 potentially responsible party is or may be liable. Any such
15 provision is void and of no further force and effect.

16 7. *Later proceedings permitted against other parties.* The
17 entry of judgment against a party to the action does not bar
18 a future action by the department against another person who
19 is later alleged to be or discovered to be liable for costs
20 and expenditures paid from the account. Notwithstanding
21 section 668.5, a potentially responsible party shall not seek
22 contribution or any other recovery from an owner or operator
23 eligible for assistance under the program for damages or other
24 costs in connection with corrective action for a release for
25 which the potentially responsible party is or may be liable.
26 Subsequent successful proceedings against another party shall
27 not modify or reduce the liability of a party against whom
28 judgment has been previously entered.

29 8. *Claims against potentially responsible parties.*

30 a. Upon payment from the account for corrective action or
31 third-party liability pursuant to this part 8 of subchapter
32 IV, the rights of the claimant to recover payment from any
33 potentially responsible party are assumed by the department to
34 the extent paid from the account. A claimant shall not receive
35 double compensation for the same injury.

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1 *b.* In an action brought pursuant to this part 8 of
2 subchapter IV seeking damages for corrective action or
3 third-party liability, the court shall allow evidence and
4 argument as to the replacement or indemnification of actual
5 economic losses incurred or to be incurred in the future by the
6 claimant by reason of insurance benefits, governmental benefits
7 or programs, or other sources.

8 *c.* A claimant may elect to authorize the department
9 to pursue the claimant's cause of action for any injury
10 not compensated from the fund against any potentially
11 responsible party, provided the attorney general determines
12 such representation would not be a conflict of interest. If
13 a claimant so elects, the department's litigation expenses
14 shall be shared on a pro rata basis with the claimant, but the
15 claimant's share of litigation expenses is payable exclusively
16 from any share of the settlement or judgment payable to the
17 claimant.

18 9. *Exclusion of punitive damages.* Moneys from the account
19 shall not be used to pay punitive damages.

20 Sec. 5. NEW SECTION. **455B.472C Discretionary rulemaking.**

21 1. The commission may adopt rules pursuant to chapter 17A
22 conditioning receipt of moneys from the account transferred
23 pursuant to this Act to those petroleum-contaminated properties
24 that present a higher degree of risk to the public health and
25 safety or the environment and providing for denial of moneys
26 from the account transferred pursuant to this Act to a person
27 who did not make a good-faith attempt to comply with this part
28 8 of subchapter IV. This subsection does not confer a legal
29 right to an owner of a petroleum-contaminated property, or an
30 owner or operator of an underground storage tank located on the
31 property, for receipt of moneys under this part 8 of subchapter
32 IV.

33 2. The commission may adopt rules pursuant to chapter
34 17A providing for the transfer of all or a portion of the
35 liabilities relating to the account. Notwithstanding any other

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1 provision to the contrary, the department, upon such transfer,
2 shall not maintain any duty to reimburse claimants for those
3 liabilities transferred.

4 Sec. 6. Section 455B.474, subsection 1, paragraph a,
5 subparagraph (6), subparagraph divisions (g), (i), and (j),
6 Code 2024, are amended to read as follows:

7 (g) An owner or operator may elect to proceed with
8 additional corrective action on the site. However, any
9 action taken in addition to that required pursuant to this
10 subparagraph (6) shall be solely at the expense of the owner
11 or operator and shall not be considered corrective action
12 for purposes of [section 455G.9 455B.472A](#), unless otherwise
13 previously agreed to by the ~~board~~ department and the owner or
14 operator pursuant to [section 455G.9, subsection 7 455B.472A](#).
15 Corrective action taken by an owner or operator due to the
16 department's failure to meet the time requirements provided in
17 subparagraph division (e) shall be considered corrective action
18 for purposes of [section 455G.9 455B.472A](#).

19 (i) Replacement or upgrade of a tank on a site classified
20 as a high or low risk site shall be equipped with a secondary
21 containment system with monitoring of the space between the
22 primary and secondary containment structures or other ~~board~~
23 ~~approved~~ approved tank system or methodology approved by the department.

24 (j) The commission and the ~~board~~ department shall cooperate
25 to ensure that remedial measures required by the corrective
26 action rules adopted pursuant to this subparagraph (6) are
27 reasonably cost-effective and shall, to the fullest extent
28 possible, avoid duplicating and conflicting requirements.

29 Sec. 7. Section 455B.474, subsection 2, unnumbered
30 paragraph 1, Code 2024, is amended to read as follows:

31 The maintenance of evidence of financial responsibility as
32 the director determines to be feasible and necessary for taking
33 corrective action and for compensating third parties for bodily
34 injury and property damage caused by release of a regulated
35 substance from an ~~underground storage~~ a tank.

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1 Sec. 8. Section 455B.474, subsection 9, paragraph d, Code
2 2024, is amended to read as follows:

3 *d.* The certification of groundwater professionals shall
4 not impose liability on ~~the board,~~ the department, or the
5 ~~fund~~ account for any claim or cause of action of any nature,
6 based on the action or inaction of a groundwater professional
7 certified pursuant to this subsection.

8 Sec. 9. Section 455B.474, Code 2024, is amended by adding
9 the following new subsection:

10 NEW SUBSECTION. 11. Department practices and procedures
11 for implementing and administering the storage tank management
12 account financing program. The rules shall include but
13 are not limited to requirements for program eligibility,
14 investigating and settling claims made against the account,
15 appeal procedures, community remediation, prioritization of
16 account moneys, funding for tank operator training, additional
17 assessment and corrective action arising out of releases at
18 sites for which a certificate of no further action has been
19 issued, and reimbursement for the permanent closure of an
20 underground storage tank system.

21 Sec. 10. Section 455B.477, subsection 7, Code 2024, is
22 amended to read as follows:

23 ~~7. The civil penalties or other damages or moneys recovered~~
24 ~~by the state or the petroleum underground storage tank fund in~~
25 ~~connection with a petroleum underground storage tank under this~~
26 ~~part 8 of subchapter IV or chapter 455G shall be credited to~~
27 ~~the fund created in section 455G.3 and allocated between fund~~
28 ~~accounts according to the fund budget. Any federal moneys,~~
29 including but not limited to federal underground storage tank
30 trust fund moneys, received by the state or the department of
31 natural resources in connection with a release occurring on
32 or after May 5, 1989, or received generally for underground
33 storage tank programs on or after May 5, 1989, shall be
34 credited to the ~~fund~~ account created in section ~~455G.3~~ and
35 ~~allocated between fund accounts according to the fund budget~~

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1 455E.11, subsection 2, paragraph `d`, unless such use would
2 be contrary to federal law. The department shall ~~cooperate~~
3 ~~with the board of the Iowa comprehensive petroleum underground~~
4 ~~storage tank fund~~ to maximize the state's eligibility for and
5 receipt of federal funds for underground storage tank related
6 purposes.

7 Sec. 11. Section 455E.11, subsection 2, paragraph d,
8 unnumbered paragraph 1, Code 2024, is amended to read as
9 follows:

10 A storage tank management account. ~~All~~ The account shall
11 consist of moneys appropriated to, transferred to, or deposited
12 in the account, including fees collected pursuant to section
13 455B.473, subsection 5, section 455B.477, subsection 7, and
14 section 455B.479, shall be deposited in the storage tank
15 management account. Moneys deposited in the account shall be
16 expended for all of the following purposes:

17 Sec. 12. Section 455E.11, subsection 2, paragraph d, Code
18 2024, is amended by adding the following new subparagraph:

19 NEW SUBPARAGRAPH. (1A) Moneys transferred under this Act to
20 the account are appropriated for the following purposes until
21 such moneys are fully expended:

22 (a) For reimbursement to tank owners or operators for all
23 or part of the costs of a corrective action for a petroleum
24 release.

25 (b) For the annual appropriation to the department
26 of agriculture and land stewardship in the amount of two
27 hundred fifty thousand dollars for the purpose of inspecting
28 fuel quality at pipeline terminals and renewable fuel
29 production facilities, including associated salaries, support,
30 maintenance, and miscellaneous purposes.

31 (c) For permanent closure of an underground storage tank
32 system under a remedial program pursuant to chapter 455B,
33 subchapter IV, part 8, for additional assessment and corrective
34 action arising out of releases at sites for which a certificate
35 of no further action has been issued, and for tank operator

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1 training. At least three million dollars of the total moneys
2 expended pursuant to this subparagraph shall be expended for
3 this purpose, but not more than fifty thousand dollars shall be
4 utilized for operator training each fiscal year.

5 Sec. 13. Section 455E.11, subsection 2, paragraph d,
6 subparagraph (2), Code 2024, is amended to read as follows:

7 (2) The moneys remaining in the account after the
8 ~~appropriation~~ appropriations in ~~subparagraph~~ subparagraphs (1)
9 and (1A) are appropriated ~~from the storage tank management~~
10 ~~account~~ to the department of natural resources for the
11 administration of a state storage tank program pursuant to
12 chapter 455B, subchapter IV, part 8, and for programs ~~which~~
13 that reduce the potential for harm to the environment and the
14 public health from storage tanks.

15 Sec. 14. REPEAL. Sections 455G.1, 455G.2, 455G.2A, 455G.3,
16 455G.4, 455G.5, 455G.6, 455G.7, 455G.8, 455G.9, 455G.12,
17 455G.12A, 455G.13, 455G.14, 455G.15, 455G.16, 455G.20, and
18 455G.21, Code 2024, are repealed.

19 DIVISION II

20 CONFORMING CHANGES

21 Sec. 15. Section 68B.35, subsection 2, paragraph e, Code
22 2024, is amended to read as follows:

23 e. Members of the state banking council, the Iowa ethics and
24 campaign disclosure board, the credit union review board, the
25 economic development authority, the employment appeal board,
26 the environmental protection commission, the health facilities
27 council, the Iowa finance authority, the Iowa public employees'
28 retirement system investment board, the Iowa lottery board
29 created in [section 99G.8](#), the natural resource commission,
30 the board of parole, ~~the petroleum underground storage tank~~
31 ~~fund board~~, the public employment relations board, the state
32 racing and gaming commission, the state board of regents, the
33 transportation commission, the office of consumer advocate, the
34 utilities board, the Iowa telecommunications and technology
35 commission, and any full-time members of other boards and

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1 commissions as defined under [section 7E.4](#) who receive an annual
2 salary for their service on the board or commission. The Iowa
3 ethics and campaign disclosure board shall conduct an annual
4 review to determine if members of any other board, commission,
5 or authority should file a statement and shall require the
6 filing of a statement pursuant to rules adopted pursuant to
7 chapter 17A.

8 Sec. 16. Section 323.1, subsection 16, Code 2024, is amended
9 to read as follows:

10 16. "*Storage tank*" means a motor fuel storage tank as
11 defined in [section 214.1](#), including an underground storage
12 tank subject to regulation under chapter ~~455G~~ [455B](#), subchapter
13 IV, part 8, section 455E.11, subsection 2, paragraph "d",
14 subparagraph (1A), or section 455G.31.

15 Sec. 17. Section 422.7, subsection 2, paragraph u, Code
16 2024, is amended by striking the paragraph.

17 Sec. 18. Section 455B.174, subsection 4, paragraph d, Code
18 2024, is amended to read as follows:

19 *d.* If a public water supply has a groundwater source
20 that contains petroleum, a fraction of crude oil, or their
21 degradation products, or is located in an area deemed by the
22 department as likely to be contaminated by such materials, and
23 after consultation with the public water supply system and
24 consideration of all applicable rules relating to remediation,
25 the department may require the public water supply system to
26 replace that groundwater source in order to receive a permit
27 to operate. The requirement to replace the source shall only
28 be made by the department if the public water supply system
29 is fully compensated for any additional design, construction,
30 operation, and monitoring costs ~~from the Iowa comprehensive~~
31 ~~petroleum underground storage tank fund created by chapter~~
32 ~~455G~~ ~~or~~ from any other funds that do not impose a financial
33 obligation on the part of the public water supply system.
34 Funds available to or provided by the public water supply
35 system may be used for system improvements made in conjunction

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1 with replacement of the source. The department cannot require
2 a public water supply system to replace its water source with a
3 less reliable water source or with a source that does not meet
4 federal primary, secondary, or other health-based standards
5 unless treatment is provided to ensure that the drinking water
6 meets these standards. Nothing in this paragraph shall affect
7 the public water supply system's right to pursue recovery from
8 a responsible party.

9 Sec. 19. Section 455E.11, subsection 2, paragraph d,
10 subparagraph (3), Code 2024, is amended by striking the
11 subparagraph.

12 Sec. 20. Section 455I.2, subsection 5, paragraph a, Code
13 2024, is amended to read as follows:

14 a. A federal or state program that is subject to the
15 jurisdiction of an agency, including but not limited to
16 programs established by chapters 455B and ~~455G~~ 455E, corrective
17 or response actions pursuant to 42 U.S.C. §6901 et seq., and
18 remedial actions under 42 U.S.C. §9601 et seq.

19 Sec. 21. REPEAL. Sections 427B.20, 427B.21, and 427B.22,
20 Code 2024, are repealed.

21 DIVISION III

22 TRANSITION PROVISIONS

23 Sec. 22. TRANSITION PROVISIONS.

24 1. Upon repeal of sections 455G.1, 455G.2, 455G.2A, 455G.3,
25 455G.4, 455G.5, 455G.6 455G.7, 455G.8, 455G.9, 455G.12,
26 455G.12A, 455G.13, 455G.14, 455G.15, 455G.16, 455G.20,
27 and 455G.21, pursuant to this Act, all moneys in all funds
28 administered by the Iowa comprehensive petroleum underground
29 storage tank fund board are transferred to the treasurer of
30 state for deposit in the storage tank management account
31 created in the groundwater protection fund created in section
32 455E.11. Any moneys credited to any fund administered by
33 the Iowa comprehensive petroleum underground storage tank
34 fund board on and after the effective date of this Act are
35 transferred to the treasurer of state for deposit in the

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1 storage tank management account created in the groundwater
2 protection fund created in section 455E.11.

3 2. Any rule, regulation, form, order, or directive
4 promulgated by the Iowa comprehensive petroleum underground
5 storage tank fund board as required to administer and enforce
6 the provisions relating to the Iowa comprehensive petroleum
7 underground storage tank fund shall continue in full force
8 and effect under the jurisdiction of the department of
9 natural resources until amended, repealed, or supplemented by
10 affirmative action of the department.

11 3. The Iowa comprehensive petroleum underground storage
12 tank fund board shall administratively close or terminate
13 any remaining liabilities, contracts, outstanding claims,
14 payments, or other obligations for open comprehensive petroleum
15 underground storage tank fund claims existing on or before
16 June 30, 2024. A claim for a release filed on or after the
17 effective date of division I of this Act shall not be eligible
18 for payment from the Iowa comprehensive petroleum underground
19 storage tank fund.

20 4. The department of natural resources may begin
21 implementation of this Act prior to July 1, 2024, to the
22 extent necessary to transition to full implementation of the
23 provisions relating to the storage tank management account
24 created in the groundwater protection fund created in section
25 455E.11 and repeal of the Iowa comprehensive petroleum
26 underground storage tank fund created in section 455G.3, Code
27 2024.

28 5. All property tax credits provided under chapter 427B,
29 subchapter IV, existing upon the repeal of sections 427B.20,
30 427B.21, and 427B.22 shall continue until their expiration.

31 Sec. 23. EFFECTIVE DATE. This division of this Act, being
32 deemed of immediate importance, takes effect upon enactment.

33 EXPLANATION

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

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1 This bill relates to the use of moneys in the storage tank
2 management account of the groundwater protection fund (GPF)
3 that are transferred from the Iowa comprehensive petroleum
4 underground storage tank fund.

5 The GPF includes four accounts related to groundwater:
6 the solid waste account, the agriculture management account,
7 the household hazardous waste account, and the storage
8 tank management account. The Iowa comprehensive petroleum
9 underground storage tank fund (CPUSTF) assists owners and
10 operators of petroleum underground storage tanks in complying
11 with federal regulations. Currently, the CPUSTF exists under
12 the control of the CPUSTF board.

13 The bill repeals the CPUSTF and eliminates the CPUSTF board.
14 The bill transfers moneys currently in the CPUSTF to the GPF
15 for deposit in the storage tank management account. The bill
16 requires the department of natural resources (department) to
17 establish and administer the storage tank management account
18 financing program to distribute financial assistance for
19 work conducted by eligible entities using moneys transferred
20 pursuant to the bill. The program allows a claimant who was
21 previously eligible for assistance from the CPUSTF to receive
22 reimbursement from the storage tank management account for
23 all or part of the costs of corrective action for a petroleum
24 release.

25 A portion of the moneys transferred pursuant to the bill are
26 appropriated to the department for the purposes of providing
27 reimbursement to tank owners for all or part of the costs of
28 a corrective action; for permanently closing an underground
29 storage tank system; assessment and corrective action arising
30 out of a release; and tank operator training. Of the moneys
31 transferred to the GPF pursuant to the bill, \$250,000 per
32 year is appropriated to the department of agriculture and
33 land stewardship to inspect fuel quality at terminals and
34 facilities.

35 The bill allows for cost recovery efforts from potentially

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1 responsible parties when moneys from the storage tank
2 management account are used during the cleanup of contamination
3 at a tank site. The bill directs the environmental
4 protection commission to adopt rules for program eligibility,
5 investigating and settling claims made against the fund,
6 appeal procedures, community remediation, prioritization of
7 fund moneys, funding for tank operator training, additional
8 assessment and corrective action arising out of a release at a
9 site for which a no further action certificate has been issued,
10 and reimbursement for the permanent closure of an underground
11 storage tank system. The bill provides that claims for
12 releases filed on or after the effective date of the bill are
13 not eligible for payment from the Iowa comprehensive petroleum
14 underground storage tank fund.

15 The bill includes transition provisions retaining the
16 effectiveness of rules, regulations, forms, orders, or
17 directives promulgated by the CPUSTF board until amended,
18 repealed, or supplemented by affirmative action of the
19 department. Any moneys credited to the CPUSTF on and after the
20 effective date of the bill are transferred to the department
21 for deposit in the storage tank management account.

22 The division of the bill that includes transition provisions
23 takes effect upon enactment of the bill.

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Senate File 2415 - Introduced

SENATE FILE 2415
BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO SF 564)
(SUCCESSOR TO SF 224)
(SUCCESSOR TO SF 90)

A BILL FOR

1 An Act relating to motor vehicle special registration plate
2 decals created by a nonprofit veterans' organization or
3 associated with military service.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 321.34, subsection 13, paragraph b,
2 subparagraph (1), subparagraph division (c), Code 2024, is
3 amended to read as follows:

4 (c) The organization is a nonprofit corporation which is
5 exempt from federal income taxation under section 501(c)(3) or
6 501(c)(19) of the Internal Revenue Code and is organized under
7 the laws of this state or authorized to do business within this
8 state.

9 Sec. 2. Section 321.34, subsection 13, paragraph f, Code
10 2024, is amended to read as follows:

11 f. A person shall not display a decal on a vehicle
12 registration plate other than a decal approved or issued by the
13 department.

14 Sec. 3. Section 321.34, subsection 20C, Code 2024, is
15 amended to read as follows:

16 20C. *Combat infantryman badge, combat action badge, combat*
17 *action ribbon, air force combat action medal, and combat medical*
18 *badge ~~plates~~ decals.*

19 a. The department, in consultation with the adjutant
20 general, shall design separate and distinct decals representing
21 a combat infantryman badge, combat action badge, combat action
22 ribbon, air force combat action medal, and combat medical badge
23 ~~distinguishing processed emblems. Upon receipt of two hundred~~
24 ~~fifty orders for combat infantryman badge, combat action badge,~~
25 ~~combat action ribbon, air force combat action medal, or combat~~
26 ~~medical badge special registration plates, accompanied by a~~
27 ~~start-up fee of twenty dollars per order, the department shall~~
28 ~~begin issuing special registration plates with the applicable~~
29 ~~distinguishing processed emblem as provided in paragraphs~~
30 ~~"b", "c", and "d". The minimum order requirement shall apply~~
31 ~~separately to each of the special registration plates created~~
32 ~~under this subsection. The decals shall be designed to be~~
33 displayed on special plates issued under subsection 13.

34 b. An owner referred to in subsection 12 who was awarded a
35 combat infantryman badge, combat action badge, combat action

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1 ribbon, air force combat action medal, or combat medical badge
2 by the United States government may, upon written application
3 to the department and presentation of satisfactory proof of
4 the award, order ~~special registration plates with~~ two decals
5 representing a combat infantryman badge, combat action badge,
6 combat action ribbon, air force combat action medal, or
7 combat medical badge processed emblem. The ~~special plate fees~~
8 ~~collected by the director under~~ subsection 12, paragraph "a",
9 ~~from the annual validation of letter-number designated combat~~
10 ~~infantryman badge, combat action badge, combat action ribbon,~~
11 ~~air force combat action medal, and combat medical badge plates,~~
12 ~~and~~ subsection 12, paragraph "c", from the issuance and annual
13 validation of personalized combat infantryman badge, combat
14 action badge, combat action ribbon, air force combat action
15 medal, and combat medical badge plates fee for each pair of
16 decals is ten dollars, and all such fees collected under this
17 subsection shall be paid monthly to the treasurer of state and
18 deposited in the road use tax fund. The treasurer of state
19 shall transfer monthly from the statutory allocations fund
20 created under section 321.145, subsection 2, to the veterans
21 license fee fund created in section 35A.11 the amount of the
22 ~~special fees collected under~~ this subsection 12, paragraph "a",
23 in the previous month for combat infantryman badge, combat
24 action badge, combat action ribbon, air force combat action
25 medal, and combat medical badge plates decals.

26 *c.* Notwithstanding ~~subsection 12, paragraph "a",~~ an owner
27 ~~who is approved for special registration plates under this~~
28 ~~subsection shall be issued one set of special registration~~
29 ~~plates with a combat infantryman badge, combat action badge,~~
30 ~~combat action ribbon, air force combat action medal, or combat~~
31 ~~medical badge distinguishing processed emblem at no charge.~~

32 *d.* The surviving spouse of a person who was issued special
33 plates decals under this subsection may continue to use or
34 apply for and use the special plates decals affixed to the
35 plates issued under subsection 13 subject to registration of

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1 the special plates in the surviving spouse's name ~~and upon~~
2 ~~payment of the annual five-dollar special plate fee~~ and the
3 regular annual registration fee for the vehicle. If the
4 surviving spouse remarries, the surviving spouse shall either
5 remove and dispose of the decals or return the special plates
6 with the decals affixed to the department and the department
7 shall issue regular registration plates to the surviving
8 spouse.

9 Sec. 4. DEPARTMENT TO MAKE ACCOMMODATIONS. For special
10 registration plate applications received by the department of
11 transportation under section 321.34, subsection 20C, Code 2024,
12 prior to July 1, 2024, the department shall make reasonable
13 efforts to contact the applicants to inform the applicants
14 of the decals authorized by this Act. The department shall
15 give the applicant the option to be refunded the twenty-dollar
16 start-up fee for combat infantryman badge, combat action badge,
17 combat action ribbon, air force combat action medal, or combat
18 medical badge special registration plates paid by the applicant
19 prior to July 1, 2024, or to be refunded ten dollars of the
20 original start-up fee and be issued a special plate under
21 section 321.34, subsection 13, along with the applicable decals
22 authorized by this Act, if the applicant is eligible to be
23 issued the decals.

24 EXPLANATION

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

27 Under current law, the department of transportation (DOT) is
28 authorized to issue special registration plates with a space
29 to display an organization decal. The DOT does not issue the
30 organization decal. Instead, the organization is responsible
31 for producing, administering, and issuing the decal.

32 An organization must submit an application to the DOT
33 for approval to issue a decal. An application must include
34 proof of eligibility to issue the decal, a color copy of the
35 completed decal design, a clear and concise explanation of

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1 the purpose of the decal, all eligibility requirements for
2 purchasing the decal, and the fees to be charged for the decal.
3 To qualify for approval, the primary activity or interest
4 of the organization must serve the community, contribute to
5 the welfare of others, and cannot be discriminatory in its
6 purpose, nature, activity, or name; the name and purpose of the
7 organization cannot promote any specific product or brand name
8 that is provided for sale; and the organization is required to
9 be a nonprofit corporation which is exempt from taxation under
10 section 501(c)(3) of the Internal Revenue Code and organized
11 under Iowa's laws or authorized to do business within Iowa.

12 This bill also authorizes an organization which is exempt
13 under section 501(c)(19) of the Internal Revenue Code to
14 apply for approval to issue an organization decal. To be
15 exempt under section 501(c)(19), an organization must be a
16 post or organization of past or present members of the United
17 States armed forces, an auxiliary unit or society of such post
18 or organization, or a trust or foundation for such post or
19 organization.

20 In 2011, the general assembly authorized the DOT, in
21 consultation with the adjutant general, to design combat
22 infantryman badge, combat action badge, combat action ribbon,
23 air force combat action medal, and combat medical badge
24 distinguishing processed emblem special registration plates.
25 However, the DOT is required to receive 250 orders, including
26 a start-up fee, for each plate before the DOT can produce or
27 issue any of the registration plates. The bill strikes the
28 provisions relating to the special registration plates and
29 minimum order requirements and instead requires the DOT to
30 design and issue separate and distinct decals representing the
31 applicable badges, ribbons, and medals. The decals must be
32 designed to be displayed on registration plates issued under
33 Code section 321.34(13) (plates with space reserved for a
34 decal).

35 The DOT must issue two decals to an approved applicant and

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1 the fee for a pair of decals is \$10. The fee is deposited into
2 the road use tax fund and, each month, the treasurer of state
3 must transfer from the statutory allocations fund the amount
4 of fees received under the bill to the veterans license fee
5 fund. The bill makes corresponding changes to Code section
6 321.34(20C).

7 The DOT is required to make reasonable efforts to contact
8 applicants who previously applied for and paid the required
9 start-up fee. An applicant is eligible to receive a refund of
10 the \$20 fee, or receive a refund of \$10 plus the applicable
11 decals and plates as provided in the bill.

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Senate File 2416 - Introduced

SENATE FILE 2416
BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO SF 2377)
(SUCCESSOR TO SSB 3144)

(COMPANION TO HF 2550 BY
COMMITTEE ON STATE GOVERNMENT)

A BILL FOR

1 An Act relating to the organization, structure, and functions
2 of state and local governments, providing for salaries
3 of certain state officers, making statutory corrections,
4 resolving inconsistencies, removing ambiguities, and
5 including effective date provisions.

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

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1 DIVISION I

2 NATURAL RESOURCES

3 Section 1. Section 233A.15, Code 2024, is amended to read
4 as follows:

5 **233A.15 ~~Transfers~~ Assignments to work in parks.**

6 1. The director may assign children from the state training
7 school deemed trustworthy, to perform services for the
8 department of natural resources within the state parks, state
9 game and forest areas, and other lands under the jurisdiction
10 of the department of natural resources. The department of
11 natural resources shall provide ~~permanent housing and~~ work
12 guidance supervision, but the care and custody of the children
13 assigned shall remain with the department. All programs shall
14 have as their primary purpose and shall provide for inculcation
15 or the activation of attitudes, skills, and habit patterns
16 which will be conducive to the habilitation of the children
17 involved.

18 2. The director may use state-owned mobile housing
19 equipment and facilities in performing services at temporary
20 locations in the areas described in [subsection 1](#).

21 DIVISION II

22 DEPARTMENT OF INSPECTIONS, APPEALS, AND LICENSING

23 Sec. 2. Section 10A.309, Code 2024, is amended to read as
24 follows:

25 **10A.309 Interest in affected business.**

26 ~~It shall be unlawful for the~~ The commissioner ~~to~~ shall not
27 be financially interested in any business enterprise coming
28 under or affected by [this subchapter](#) ~~during the commissioner's~~
29 ~~term of~~ while in office, and if the commissioner violates
30 this statute, it shall be sufficient grounds for removal from
31 office, and in such case the governor shall at once declare the
32 office vacant and appoint another to fill the vacancy.

33 Sec. 3. Section 10A.310, subsection 2, Code 2024, is amended
34 to read as follows:

35 2. Subject to the approval of the director ~~of the department~~

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1 ~~of workforce development~~, the commissioner may enter into
2 contracts with any state agency, with or without reimbursement,
3 for the purpose of obtaining the services, facilities, and
4 personnel of the agency and with the consent of any state
5 agency or political subdivision of the state, accept and use
6 the services, facilities, and personnel of the agency or
7 political subdivision, and employ experts and consultants or
8 organizations in order to expeditiously, efficiently, and
9 economically effectuate the purposes of **this chapter**. The
10 agreements under **this subsection** are subject to approval by the
11 executive council if approval is required by law.

12 Sec. 4. Section 10A.504, subsection 1, unnumbered paragraph
13 1, Code 2024, is amended to read as follows:

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

16 Sec. 5. Section 10A.507, subsection 2, Code 2024, is amended
17 to read as follows:

18 2. The fund shall consist of moneys and fees collected by
19 the department for deposit in the fund and other moneys as
20 provided by law.

21 Sec. 6. Section 91C.4, Code 2024, is amended to read as
22 follows:

23 **91C.4 Fees.**

24 The director shall prescribe the fee for registration,
25 which fee shall not exceed fifty dollars every per year. All
26 fees collected under this chapter shall be deposited in the
27 licensing and regulation fund created in section 10A.507.

28 Sec. 7. Section 135C.9, subsection 1, paragraph b, Code
29 2024, is amended to read as follows:

30 *b.* The facility has been inspected by the director, ~~who may~~
31 ~~be a member of a municipal fire department,~~ or the director's
32 designee and the department has received either a certificate
33 of compliance or a provisional certificate of compliance by
34 the facility with the fire hazard and fire safety rules and
35 standards of the department as promulgated by the director

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1 and, where applicable, the fire safety standards required for
2 participation in programs authorized by either Tit. XVIII or
3 Tit. XIX of the United States Social Security Act, codified at
4 42 U.S.C. §1395 – 139511 and 1396 – 1396g. The certificate or
5 provisional certificate shall be signed by the director or the
6 director's designee who made the inspection. If the director
7 or director's designee finds a deficiency upon inspection, the
8 notice to the facility shall be provided in a timely manner
9 and shall specifically describe the nature of the deficiency,
10 identifying the Code ~~section or subsection~~ provision or the
11 rule or standard violated. The notice shall also specify the
12 time allowed for correction of the deficiency, at the end of
13 which time the director or director's designee shall perform
14 a follow-up inspection.

15 Sec. 8. Section 147.80, Code 2024, is amended to read as
16 follows:

17 **147.80 Establishment of fees — administrative costs.**

18 1. Each board, following approval by the department, may, or
19 at the direction of the department, shall by rule establish or
20 revise fees for the following ~~based on the costs of sustaining~~
21 ~~the board and the actual costs of the service:~~

22 a. Examinations.

23 b. Licensure, certification, or registration.

24 c. Renewal of licensure, certification, or registration.

25 d. Renewal of licensure, certification, or registration
26 during the grace period.

27 e. Reinstatement or reactivation of licensure,
28 certification, or registration.

29 f. Issuance of a certified statement that a person is
30 licensed, registered, or has been issued a certificate to
31 practice in this state.

32 g. Issuance of a duplicate license, registration, or
33 certificate, which shall be so designated on its face. A board
34 may require satisfactory proof that the original license,
35 registration, or certificate issued by the board has been lost

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1 or destroyed.

2 *h.* Issuance of a renewal card.

3 *i.* Verification of licensure, registration, or
4 certification.

5 *j.* Returned checks.

6 *k.* Inspections.

7 ~~Each board~~ The department shall annually prepare
8 estimates of projected revenues to be generated by ~~the all~~
9 ~~fees received by the board~~ collected as well as a projection
10 of the ~~fairly apportioned~~ aggregate administrative costs and
11 rental expenses attributable to ~~the board~~ all boards and the
12 division of the department responsible for licensing related to
13 such boards. ~~Each board~~ The department shall annually review
14 and, if necessary, direct the boards to adjust its the schedule
15 of fees to cover aggregate projected expenses and ensure fees
16 imposed in this state are not greater than similar fees imposed
17 by similar boards or agencies in other states. The department
18 shall annually provide to each appropriate board a comparison
19 of the amount of the board's fees as compared to similar fees
20 imposed by similar boards or agencies in other states.

21 3. *a.* The board of medicine, the board of pharmacy, the
22 dental board, and the board of nursing shall retain individual
23 an executive officers director pursuant to section 10A.504, but
24 to the extent possible shall share administrative, clerical,
25 and investigative staff.

26 *b.* An individual executive director may be appointed and
27 serve as the executive director of one or more of the boards
28 specified under paragraph "a".

29 Sec. 9. Section 152.2, Code 2024, is amended to read as
30 follows:

31 **152.2 Executive director.**

32 The board shall retain a full-time an executive director,
33 who shall be appointed pursuant to section 10A.504. The
34 executive director shall be a registered nurse. The governor,
35 with the approval of the executive council pursuant to section

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1 8A.413, subsection 3, under the pay plan for exempt positions
2 in the executive branch of government, shall set the salary of
3 the executive director.

4 Sec. 10. Section 153.33B, unnumbered paragraph 1, Code
5 2024, is amended to read as follows:

6 ~~A full-time~~ An executive director shall be appointed as
7 provided under section 10A.504. The executive director shall
8 not be a member of the board. The duties of the executive
9 director shall be the following:

10 Sec. 11. Section 231B.4, Code 2024, is amended to read as
11 follows:

12 **231B.4 Zoning — fire and safety standards.**

13 An elder group home shall be located in an area zoned
14 for single-family or multiple-family housing or in an
15 unincorporated area and shall be constructed in compliance with
16 applicable local housing codes and the rules adopted for the
17 special classification by the department. In the absence of
18 local building codes, the facility shall comply with the state
19 plumbing code established pursuant to section ~~135.11~~ 105.4 and
20 the state building code established pursuant to section 103A.7
21 and the rules adopted for the special classification by the
22 department. The rules adopted for the special classification
23 by the department regarding second floor occupancy shall take
24 into consideration the mobility of the tenants.

25 Sec. 12. Section 272C.1, subsection 6, Code 2024, is amended
26 by adding the following new paragraph:

27 NEW PARAGRAPH. *ag.* The real estate appraiser examining
28 board, created pursuant to chapter 543D.

29 Sec. 13. REPEAL. Section 91C.9, Code 2024, is repealed.

30 Sec. 14. TRANSFER. Moneys remaining in the contractor
31 registration revolving fund at the end of the fiscal year
32 beginning July 1, 2023, shall be transferred to the licensing
33 and regulation fund created in section 10A.507.

34
35

DIVISION III
DEPARTMENT OF TRANSPORTATION

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1 Sec. 15. Section 321.383, subsections 1 and 2, Code 2024,
2 are amended to read as follows:

3 1. **This chapter** with respect to equipment on vehicles does
4 not apply to implements of husbandry, road machinery, or bulk
5 spreaders and other fertilizer and chemical equipment defined
6 as special mobile equipment, except as made applicable in this
7 section. However, the movement of implements of husbandry on a
8 roadway is subject to safety rules adopted by the department of
9 public safety. The safety rules shall prohibit the movement
10 of any power unit towing more than one implement of husbandry,
11 except implements of husbandry that are not self-propelled and
12 are capable of being towed in tandem, from the manufacturer
13 to the retail seller, from the retail seller to the farm
14 purchaser, or from the manufacturer to the farm purchaser.

15 2. When operated on a highway in this state at a speed
16 of thirty-five miles per hour or less, every farm tractor,
17 or tractor with towed equipment, self-propelled implement of
18 husbandry, road construction or maintenance vehicle, road
19 grader, horse-drawn vehicle, or any other vehicle principally
20 designed for use off the highway and any such tractor,
21 implement, vehicle, or grader when manufactured for sale or
22 sold at retail after December 31, 1971, shall be identified
23 with a reflective device in accordance with the standards of
24 the American society of agricultural engineers; however, this
25 provision shall not apply to such vehicles when traveling in
26 an escorted parade. If a person operating a vehicle drawn
27 by a horse or mule objects to using a reflective device
28 that complies with the standards of the American society of
29 agricultural engineers for religious reasons, the vehicle may
30 be identified by an alternative reflective device that is in
31 compliance with rules adopted by the department of public
32 safety. The reflective device or alternative reflective device
33 shall be visible from the rear. A vehicle other than those
34 specified in **this section** shall not display a reflective device
35 or an alternative reflective device. On vehicles operating at

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1 speeds above thirty-five miles per hour, the reflective device
2 or alternative reflective device shall be removed or hidden
3 from view.

4 Sec. 16. Section 307.12, subsection 1, paragraph f, Code
5 2024, is amended to read as follows:

6 *f.* Present the department's proposed budget to the
7 commission prior to ~~December~~ March 31 of each immediately
8 preceding the applicable fiscal year.

9 Sec. 17. Section 307.12, subsection 1, Code 2024, is amended
10 by adding the following new paragraph:

11 NEW PARAGRAPH. *01.* Establish divisions within the
12 department as necessary or desirable in addition to any
13 departmental division required or established by law.

14 Sec. 18. Section 307.12, subsection 2, Code 2024, is amended
15 to read as follows:

16 2. If in the interest of the state, the director may allow
17 a subsistence expense to an employee ~~under the supervision~~
18 ~~of the department's administrator~~ responsible for highway
19 programs and activities for continuous stay in one location
20 while on duty away from established headquarters and place
21 of domicile for a period not to exceed forty-five days; and
22 allow automobile expenses in accordance with [section 8A.363](#),
23 for moving an employee and the employee's family from place of
24 present domicile to new domicile, and actual transportation
25 expense for moving of household goods. The household goods for
26 which transportation expense is allowed shall not include pets
27 or animals.

28 Sec. 19. Section 307.21, subsection 1, Code 2024, is amended
29 to read as follows:

30 1. ~~The department's administrator responsible for the~~
31 ~~operations and finances of the~~ department shall:

32 *a.* Provide for the proper maintenance and protection of
33 the grounds, buildings, and equipment of the department, in
34 cooperation with the department of administrative services.

35 *b.* Establish, supervise, and maintain a system of

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1 centralized electronic data processing for the department, in
2 cooperation with the department of ~~administrative services~~
3 management.

4 ~~c. Assist the director in preparing~~ Prepare the departmental
5 budget.

6 ~~d.~~ Provide centralized purchasing services for the
7 department, if authorized by the department of administrative
8 services. The ~~administrator~~ department shall, when the price
9 is reasonably competitive and the quality as intended, purchase
10 soybean-based inks and plastic products with recycled content,
11 including but not limited to plastic garbage can liners, and
12 shall purchase these items in accordance with the schedule
13 established in [section 8A.315](#). However, the ~~administrator~~
14 department need not purchase garbage can liners in accordance
15 with the schedule if the liners are utilized by a facility
16 approved by the environmental protection commission created
17 under [section 455A.6](#), for purposes of recycling. For purposes
18 of [this section](#), "recycled content" means that the content of
19 the product contains a minimum of thirty percent postconsumer
20 material.

21 ~~e. Assist the director in employing~~ Employ the professional,
22 technical, clerical, and secretarial staff for the department
23 and maintain employee records, in cooperation with the
24 department of administrative services and provide personnel
25 services, including but not limited to training, safety
26 education, and employee counseling.

27 ~~f. Assist the director in coordinating~~ Coordinate the
28 responsibilities and duties of the various divisions within the
29 department.

30 ~~g.~~ Carry out all other general administrative duties for the
31 department.

32 ~~h.~~ Perform such other duties and responsibilities as may be
33 assigned by the director.

34 Sec. 20. Section 307.21, subsection 2, unnumbered paragraph
35 1, Code 2024, is amended to read as follows:

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1 When performing the duty of providing centralized purchasing
2 services under [subsection 1](#), the ~~administrator~~ department shall
3 do all of the following:

4 Sec. 21. Section 307.21, subsection 4, Code 2024, is amended
5 to read as follows:

6 4. The ~~administrator~~ department shall provide for the
7 purchase of qualified renewable fuels to power internal
8 combustion engines that are used to operate motor vehicles and
9 for the purchase of motor vehicles operating using engines
10 powered by qualified renewable fuels in the same manner
11 required for the director of the department of administrative
12 services pursuant to [section 8A.368](#). The department of
13 transportation shall compile information regarding compliance
14 with the provisions of [this subsection](#) in the same manner as
15 the department of administrative services pursuant to section
16 8A.369. The department of transportation shall cooperate
17 with the department of administrative services in preparing
18 the annual state fleet qualified renewable fuels compliance
19 report regarding compliance with [this subsection](#) as provided
20 in [section 8A.369](#).

21 Sec. 22. Section 307.21, subsection 5, paragraph a,
22 unnumbered paragraph 1, Code 2024, is amended to read as
23 follows:

24 Of all new passenger vehicles and light pickup trucks
25 purchased by the ~~administrator~~ department, a minimum of ten
26 percent of all such vehicles and trucks purchased shall be
27 equipped with engines which utilize alternative methods of
28 propulsion, including but not limited to any of the following:

29 Sec. 23. Section 307.21, subsections 6 and 7, Code 2024, are
30 amended to read as follows:

31 6. The ~~administrator~~ department shall, whenever technically
32 feasible, purchase and use degradable loose foam packing
33 material manufactured from grain starches or other renewable
34 resources, unless the cost of the packing material is more than
35 ten percent greater than the cost of packing material made from

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1 nonrenewable resources. For the purposes of **this subsection**,
2 "*packing material*" means material, other than an exterior
3 packing shell, that is used to stabilize, protect, cushion, or
4 brace the contents of a package.

5 7. The ~~administrator~~ department may purchase items from
6 the department of administrative services and may cooperate
7 with the director of the department of administrative services
8 by providing purchasing services for the department of
9 administrative services.

10 Sec. 24. Section 307.22, Code 2024, is amended to read as
11 follows:

12 **307.22 Planning and programming activities.**

13 ~~1. The department's administrator responsible for~~
14 ~~transportation planning and infrastructure program development~~
15 department shall:

16 ~~a. 1. Assist the director in planning~~ Plan all modes of
17 transportation in order to develop an integrated transportation
18 system providing adequate transportation services for all
19 citizens of the state.

20 ~~b. 2.~~ 2. Develop and maintain transportation statistical data
21 for the department.

22 ~~c. 3. Assist the director in establishing, analyzing,~~
23 ~~and evaluating~~ Establish, analyze, and evaluate alternative
24 transportation policies for the state.

25 ~~d. 4.~~ 4. Coordinate planning duties and responsibilities with
26 the planning functions carried on ~~by other administrators~~ among
27 the divisions of the department.

28 ~~e. (1)~~ 5. a. Annually report by July 1 of each year,
29 for both secondary and farm-to-market systems, miles of earth,
30 granular, and paved surface roads; the daily vehicle miles of
31 travel; and lineal feet of bridge deck under the jurisdiction
32 of each county's secondary road department, as of the preceding
33 January 1, taking into account roads whose jurisdiction has
34 been transferred from the department to a county or from a
35 county to the department during the previous year. The annual

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1 report shall include those roads transferred to a county
2 pursuant to [section 306.8A](#).

3 ~~(2)~~ b. Miles of secondary and farm-to-market roads shall
4 not include those miles of farm-to-market extensions within
5 cities under five hundred population that are placed under
6 county secondary road jurisdiction pursuant to [section 306.4](#).

7 ~~(3)~~ c. The annual report of updated road and bridge data of
8 both the secondary and farm-to-market roads shall be submitted
9 to the Iowa county engineers association service bureau.

10 ~~f.~~ 6. ~~Advise and assist the director to study~~ Study and
11 develop highway transport economics to assure availability and
12 productivity of highway transport services.

13 ~~g.~~ ~~Perform such other planning functions as may be assigned~~
14 ~~by the director.~~

15 ~~2.~~ ~~The function of planning does not include the detailed~~
16 ~~design of highways or other modal transportation facilities,~~
17 ~~but is restricted to the needs of this state for multimodal~~
18 ~~transportation systems.~~

19 Sec. 25. Section 307.23, subsection 1, paragraph b, Code
20 2024, is amended to read as follows:

21 b. Provide all legal services for the department.

22 Sec. 26. Section 307.24, unnumbered paragraph 1, Code 2024,
23 is amended to read as follows:

24 ~~The department's administrator~~ department shall be
25 responsible for highway programs and activities, shall plan,
26 design, construct, and maintain the state primary highways,
27 and shall administer [chapters 306 through 306C](#), chapters
28 309 through 314, [chapters 316 through 318](#), and [chapter 320](#)
29 ~~and perform other duties as assigned by the director.~~ The
30 department shall:

31 Sec. 27. Section 307.26, Code 2024, is amended to read as
32 follows:

33 **307.26** ~~Administration of modal~~ Modal programs and activities.

34 ~~The department's administrator responsible for modal~~
35 ~~programs and activities~~ department shall:

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1 1. ~~Advise and assist the director in the development of~~
2 Develop aeronautics, including but not limited to the location
3 of air terminals; accessibility of air terminals by other
4 modes of public transportation; protective zoning provisions
5 considering safety factors, noise, and air pollution;
6 facilities for private and commercial aircraft; air freight
7 facilities; and such other physical and technical aspects as
8 may be necessary to meet present and future needs.

9 2. ~~Advise and assist the director in the study of~~ Study
10 local and regional transportation of goods and people including
11 intracity and intercity bus systems, dial-a-bus facilities,
12 rural and urban bus and taxi systems, the collection of data
13 from these systems, the study of the feasibility of increased
14 government subsidy assistance and the allocation of such
15 subsidies to each mass transportation system, the study of such
16 other physical and technical aspects which may be necessary
17 to meet present and future needs, and the application for,
18 acceptance of, and expending of federal, state, or private
19 funds for the improvement of mass transit.

20 3. ~~Advise and assist the director in the development of~~
21 Develop transportation systems and programs for improving
22 passenger and freight services.

23 4. ~~Advise and assist the director in developing~~ Develop
24 programs in anticipation of railroad abandonment, including:

25 a. ~~Development and evaluation of~~ Developing and evaluating
26 programs which will encourage improvement of rail freight
27 and the upgrading of rail lines in order to improve freight
28 service.

29 b. ~~Advising the director~~ Determining when it may appear in
30 the best interest of the state to assume the role of advocate
31 in railroad abandonments and railroad rate schedules.

32 5. Develop and maintain a federal-state relationship
33 of programs relating to railroad safety enforcement, track
34 standards, rail equipment, operating rules, and transportation
35 of hazardous materials.

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1 6. Make surveys, plans, and estimates of cost for the
2 elimination of danger at railroad crossings on highways and
3 confer with local and railroad officials with reference to
4 elimination of the danger.

5 ~~7. Advise and assist the director in the conduct of~~ Conduct
6 research on railroad-highway grade crossings and encourage
7 and develop a safety program in order to reduce injuries or
8 fatalities including but not limited to the following:

9 a. ~~The establishment of~~ Establishing standards for warning
10 devices for particularly hazardous crossings or for classes
11 of crossings on highways, which standards shall be designed
12 to reduce injuries, fatalities, and property damage. Such
13 standards shall regulate the use of warning devices and
14 signs, which shall be in addition to the requirements of
15 section 327G.2. Implementation of such standards shall be
16 the responsibility of the government agency or department
17 or political subdivision having jurisdiction and control of
18 the highway and such implementation shall be deemed adequate
19 for the purposes of railroad grade crossing protection. The
20 department, or the political subdivision having jurisdiction,
21 may direct the installation of temporary protection while
22 awaiting installation of permanent protection. A railroad
23 crossing shall not be found to be particularly hazardous for
24 any purpose unless the department has determined it to be
25 particularly hazardous.

26 b. ~~The development and adoption of~~ Developing and adopting
27 classifications of crossings on public highways based upon
28 their characteristics, conditions, and hazards, and standards
29 for warning devices, signals, and signs of each crossing
30 classification. The department shall recommend a schedule
31 for implementation of the standards to the government agency,
32 department, or political subdivision having jurisdiction of
33 the highway and shall provide an annual report to the general
34 assembly on the development and adoption of classifications
35 and standards under this paragraph and their implementation,

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1 including information about financing installation of warning
2 devices, signals, and signs. The department shall not be
3 liable for the development or adoption of the classifications
4 or standards. A government agency, department, or political
5 subdivision shall not be liable for failure to implement the
6 standards. A crossing warning or improvement installed or
7 maintained pursuant to standards adopted by the department
8 under this paragraph shall be deemed an adequate and
9 appropriate warning for the crossing.

10 ~~8. Advise and assist the director to assure~~ Assure
11 availability, efficiency, and productivity of freight and
12 passenger services and to promote the coordination of service
13 between all transportation modes.

14 ~~9. Advise and assist the director with studies of~~ Study
15 regulatory changes deemed necessary to effectuate economical
16 and efficient railroad service.

17 ~~10. Advise and assist the director regarding~~ Enter into
18 agreements with railroad corporations for the restoration,
19 conservation, or improvement of railroad as defined in section
20 327D.2, subsection 3, on such terms, conditions, rates,
21 rentals, or subsidy levels as may be in the best interest
22 of the state. The commission may enter into contracts
23 and agreements which are binding only to the extent that
24 appropriations have been or may subsequently be made by the
25 legislature to effectuate the purposes of this subsection.

26 11. Administer chapters 324A, 327C through 327H, 327J, 328,
27 329, and 330.

28 12. Administer programs and activities in chapters 306D,
29 307C, 308A, and 315.

30 ~~13. Perform such other duties and responsibilities as may be~~
31 ~~assigned by the director.~~

32 ~~14.~~ 13. Promote river transportation and coordinate river
33 programs with other transportation modes.

34 ~~15.~~ 14. Advise and assist the director in the development
35 of Develop river transportation and port facilities in the

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1 state.

2 Sec. 28. Section 307.27, unnumbered paragraph 1, Code 2024,
3 is amended to read as follows:

4 ~~The department's administrator~~ department shall be
5 responsible for the enforcement and regulation of motor
6 carriers, registration of motor vehicles, and licensing of
7 drivers, and shall:

8 Sec. 29. Section 307.47, subsection 1, Code 2024, is amended
9 to read as follows:

10 1. The highway materials and equipment revolving fund
11 is created from moneys appropriated out of the primary road
12 fund. From this fund shall be paid all costs for materials
13 and supplies, inventoried stock supplies, maintenance and
14 operational costs of equipment, and equipment replacements
15 incurred in the operation of centralized purchasing ~~under~~
16 ~~the supervision of the administrator responsible for highway~~
17 ~~programs and activities.~~ Direct salaries and expenses properly
18 chargeable to direct salaries shall be paid from the fund. For
19 each month ~~the administrator responsible for the operations~~
20 ~~and finances of the department shall render a statement~~
21 to each highway unit for the actual cost of materials and
22 supplies, operational and maintenance costs of equipment, and
23 equipment depreciation used. The expense shall be paid ~~by the~~
24 ~~administrator responsible for the operations and finances of~~
25 ~~the department~~ in the same manner as other interdepartmental
26 billings are paid. The sum paid shall be credited to the
27 highway materials and equipment revolving fund.

28 Sec. 30. Section 307.48, subsection 2, Code 2024, is amended
29 to read as follows:

30 2. An employee ~~under the supervision of the department's~~
31 ~~administrator of highways~~ who became an employee of the state
32 department of transportation on July 1, 1974, retains all
33 rights to longevity pay so long as the employee continues
34 employment with the department.

35 Sec. 31. Section 327D.192, Code 2024, is amended to read as

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1 follows:

2 **327D.192 Spot checks for hazardous cargo.**

3 An employee ~~under the supervision of the department's~~
4 ~~administrator for rail and water~~ designated by the director of
5 the department may conduct spot inspections of vehicles subject
6 to registration which are owned or operated by a railroad
7 corporation to determine whether a vehicle is used to transport
8 products or property which may be a safety hazard for the
9 operator of the vehicle subject to registration or any other
10 employee of the railroad corporation who is transported in the
11 vehicle.

12 Sec. 32. Section 327F.39, subsection 1, paragraph a, Code
13 2024, is amended to read as follows:

14 a. "Administrator" means the department's administrator
15 for ~~rail and water~~ modal programs, or the ~~administrator's~~
16 director's designee.

17 DIVISION IV

18 DEPARTMENT OF EDUCATION

19 Sec. 33. Section 256.9, unnumbered paragraph 1, Code 2024,
20 is amended to read as follows:

21 Except for the ~~higher education division; the bureaus,~~
22 ~~boards, and commissions within the higher education division;~~
23 ~~and the public broadcasting board and division~~, the director
24 shall:

25 Sec. 34. Section 256.9, subsections 3 and 4, Code 2024, are
26 amended to read as follows:

27 3. Establish divisions of the department and assign
28 subject matter duties to divisions of the department in a
29 manner determined by the director as necessary or desirable in
30 addition to divisions required by law, unless a provision of
31 law requires a particular departmental unit or subject matter
32 to be assigned to a specific division of the department. The
33 organization of the department shall promote coordination of
34 functions and services relating to administration, supervision,
35 and improvement of instruction. The director may also reassign

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1 within the department the boards, commissions, bureaus, and
2 duties specified in sections 256.111 and 256.121.

3 4. Employ personnel and assign duties and responsibilities
4 of the department. The director shall appoint a deputy
5 director and division administrators deemed necessary.
6 They shall be appointed on the basis of their professional
7 qualifications, experience in administration, and background.
8 ~~Members of the professional staff are not subject to the merit~~
9 ~~system provisions of chapter 8A, subchapter IV, and are subject~~
10 ~~to section 256.10.~~

11 Sec. 35. Section 256.10, Code 2024, is amended to read as
12 follows:

13 **256.10 Director salary — employment of ~~professional~~ staff.**

14 1. The salary of the director shall be fixed by the
15 governor.

16 2. Appointments to the ~~professional~~ staff of the department
17 shall be without reference to political party affiliation,
18 religious affiliation, sex, or marital status, but shall be
19 based solely upon fitness, ability, and proper qualifications
20 for the particular position. ~~The professional staff shall~~
21 ~~serve at the discretion of the director. A member of the~~
22 ~~professional staff shall not be dismissed for cause without~~
23 ~~appropriate due process procedures including a hearing.~~

24 3. The director may employ full-time ~~professional~~ salaried
25 staff for less than twelve months each year, but such staff
26 shall be employed by the director for at least nine months of
27 each year. Salaries for full-time ~~professional~~ salaried staff
28 employed as provided in this subsection shall be comparable to
29 other ~~professional~~ salaried staff, adjusting for time worked.
30 Salaries for ~~professional~~ salaried staff employed for periods
31 of less than twelve months shall be paid during each month of
32 the year in which they are employed on the same schedule as all
33 other full-time permanent ~~professional~~ salaried staff. Such
34 staff shall have their salaries paid over twelve months. The
35 director shall provide for and the department shall pay for

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1 the employer share of health and dental insurance benefits for
2 twelve months each year for the full-time professional staff
3 employed as provided in this subsection, and the health and
4 dental insurance benefits provided shall be comparable to the
5 benefits provided to all other professional staff employed by
6 the director.

7 4. The director may employ hourly staff for less than
8 twelve months each year, but such staff shall be employed by
9 the director for at least nine months of each year. Wages for
10 staff employed as provided in this subsection shall be paid
11 during the months the employee is scheduled to work on the same
12 schedule as other employees of the state. The director shall
13 provide for and the department shall pay for the employer share
14 of health and dental insurance benefits for twelve months each
15 year for hourly staff employed as provided in this subsection.

16 Sec. 36. Section 256.103, Code 2024, is amended to read as
17 follows:

18 **256.103 Employees — contracts — termination and discharge**
19 **procedures.**

20 Sections 279.12 through ~~279.19~~ 279.19B and [section 279.27](#)
21 apply to employees of the Iowa educational services for the
22 blind and visually impaired program and employees of the Iowa
23 school for the deaf, who are licensed pursuant to subchapter
24 VII, part 3. In following those sections in [chapter 279](#), the
25 references to boards of directors of school districts shall be
26 interpreted to apply to the department.

27 Sec. 37. NEW SECTION. **256.103A Iowa educational services**
28 **for the blind and visually impaired and Iowa school for the deaf**
29 **— leave.**

30 Salaried employees of the Iowa educational services for the
31 blind and visually impaired program and employees of the Iowa
32 school for the deaf who are employed on a school year basis
33 for less than twelve months per year shall be exempt from the
34 provisions of chapter 70A relating to vacation leave. In lieu
35 of vacation leave, such employees shall accrue two personal

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1 leave days per school year and may carry over up to one unused
2 personal day into a subsequent school year. Such employees
3 shall not accrue more than three personal leave days at any one
4 time. Such leave shall not be paid out to the employee upon
5 separation from employment.

6 Sec. 38. Section 256.111, subsection 1, Code 2024, is
7 amended to read as follows:

8 1. The innovation division of the department of education is
9 created. The ~~chief administrative officer~~ head of the division
10 is the administrator who shall be a highly qualified science,
11 technology, engineering, and mathematics advocate and shall be
12 appointed by the director.

13 Sec. 39. Section 256.111, subsection 2, unnumbered
14 paragraph 1, Code 2024, is amended to read as follows:

15 The administrator shall do all of the following, subject to
16 supervision of the director:

17 Sec. 40. Section 256.111, subsection 2, paragraphs a and c,
18 Code 2024, are amended to read as follows:

19 a. Direct ~~and organize~~ the activities of the division,
20 including the science, technology, engineering, and mathematics
21 collaborative initiative created in subsection 3.

22 c. Perform other duties imposed by law or assigned by the
23 director.

24 Sec. 41. Section 256.121, subsection 1, Code 2024, is
25 amended to read as follows:

26 1. The higher education division of the department of
27 education is created. The ~~chief administrative officer~~ head
28 of the division is the administrator who shall be appointed by
29 the director.

30 Sec. 42. Section 256.121, subsection 2, unnumbered
31 paragraph 1, Code 2024, is amended to read as follows:

32 The administrator shall do all of the following, subject to
33 supervision of the director:

34 Sec. 43. Section 256.121, subsection 2, paragraphs b, d, and
35 e, Code 2024, are amended to read as follows:

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1 additional monetary assistance for the purchase and maintenance
2 of uniforms and equipment used by reserve peace officers.

3 Sec. 47. Section 125.93, Code 2024, is amended to read as
4 follows:

5 **125.93 Commitment records — confidentiality.**

6 Records of the identity, diagnosis, prognosis, or treatment
7 of a person which are maintained in connection with the
8 provision of substance use disorder treatment services are
9 confidential, consistent with the requirements of section
10 125.37, and with the federal confidentiality regulations
11 authorized by the federal Drug Abuse Office and Treatment Act,
12 42 U.S.C. §290ee and the federal Comprehensive Alcohol Abuse
13 and Alcoholism Prevention, Treatment and Rehabilitation Act, 42
14 U.S.C. §290dd-2. However, such records may be disclosed to an
15 employee of the department of corrections, if authorized by the
16 director of the department of corrections, ~~or to an employee~~
17 ~~of a judicial district department of correctional services, if~~
18 ~~authorized by the director of the judicial district department~~
19 ~~of correctional services.~~

20 Sec. 48. Section 216A.136, subsection 8, Code 2024, is
21 amended to read as follows:

22 8. Community-based correctional program records maintained
23 under [chapter 905 904](#).

24 Sec. 49. Section 321J.2, subsection 3, paragraph b,
25 subparagraph (1), Code 2024, is amended to read as follows:

26 (1) With the consent of the defendant, the court may
27 defer judgment pursuant to [section 907.3](#) and may place the
28 defendant on probation upon conditions as it may require. Upon
29 a showing that the defendant is not fulfilling the conditions
30 of probation, the court may revoke probation and impose any
31 sentence authorized by law. Before taking such action, the
32 court shall give the defendant an opportunity to be heard on
33 any matter relevant to the proposed action. Upon violation
34 of the conditions of probation, the court may proceed as
35 provided in [chapter 908](#). Upon fulfillment of the conditions

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1 of probation and the payment of fees imposed and not waived
2 by the judicial district department of correctional services
3 under [section 905.14 904.912](#), the defendant shall be discharged
4 without entry of judgment.

5 Sec. 50. Section 669.2, subsection 5, Code 2024, is amended
6 to read as follows:

7 5. "*State agency*" includes all executive departments,
8 agencies, boards, bureaus, and commissions of the state of
9 Iowa, and corporations whose primary function is to act as, and
10 while acting as, instrumentalities or agencies of the state of
11 Iowa, whether or not authorized to sue and be sued in their
12 own names. This definition does not include a contractor with
13 the state of Iowa. Soil and water conservation districts as
14 defined in [section 161A.3, subsection 6](#), and judicial district
15 departments of correctional services as established in section
16 ~~905.2~~ [904.104A](#) are state agencies for purposes of [this chapter](#).

17 Sec. 51. Section 708.2B, subsection 1, Code 2024, is amended
18 to read as follows:

19 1. As used in [this section](#), "*district department*" means
20 a judicial district department of correctional services,
21 established pursuant to [section 905.2 904.104A](#).

22 Sec. 52. Section 901A.2, subsection 8, Code 2024, is amended
23 to read as follows:

24 8. In addition to any other sentence imposed on a person
25 convicted of a sexually predatory offense pursuant to
26 subsection 1, 2, or 3, the person shall be sentenced to an
27 additional term of parole or work release not to exceed two
28 years. The board of parole shall determine whether the person
29 should be released on parole or placed in a work release
30 program. The sentence of parole supervision shall commence
31 immediately upon the person's release by the board of parole
32 and shall be under the terms and conditions as set out in
33 chapter 906. Violations of parole or work release shall
34 be subject to the procedures set out in [chapter 905 904](#) or
35 908 or rules adopted under those chapters. For purposes of

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1 disposition of a parole violator upon revocation of parole or
2 work release, the sentence of an additional term of parole or
3 work release shall be considered part of the original term of
4 commitment to the department of corrections.

5 Sec. 53. Section 902.1, subsection 4, Code 2024, is amended
6 to read as follows:

7 4. If a defendant is paroled pursuant to subsection 2 or 3,
8 the defendant shall be subject to the same set of procedures
9 set out in chapters 901B, 905 904, 906, and 908, and rules
10 adopted under those chapters for persons on parole.

11 Sec. 54. Section 903B.1, Code 2024, is amended to read as
12 follows:

13 **903B.1 Special sentence — class “B” or class “C” felonies.**

14 A person convicted of a class “C” felony or greater offense
15 under chapter 709 or section 728.12, or a class “B” felony
16 under section 713.3, subsection 1, paragraph “d”, shall also be
17 sentenced, in addition to any other punishment provided by law,
18 to a special sentence committing the person into the custody
19 of the director of the Iowa department of corrections for the
20 rest of the person’s life, with eligibility for parole as
21 provided in chapter 906. The board of parole shall determine
22 whether the person should be released on parole or placed in
23 a work release program. The special sentence imposed under
24 this section shall commence upon completion of the sentence
25 imposed under any applicable criminal sentencing provisions for
26 the underlying criminal offense and the person shall begin the
27 sentence under supervision as if on parole or work release.
28 The person shall be placed on the corrections continuum in
29 chapter 901B, and the terms and conditions of the special
30 sentence, including violations, shall be subject to the same
31 set of procedures set out in chapters 901B, 905 904, 906, and
32 908, and rules adopted under those chapters for persons on
33 parole or work release. The revocation of release shall not be
34 for a period greater than two years upon any first revocation,
35 and five years upon any second or subsequent revocation. A

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1 special sentence shall be considered a category "A" sentence
2 for purposes of calculating earned time under [section 903A.2](#).
3 Sec. 55. Section 903B.2, Code 2024, is amended to read as
4 follows:

5 **903B.2 Special sentence — class "D" felonies or**
6 **misdemeanors.**

7 A person convicted of a misdemeanor or a class "D" felony
8 offense under [chapter 709](#), [section 726.2](#), or [section 728.12](#)
9 shall also be sentenced, in addition to any other punishment
10 provided by law, to a special sentence committing the person
11 into the custody of the director of the Iowa department of
12 corrections for a period of ten years, with eligibility for
13 parole as provided in [chapter 906](#). The board of parole shall
14 determine whether the person should be released on parole
15 or placed in a work release program. The special sentence
16 imposed under [this section](#) shall commence upon completion of
17 the sentence imposed under any applicable criminal sentencing
18 provisions for the underlying criminal offense and the person
19 shall begin the sentence under supervision as if on parole or
20 work release. The person shall be placed on the corrections
21 continuum in [chapter 901B](#), and the terms and conditions of the
22 special sentence, including violations, shall be subject to the
23 same set of procedures set out in [chapters 901B](#), [905 904](#), [906](#),
24 and [908](#), and rules adopted under those chapters for persons on
25 parole or work release. The revocation of release shall not be
26 for a period greater than two years upon any first revocation,
27 and five years upon any second or subsequent revocation. A
28 special sentence shall be considered a category "A" sentence
29 for purposes of calculating earned time under [section 903A.2](#).

30 Sec. 56. Section 904.101, Code 2024, is amended by adding
31 the following new subsections:

32 NEW SUBSECTION. 1A. *"Community-based correctional program"*
33 means correctional programs and services, under the direction
34 of a district director and the department, including but
35 not limited to an intermediate criminal sanctions program

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1 in accordance with the corrections continuum in section
2 901B.1, designed to supervise and assist individuals who
3 are charged with or have been convicted of a felony, an
4 aggravated misdemeanor or a serious misdemeanor, or who
5 are on probation or parole in lieu of or as a result of a
6 sentence of incarceration imposed upon conviction of any
7 of these offenses, or who are contracted to the district
8 department for supervision and housing while on work release.
9 A community-based correctional program shall be designed by a
10 district department, under the direction and control of the
11 department, in a manner that provides services in a manner
12 free of disparities based upon an individual's race or ethnic
13 origin.

14 NEW SUBSECTION. 1B. "*Community-based corrections facility*"
15 means property or buildings owned or operated by the department
16 for a community-based correctional program.

17 NEW SUBSECTION. 4. "*District advisory board*" means the
18 advisory board of a district department.

19 NEW SUBSECTION. 5. "*District department*" means a judicial
20 district department of correctional services established under
21 section 904.104A.

22 NEW SUBSECTION. 6. "*District director*" means the director
23 of a district department, appointed by the director under
24 section 904.301A.

25 Sec. 57. Section 904.102, Code 2024, is amended by adding
26 the following new subsection:

27 NEW SUBSECTION. 12. Community-based corrections
28 facilities.

29 Sec. 58. Section 904.103, subsection 1, Code 2024, is
30 amended by striking the subsection.

31 Sec. 59. Section 904.301A, Code 2024, is amended to read as
32 follows:

33 **904.301A Appointment of directors.**

34 The director shall appoint, subject to the approval of
35 the board, a district director for each ~~judicial~~ district

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1 department of ~~correctional services~~ established in section
2 ~~905.2~~ 904.104A.

3 Sec. 60. Section 904.303, Code 2024, is amended to read as
4 follows:

5 **904.303 Officers and employees — compensation.**

6 1. The director shall determine the number and compensation
7 of subordinate officers and employees for each institution
8 subject to **chapter 8A, subchapter IV**. Subject to **this chapter**,
9 the officers and employees shall be appointed and discharged
10 by the superintendent or district director, as applicable,
11 who shall keep in the record of each subordinate officer and
12 employee, the date of employment, the compensation, and the
13 date of and the reasons for each discharge.

14 2. The superintendents, district directors, and employees
15 of the correctional institutions shall receive salaries or
16 compensation as determined by the director, shall receive a
17 midshift meal when on duty, and shall be provided uniforms if
18 uniforms are required to be worn when on duty. The uniforms
19 shall be maintained and replaced by the department at no
20 cost to the employees and shall remain the property of the
21 department.

22 Sec. 61. Section 904.306, Code 2024, is amended to read as
23 follows:

24 **904.306 Conferences.**

25 Quarterly conferences of the superintendents and the
26 district directors of the institutions shall be held with
27 the director for the consideration of all matters relative
28 to the management of the institutions. Full minutes of the
29 meetings shall be preserved in the records of the director.
30 The director may cause papers to be prepared and read at the
31 conferences on appropriate subjects.

32 Sec. 62. Section 904.307, Code 2024, is amended to read as
33 follows:

34 **904.307 Annual reports.**

35 1. The superintendent of each institution shall make an

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1 annual report to the director.

2 2. The district director of each district department shall
3 make an annual report to the director.

4 Sec. 63. Section 904.310, Code 2024, is amended to read as
5 follows:

6 **904.310 Canteens.**

7 The director may maintain a canteen at an institution under
8 the director's jurisdiction for the sale to persons confined
9 in or committed to the institution of items such as toilet
10 articles, candy, tobacco products, notions, and other sundries,
11 and may provide the necessary facilities, equipment, personnel,
12 and merchandise for the canteen. The director shall specify
13 the items to be sold in the canteen. The department may
14 establish and maintain a permanent operating fund for each
15 canteen. The fund shall consist of the receipts from the
16 sale of commodities at the canteen and donations designated
17 by inmates for reimbursement of victims' travel expenses.
18 Any money in the fund over the amount needed to do normal
19 business transactions, to reimburse any accounts which have
20 subsidized the canteen fund, and to reimburse victims' travel
21 expenses shall be considered profit. This money may remain in
22 the institution's canteen fund and be used for any purchase
23 which the superintendent or district director, as applicable,
24 approves that will directly and collectively benefit the
25 inmates of the institution or to reimburse victims' travel
26 expenses.

27 Sec. 64. Section 904.311, subsection 1, Code 2024, is
28 amended to read as follows:

29 1. The director may permit the superintendent or the
30 district director, as applicable, of each institution to retain
31 a stated amount of funds in possession as a contingent fund
32 for the payment of freight, postage, commodities purchased
33 on authority of the director on a cash basis, salaries,
34 inmate allowances, and bills granting discount for cash. If
35 necessary, the director shall make proper requisition upon the

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1 director of the department of administrative services for a
2 warrant on the treasurer of state to secure the contingent fund
3 for each institution.

4 Sec. 65. Section 904.315, subsection 1, Code 2024, is
5 amended to read as follows:

6 1. The director of the department of administrative
7 services shall, in writing, let all contracts for authorized
8 improvements under [chapter 8A, subchapter III](#), costing in
9 excess of the competitive bid threshold in [section 26.3](#), or as
10 established in [section 314.1B](#). Upon prior authorization by
11 the director, improvements costing five thousand dollars or
12 less may be made by the superintendent or district director, as
13 applicable, of any institution.

14 Sec. 66. Section 904.502, Code 2024, is amended to read as
15 follows:

16 **904.502 Questionable commitment.**

17 The superintendent or the district director, as applicable,
18 shall within three days of the commitment or entrance of a
19 person at the institution notify the director if there is any
20 question as to the propriety of the commitment or detention of
21 any person received at the institution, and the director upon
22 notification shall inquire into the matter presented, and take
23 appropriate action.

24 Sec. 67. Section 904.505, subsection 2, Code 2024, is
25 amended to read as follows:

26 2. The superintendent or district director, as applicable,
27 of each institution shall maintain a register of all penalties
28 imposed on inmates and the cause for which the penalties were
29 imposed.

30 Sec. 68. Section 904.512, Code 2024, is amended to read as
31 follows:

32 **904.512 Visits.**

33 Members of the executive council, the attorney general,
34 the lieutenant governor, members of the general assembly,
35 judges of the supreme and district court and court of appeals,

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1 judicial magistrates, county attorneys, and persons ordained
2 or designated as regular leaders of a religious community are
3 authorized to visit all institutions under the control of the
4 Iowa department of corrections at reasonable times. No other
5 person shall be granted admission except by permission of the
6 superintendent or district director, as applicable.

7 Sec. 69. Section 904.513, subsection 1, paragraph a, Code
8 2024, is amended to read as follows:

9 a. The department of corrections, ~~in cooperation with the~~
10 ~~judicial district departments of correctional services,~~ shall
11 establish in each judicial district a continuum of programming
12 for the supervision and treatment of offenders convicted of
13 violating [chapter 321J](#) who are sentenced to the custody of the
14 director. The continuum shall include a range of sanctioning
15 options that include but are not limited to prisons and
16 residential facilities.

17 Sec. 70. Section 904.513, subsection 1, paragraph b,
18 subparagraph (4), Code 2024, is amended to read as follows:

19 (4) Assignment may also be made on the basis of the
20 offender's treatment program performance, as a disciplinary
21 measure, for medical needs, and for space availability at
22 community residential facilities. If there is insufficient
23 space at a community residential facility, the court may order
24 an offender to be released to the supervision of the ~~judicial~~
25 ~~district department of correctional services,~~ held in jail,
26 or committed to the custody of the director ~~of the department~~
27 ~~of corrections~~ for assignment to an appropriate correctional
28 facility until there is sufficient space at a community
29 residential facility.

30 Sec. 71. Section 904.514, subsections 1 and 3, Code 2024,
31 are amended to read as follows:

32 1. A person committed to an institution under the control of
33 the department who bites another person, who causes an exchange
34 of bodily fluids with another person, or who causes any bodily
35 secretion to be cast upon another person, shall submit to the

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1 withdrawal of a bodily specimen for testing to determine if the
2 person is infected with a contagious infectious disease. The
3 bodily specimen to be taken shall be determined by the staff
4 physician of the institution. The specimen taken shall be
5 sent to the state hygienic laboratory or some other laboratory
6 approved by the department of health and human services. If a
7 person to be tested pursuant to [this section](#) refuses to submit
8 to the withdrawal of a bodily specimen, application may be made
9 by the superintendent of the institution to the district court
10 for an order compelling the person to submit to the withdrawal
11 and, if infected, to available treatment. An order authorizing
12 the withdrawal of a specimen for testing may be issued only by
13 a district judge or district associate judge upon application
14 by the superintendent or district director, as applicable, of
15 the institution.

16 3. Personnel at an institution under the control of the
17 department ~~or of a residential facility operated by a judicial~~
18 ~~district department of correctional services~~ shall be notified
19 if a person committed to any of these institutions is found to
20 have a contagious infectious disease.

21 Sec. 72. Section 904.602, subsection 1, unnumbered
22 paragraph 1, Code 2024, is amended to read as follows:

23 The following information regarding individuals receiving
24 or who have received services from the department or from the
25 ~~judicial district departments of correctional services under~~
26 [chapter 905](#) is public information and may be given to anyone:

27 Sec. 73. Section 904.602, subsection 2, unnumbered
28 paragraph 1, Code 2024, is amended to read as follows:

29 The following information regarding individuals receiving
30 or who have received services from the department or from the
31 ~~judicial district departments of correctional services under~~
32 [chapter 905](#) is confidential and shall not be disseminated by
33 the department to the public:

34 Sec. 74. Section 904.602, subsections 6 and 10, Code 2024,
35 are amended to read as follows:

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1 6. Confidential information described in [subsection 2](#) may
2 be disclosed to public officials for use in connection with
3 their official duties relating to law enforcement, audits and
4 other purposes directly connected with the administration of
5 their programs. Full disclosure by the department of any
6 information on an individual may be made to the board of parole
7 and to ~~judicial~~ district departments of ~~correctional services~~
8 ~~created under [chapter 905](#)~~, and the board and those district
9 departments are subject to the same standards as the department
10 in dissemination or redissemination of information on persons
11 served or supervised by those district departments, and all
12 provisions of [this section](#) pertain to the board of parole and
13 to the ~~judicial~~ district departments as if they were a part
14 of the department. Information may be disseminated about
15 individuals while under the supervision of the department
16 to public or private agencies to which persons served or
17 supervised by the department are referred for specific services
18 not otherwise provided by the department but only to the extent
19 that the information is needed by those agencies to provide the
20 services required, and they shall keep information received
21 from the department confidential.

22 10. Regulations, procedures, and policies that govern the
23 internal administration of the department and the ~~judicial~~
24 ~~district departments of correctional services under chapter~~
25 ~~905~~, which if released may jeopardize the secure operation of a
26 correctional institution operation or program are confidential
27 unless otherwise ordered by a court. These records include
28 procedures on inmate movement and control; staffing patterns
29 and regulations; emergency plans; internal investigations;
30 equipment use and security; building plans, operation,
31 and security; security procedures for inmates, staff, and
32 visitors; daily operation records; and contraband and medicine
33 control. These records are exempt from the public inspection
34 requirements in [section 17A.3](#) and [section 22.2](#).

35 Sec. 75. Section 904.704, Code 2024, is amended to read as

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1 follows:

2 **904.704 Limitation on contracts.**

3 The director or the ~~superintendents~~ superintendent or
4 district director, as applicable, of the institutions shall
5 not, nor shall any other person employed by the state, make
6 any contract by which the labor or time of an inmate in the
7 institution is given, loaned, or sold to any person unless as
8 provided by [subchapter VIII](#) or [section 904.703](#).

9 Sec. 76. Section 904.904, Code 2024, is amended to read as
10 follows:

11 **904.904 Housing facilities — halfway houses.**

12 Unless the inmate returns after working hours to the
13 institution under jurisdiction of the department of
14 ~~corrections~~, the department of ~~corrections~~ shall ~~contract~~
15 coordinate with a ~~judicial~~ district department of ~~correctional~~
16 ~~services~~ for the quartering and supervision of the inmate in
17 local housing facilities. The board of parole shall include
18 as a specific term or condition in the work release plan of
19 any inmate the place where the inmate is to be housed when not
20 on the work assignment. The board of parole shall not place
21 an inmate on work release for longer than six months in any
22 twelve-month period unless approval is given by a majority of
23 the full board of parole. Inmates may be temporarily released
24 to the supervision of a responsible person to participate in
25 family and selected community, religious, educational, social,
26 civic, and recreational activities when it is determined
27 that the participation will directly facilitate the release
28 transition from institution to community. The department of
29 ~~corrections~~ shall provide a copy of the work release plan and
30 a copy of any restitution plan of payment to the ~~judicial~~
31 district department of ~~correctional services~~ quartering and
32 supervising the inmate.

33 Sec. 77. Section 904.905, Code 2024, is amended to read as
34 follows:

35 **904.905 Surrender of earnings.**

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1 1. An inmate employed in the community under a work release
2 plan shall surrender to the ~~judicial~~ district department of
3 ~~correctional services~~ the inmate's total earnings less payroll
4 deductions required by law. The ~~judicial~~ district department
5 of ~~correctional services~~ shall deduct from the earnings in the
6 following order of priority:

7 a. An amount the inmate may be legally obligated to pay
8 for the support of the inmate's dependents, the amount of
9 which shall be paid to the dependents through the department
10 of health and human services.

11 b. Restitution as ordered by the court pursuant to chapter
12 910.

13 c. An amount determined to be the cost to the ~~judicial~~
14 district department of ~~correctional services~~ for providing
15 food, lodging, and clothing for the inmate while under the
16 program.

17 d. Any other financial obligations which are acknowledged by
18 the inmate or any unsatisfied judgment against the inmate.

19 2. Any balance remaining after deductions and payments
20 shall be credited to the inmate's personal account at the
21 ~~judicial~~ district department of ~~correctional services~~ and shall
22 be paid to the inmate upon release. An inmate so employed
23 shall be paid a fair and reasonable wage in accordance with the
24 prevailing wage scale for such work and shall work at fair and
25 reasonable hours per day and per week.

26 Sec. 78. Section 904.906, Code 2024, is amended to read as
27 follows:

28 **904.906 Status of inmates on work release.**

29 An inmate employed in the community under [this chapter](#)
30 is not an agent, employee, or involuntary servant of the
31 department of corrections, or the board of parole, ~~or the~~
32 ~~judicial district department of correctional services~~ while
33 released from confinement under the terms of a work release
34 plan. If an inmate suffers an injury arising out of or in
35 the course of the inmate's employment under [this chapter](#), the

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1 inmate's recovery shall be from the insurance carrier of the
2 employer of the project and no proceedings for compensation
3 shall be maintained against the insurance carrier of the
4 state institution, or the state, ~~the insurance carrier of the~~
5 ~~judicial district department of correctional services, or the~~
6 ~~judicial district department of correctional services,~~ and
7 there is no employer-employee relationship between the inmate
8 and the state institution, or the board of parole, ~~or the~~
9 ~~judicial district department of correctional services.~~

10 Sec. 79. Section 904.908, subsections 1 and 2, Code 2024,
11 are amended to read as follows:

12 1. Upon request by the Iowa department of corrections,
13 or the board of parole, ~~or a judicial district department~~
14 ~~of correctional services~~ a county shall provide temporary
15 confinement for alleged violators of work release conditions
16 if space is available.

17 2. The Iowa department of corrections shall negotiate
18 a reimbursement rate with each county for the temporary
19 confinement of alleged violators of work release conditions
20 who are in the custody of or who are housed or supervised
21 by the director of the Iowa department of corrections ~~or who~~
22 ~~are housed or supervised by the judicial district department~~
23 ~~of correctional services.~~ The amount to be reimbursed shall
24 be determined by multiplying the number of days a person is
25 confined by the average daily cost of confining a person in the
26 county facility as negotiated with the department. Payment
27 shall be made upon submission of a voucher executed by the
28 sheriff and approved by the director of the Iowa department of
29 corrections.

30 Sec. 80. Section 904.910, subsections 4 and 5, Code 2024,
31 are amended to read as follows:

32 4. ~~The department may contract with a judicial district~~
33 ~~department of correctional services for the housing and~~
34 ~~supervision of an~~ An inmate in local facilities as provided
35 in section 904.904 may be housed and supervised by a district

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1 department. The institutional work release plan shall
2 indicate the place where the inmate is to be housed when not
3 on work assignment. The plan shall not allow for placement
4 of an inmate on work release for more than six months in any
5 twelve-month period without unanimous committee approval to
6 do so. However, an inmate may be temporarily released to the
7 supervision of a responsible person to participate in family
8 and selected community, religious, educational, social, civic,
9 and recreational activities when the committee determines that
10 the participation will directly facilitate the release of the
11 inmate from the institution to the community. The department
12 shall provide a copy of the work release plan and a copy of any
13 restitution plan of payment to the ~~judicial~~ district department
14 ~~of correctional services~~ housing and supervising the inmate.

15 5. An inmate employed in the community under an
16 institutional work release plan approved pursuant to this
17 section shall surrender the inmate's total earnings less
18 payroll deductions required by law to the superintendent, or to
19 the ~~judicial~~ district department ~~of correctional services~~ if it
20 is housing or supervising the inmate. The superintendent or
21 the ~~judicial~~ district department ~~of correctional services~~ shall
22 deduct from the earnings in the priority established in section
23 904.905.

24 Sec. 81. Section 905.2, Code 2024, is amended to read as
25 follows:

26 **905.2 District Judicial district departments of correctional**
27 **services established.**

28 1. There is established in each judicial district in this
29 state a judicial district department of correctional services.
30 Each district department shall furnish or contract for those
31 services necessary to provide a community-based correctional
32 program which meets the requirements of the ~~Iowa~~ department ~~of~~
33 ~~corrections.~~

34 2. The district department is under the direction of the
35 ~~Iowa~~ department ~~of corrections~~, and shall be administered

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1 by a district director employed by the Iowa department of
2 ~~corrections~~. A district department is a state agency for
3 purposes of chapter 669.

4 3. All employees of a district department shall be employees
5 of the Iowa department of ~~corrections~~.

6 Sec. 82. Section 905.3, Code 2024, is amended to read as
7 follows:

8 **905.3 District advisory board — expenses reimbursed.**

9 1. ~~a.~~ A district advisory board is established for each
10 district department, which shall serve in an advisory capacity
11 to a district director without compensation, and shall be
12 composed as follows:

13 ~~(1) a.~~ One member shall be appointed annually by a district
14 director from the board of supervisors of each county in the
15 judicial district.

16 ~~(2) b.~~ The district director shall on or before December 31
17 appoint two citizen members to serve on the district advisory
18 board for the following calendar year.

19 ~~(3) A number of members equal to the number of citizen~~
20 ~~members shall be appointed by the chief judge of the judicial~~
21 ~~district on or before December 31 to serve on the district~~
22 ~~advisory board for the following calendar year.~~

23 ~~b.~~ 2. The district advisory board shall meet not more often
24 than quarterly during the calendar year.

25 ~~2.~~ 3. The members of the district advisory board shall be
26 reimbursed from funds of the district department for travel and
27 other expenses necessarily incurred in attending meetings.

28 Sec. 83. Section 905.4, Code 2024, is amended to read as
29 follows:

30 **905.4 Duties of the district advisory board.**

31 The district advisory board shall:

32 1. Adopt bylaws and rules for the conduct of ~~its own~~
33 district advisory board business.

34 2. Advise the district director concerning suitable
35 quarters at one or more sites in the district as may be

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1 necessary for the district department's community-based
2 correctional program.

3 3. Recruit and promote local financial support for the
4 district department's community-based correctional program from
5 private sources such as community service funds, business,
6 industrial and private foundations, voluntary agencies, and
7 other lawful sources.

8 Sec. 84. Section 905.6, Code 2024, is amended to read as
9 follows:

10 **905.6 Duties of district director.**

11 ~~The~~ Each district director employed by the ~~Iowa~~ department
12 ~~of corrections~~ shall be qualified in the administration of
13 correctional programs. The district director shall:

14 1. Perform the duties and have the responsibilities
15 delegated or specified by the ~~Iowa~~ department ~~of corrections~~.

16 2. Manage the district department's community-based
17 correctional program, in accordance with the policies of the
18 ~~Iowa~~ department ~~of corrections~~.

19 3. Employ, with approval of the ~~Iowa~~ department ~~of~~
20 ~~corrections~~, and supervise the employees of the district
21 department, including reserve peace officers, if a force of
22 reserve peace officers has been established.

23 4. Prepare all budgets and fiscal documents, and certify
24 for payment all expenses and payrolls lawfully incurred by the
25 district department.

26 5. Act as secretary to the district advisory board, prepare
27 its agenda and record its proceedings. The district shall
28 provide a copy of minutes from each meeting of the district
29 advisory board to the legislative services agency.

30 6. Develop and submit to the ~~Iowa~~ department ~~of corrections~~
31 a plan for the establishment, implementation, and operation
32 of a community-based correctional program in that judicial
33 district, which program conforms to the guidelines drawn up
34 by the ~~Iowa~~ department ~~of corrections~~ under [this chapter](#) and
35 which conform to rules, policies, and procedures pertaining

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1 to the supervision of parole and work release adopted by the
2 director ~~of the Iowa department of corrections~~ concerning the
3 community-based correctional program.

4 7. Negotiate and, upon approval by the Iowa department of
5 ~~corrections~~, implement contracts or other arrangements for
6 utilization of local treatment and service resources authorized
7 by [subsection 15](#).

8 8. Administer the batterers' treatment program for domestic
9 abuse offenders required in [section 708.2B](#).

10 9. Notify the board of parole, thirty days prior to release,
11 of the release from a residential facility operated by the
12 district department of a person serving a sentence under
13 section 902.12.

14 10. File with the director ~~of the Iowa department of~~
15 ~~corrections~~, within ninety days after the close of each
16 fiscal year, a report covering the district advisory board's
17 proceedings and a statement of receipts and expenditures during
18 the preceding fiscal year.

19 11. Arrange for, upon approval of the Iowa department of
20 ~~corrections~~, by contract or on such alternative basis as may
21 be mutually acceptable, and equip suitable quarters at one
22 or more sites in the district as may be necessary for the
23 district department's community-based correctional program,
24 provided that the district director shall to the greatest
25 extent feasible utilize existing facilities and shall keep
26 capital expenditures for acquisition, renovation, and repair
27 of facilities to a minimum. The district director shall not
28 enter into lease-purchase agreements for the purposes of
29 constructing, renovating, expanding, or otherwise improving
30 a community-based correctional facility or office unless
31 express authorization has been granted by the general assembly,
32 and current funding is adequate to meet the lease-purchase
33 obligation.

34 12. Have authority to accept property by gift, devise,
35 bequest, or otherwise, and to sell or exchange any property

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1 so accepted and apply the proceeds thereof, or the property
2 received in exchange therefor, to the purposes enumerated in
3 subsection 11.

4 13. Recruit, promote, accept, and use local financial
5 support for the district department's community-based
6 correctional program from private sources such as community
7 service funds, business, industrial and private foundations,
8 voluntary agencies, and other lawful sources.

9 14. Accept and expend state and federal funds available
10 directly to the district department for all or any part of the
11 cost of its community-based correctional program.

12 15. Arrange, by contract or on an alternative basis mutually
13 acceptable, and with approval of the director ~~of the Iowa~~
14 ~~department of corrections~~ or that director's designee for
15 utilization of existing local treatment and service resources,
16 including but not limited to employment, job training,
17 general, special, or remedial education; psychiatric and
18 marriage counseling; and substance use disorder treatment and
19 counseling.

20 16. Have authority to establish a force of reserve peace
21 officers, either separately or collectively through a chapter
22 28E agreement, as provided in [chapter 80D](#).

23 Sec. 85. Section 905.14, subsection 3, Code 2024, is amended
24 to read as follows:

25 3. The department ~~of corrections~~ may adopt rules for the
26 administration of [this section](#). If adopted, the rules shall
27 include a provision for waiving the collection of fees for
28 persons determined to be unable to pay.

29 Sec. 86. Section 907.3, subsection 1, paragraph c, Code
30 2024, is amended to read as follows:

31 c. Upon fulfillment of the conditions of probation and
32 the payment of fees imposed and not waived by the judicial
33 district department of correctional services under section
34 ~~905.14~~ [904.912](#), the defendant shall be discharged without entry
35 of judgment.

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1 Sec. 87. Section 907.3, subsection 3, unnumbered paragraph
2 1, Code 2024, is amended to read as follows:

3 By record entry at the time of or after sentencing, the court
4 may suspend the sentence and place the defendant on probation
5 upon such terms and conditions as it may require including
6 commitment to an alternate jail facility or a community
7 correctional residential treatment facility to be followed
8 by a period of probation as specified in [section 907.7](#), or
9 commitment of the defendant to the judicial district department
10 of correctional services for supervision or services under
11 section 901B.1 at the level of sanctions which the district
12 department determines to be appropriate and the payment of fees
13 imposed under ~~section 905.14~~ [904.912](#). A person so committed
14 who has probation revoked shall not be given credit for such
15 time served. However, a person committed to an alternate jail
16 facility or a community correctional residential treatment
17 facility who has probation revoked shall be given credit for
18 time served in the facility. The court shall not suspend any
19 of the following sentences:

20 Sec. 88. Section 907.7, subsection 3, Code 2024, is amended
21 to read as follows:

22 3. The court may subsequently reduce the length of the
23 probation if the court determines that the purposes of
24 probation have been fulfilled and the fees imposed under
25 section ~~905.14~~ [904.912](#) have been paid to or waived by the
26 judicial district department of correctional services and
27 that court debt collected pursuant to [section 602.8107](#) has
28 been paid. The purposes of probation are to provide maximum
29 opportunity for the rehabilitation of the defendant and to
30 protect the community from further offenses by the defendant
31 and others.

32 Sec. 89. Section 907.9, subsections 1 and 2, Code 2024, are
33 amended to read as follows:

34 1. At any time that the court determines that the purposes
35 of probation have been fulfilled and fees imposed under section

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1 ~~905.14~~ 904.912 and court debt collected pursuant to section
2 602.8107 have been paid, the court may order the discharge of a
3 person from probation.

4 2. At any time that a probation officer determines that
5 the purposes of probation have been fulfilled and fees imposed
6 under section ~~905.14~~ 904.912 and court debt collected pursuant
7 to section 602.8107 have been paid, the officer may order the
8 discharge of a person from probation after approval of the
9 district director and notification of the sentencing court and
10 the county attorney who prosecuted the case.

11 Sec. 90. Section 907.9, subsection 4, paragraph a, Code
12 2024, is amended to read as follows:

13 a. At the expiration of the period of probation if the fees
14 imposed under section ~~905.14~~ 904.912 and court debt collected
15 pursuant to section 602.8107 have been paid, the court shall
16 order the discharge of the person from probation. If portions
17 of the court debt remain unpaid, the person shall establish a
18 payment plan with the clerk of the district court or the county
19 attorney prior to the discharge. The court shall forward to
20 the governor a recommendation for or against restoration of
21 citizenship rights to that person upon discharge. A person who
22 has been discharged from probation shall no longer be held to
23 answer for the person's offense.

24 Sec. 91. REPEAL. Sections 905.1, 905.7, 905.8, 905.9,
25 905.10, 905.12, 905.13, and 905.15, Code 2024, are repealed.

26 Sec. 92. CODE EDITOR DIRECTIVE.

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

- 29 a. Section 905.2 to section 904.104A.
- 30 b. Section 905.3 to section 904.104B.
- 31 c. Section 905.4 to section 904.105A.
- 32 d. Section 905.6 to section 904.301B.
- 33 e. Section 905.11 to section 904.911.
- 34 f. Section 905.14 to section 904.912.
- 35 g. Section 905.16 to section 904.913.

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1 2. The Code editor is directed to correct internal
2 references in the Code and in any enacted legislation as
3 necessary due to enactment of this division of this Act.

4 DIVISION VI

5 DEPARTMENT OF REVENUE

6 Sec. 93. Section 99G.3, subsection 5, Code 2024, is amended
7 to read as follows:

8 5. "*Director*" means the director of ~~the department of~~
9 revenue or the director's designee.

10 Sec. 94. Section 99G.7, subsection 1, paragraphs b and c,
11 Code 2024, are amended to read as follows:

12 *b.* Promote or provide for promotion of the lottery and any
13 functions related to the division under ~~this chapter~~.

14 *c.* Prepare a budget for the approval of the director for
15 activities of the division under ~~this chapter~~.

16 Sec. 95. Section 99G.7, subsection 1, paragraph g, Code
17 2024, is amended by striking the paragraph.

18 Sec. 96. Section 99G.8, subsections 4, 11, and 13, Code
19 2024, are amended to read as follows:

20 4. No ~~officer or~~ employee of the department shall be a
21 member of the board.

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

29 13. Board members shall not have any direct or indirect
30 interest in an undertaking that puts their personal interest
31 in conflict with that of the department under ~~this chapter~~
32 including but not limited to an interest in a ~~major~~ procurement
33 contract or a participating retailer.

34 Sec. 97. Section 99G.10, subsection 3, Code 2024, is amended
35 to read as follows:

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1 3. A background investigation shall be conducted by
2 the department of public safety, division of criminal
3 investigation, on each applicant who has reached the final
4 selection process prior to employment by the department under
5 this chapter. For positions not designated as sensitive by the
6 department, the investigation may consist of a state criminal
7 history background check, work history, and financial review.
8 The department shall identify those sensitive positions of
9 the division which require full background investigations,
10 which positions shall include, at a minimum, ~~any officer of~~
11 ~~the division, and~~ any employee with operational management
12 responsibilities, security duties, or system maintenance or
13 programming responsibilities related to the division's data
14 processing or network hardware, software, communication, or
15 related systems under [this chapter](#). In addition to a work
16 history and financial review, a full background investigation
17 may include a national criminal history check through the
18 federal bureau of investigation. The screening of employees
19 through the federal bureau of investigation shall be conducted
20 by submission of fingerprints through the state criminal
21 history repository to the federal bureau of investigation. The
22 results of background investigations conducted pursuant to this
23 section shall not be considered public records under chapter
24 22.

25 Sec. 98. Section 99G.11, subsections 1, 2, 3, and 4, Code
26 2024, are amended to read as follows:

27 1. A member of the board, ~~any officer,~~ or other employee of
28 the division shall not directly or indirectly, individually,
29 as a member of a partnership or other association, or as a
30 shareholder, director, or officer of a corporation have an
31 interest in a business that contracts for the operation or
32 marketing of the lottery as authorized by [this chapter](#), unless
33 the business is controlled or operated by a consortium of
34 lotteries in which the division has an interest.

35 2. Notwithstanding the provisions of [chapter 68B](#), a person

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1 contracting or seeking to contract with the state to supply
2 gaming equipment or materials for use in the operation of the
3 lottery, an applicant for a license to sell tickets or shares
4 in the lottery, or a retailer shall not offer a member of
5 the board, ~~any officer,~~ or ~~other~~ employee of the division,
6 or a member of their immediate family a gift, gratuity, or
7 other thing having a value of more than the limits established
8 in [chapter 68B](#), other than food and beverage consumed at
9 a meal. For purposes of [this subsection](#), *“member of their*
10 *immediate family”* means a spouse, child, stepchild, brother,
11 brother-in-law, stepbrother, sister, sister-in-law, stepsister,
12 parent, parent-in-law, or step-parent of the board member, ~~the~~
13 ~~officer,~~ or ~~other~~ employee who resides in the same household
14 in the same principal residence of the board member, ~~officer,~~
15 or ~~other~~ employee.

16 3. If a board member, ~~officer,~~ or ~~other~~ employee of the
17 division violates a provision of [this section](#), the board
18 member, ~~officer,~~ or employee shall be immediately removed from
19 the ~~office or~~ position.

20 4. Enforcement of [this section](#) against a board member,
21 ~~officer,~~ or ~~other~~ employee shall be by the attorney general who
22 upon finding a violation shall initiate an action to remove the
23 board member, ~~officer,~~ or employee.

24 Sec. 99. Section 99G.12, subsection 1, Code 2024, is amended
25 to read as follows:

26 1. The ~~authority~~ department may operate self-service kiosks
27 to dispense authorized lottery tickets or products in locations
28 where lottery games and lottery products are sold, subject to
29 the requirements of [this chapter](#).

30 Sec. 100. Section 99G.21, subsection 2, paragraph f, Code
31 2024, is amended to read as follows:

32 *f.* To enter into written agreements with one or more other
33 states or territories of the United States, or one or more
34 political subdivisions of another state or territory of the
35 United States, or any entity lawfully operating a lottery

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1 outside the United States for the operation, marketing, and
2 promotion of a joint lottery or joint lottery game. For
3 the purposes of this subsection, any lottery with which the
4 authority department reaches an agreement or compact shall meet
5 the criteria for security, integrity, and finance set by the
6 board.

7 Sec. 101. Section 99G.22, subsection 1, Code 2024, is
8 amended to read as follows:

9 1. The department shall investigate the financial
10 responsibility, security, and integrity of any lottery system
11 vendor who is a finalist in submitting a bid, proposal, or
12 offer as part of a major procurement contract. Before a major
13 procurement contract is awarded, the division of criminal
14 investigation of the department of public safety shall conduct
15 a background investigation of the vendor to whom the contract
16 is to be awarded. The ~~administrator~~ department shall consult
17 with the division of criminal investigation and shall provide
18 for the scope of the background investigation and due diligence
19 to be conducted in connection with major procurement contracts.
20 At the time of submitting a bid, proposal, or offer to the
21 department on a major procurement contract, each vendor shall
22 be required to submit to the division of criminal investigation
23 appropriate investigation authorization to facilitate this
24 investigation, together with an advance of funds to meet the
25 anticipated investigation costs. If the division of criminal
26 investigation determines that additional funds are required
27 to complete an investigation, the vendor will be so advised.
28 The background investigation by the division of criminal
29 investigation may include a national criminal history check
30 through the federal bureau of investigation. The screening
31 of vendors or their employees through the federal bureau of
32 investigation shall be conducted by submission of fingerprints
33 through the state criminal history repository to the federal
34 bureau of investigation.

35 Sec. 102. Section 99G.23, subsections 1 and 2, Code 2024,

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1 are amended to read as follows:

2 1. The ~~division~~ department may make procurements that
3 integrate functions such as lottery game design, lottery ticket
4 distribution to retailers, supply of goods and services,
5 and advertising. In all procurement decisions under this
6 chapter, the ~~division~~ department shall take into account the
7 particularly sensitive nature of the lottery and shall act to
8 promote and ensure security, honesty, fairness, and integrity
9 in the operation and administration of the lottery and the
10 objectives of raising net proceeds for state programs.

11 2. Each vendor for a major procurement shall, at the
12 execution of the contract with the ~~division~~ department, post
13 a performance bond or letter of credit from a bank or credit
14 provider acceptable to the ~~division~~ department in an amount as
15 deemed necessary by the ~~division~~ department for that particular
16 bid or contract.

17 Sec. 103. Section 99G.24, subsection 7, paragraphs d and e,
18 Code 2024, are amended to read as follows:

19 *d.* Is a vendor or any employee or agent of any vendor doing
20 business with the department under this chapter or with the
21 division.

22 *e.* Resides in the same household as an ~~officer~~ employee
23 of the division with operational management responsibilities,
24 security duties, or system maintenance or programming
25 responsibilities related to the division's data processing or
26 network hardware, software, communication, or related systems
27 under this chapter.

28 Sec. 104. Section 99G.27, subsection 1, paragraphs a, b, and
29 h, Code 2024, are amended to read as follows:

30 *a.* A violation of this chapter, a regulation, or a policy or
31 procedure of the ~~division~~ department.

32 *b.* Failure to accurately or timely account or pay for
33 lottery products, lottery games, revenues, or prizes as
34 required by the ~~division~~ department.

35 *h.* Failure to meet any of the objective criteria established

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1 by the ~~division~~ department pursuant to [this chapter](#).

2 Sec. 105. Section 99G.28, Code 2024, is amended to read as
3 follows:

4 **99G.28 Proceeds held in trust.**

5 All proceeds from the sale of the lottery tickets or shares
6 shall constitute a trust fund until paid to the ~~division~~
7 department directly, through electronic funds transfer to the
8 ~~division~~ department, or through the ~~division's~~ department's
9 authorized collection representative. A lottery retailer
10 and officers of a lottery retailer's business shall have a
11 fiduciary duty to preserve and account for lottery proceeds and
12 lottery retailers shall be personally liable for all proceeds.
13 Proceeds shall include unsold products received but not paid
14 for by a lottery retailer and cash proceeds of the sale of any
15 lottery products net of allowable sales commissions and credit
16 for lottery prizes paid to winners by lottery retailers. Sales
17 proceeds of pull-tab tickets shall include the sales price
18 of the lottery product net of allowable sales commission and
19 prizes contained in the product. Sales proceeds and unused
20 instant tickets shall be delivered to the ~~division~~ department
21 or its authorized collection representative upon demand.

22 Sec. 106. Section 99G.30A, subsection 2, paragraphs a and c,
23 Code 2024, are amended to read as follows:

24 *a.* The director ~~of revenue~~ shall administer the monitor
25 vending machine excise tax as nearly as possible in conjunction
26 with the administration of state sales tax laws. The director
27 shall provide appropriate forms or provide appropriate entries
28 on the regular state tax forms for reporting local sales and
29 services tax liability.

30 *c.* Frequency of deposits and monthly reports of the monitor
31 vending machine excise tax with the department ~~of revenue~~ are
32 governed by the tax provisions in [section 423.31](#). Monitor
33 vending machine excise tax collections shall not be included in
34 computation of the total tax to determine frequency of filing
35 under [section 423.31](#).

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1 Sec. 107. Section 99G.31, subsection 3, paragraphs f and g,
2 Code 2024, are amended to read as follows:

3 *f.* The ~~division~~ department is discharged of all liability
4 upon payment of a prize pursuant to **this section**.

5 *g.* No ticket or share issued by the division shall be
6 purchased by and no prize shall be paid to any member of the
7 board of directors; any ~~officer or~~ employee of the department
8 under **this chapter**; or to any spouse, child, brother, sister,
9 or parent residing as a member of the same household in the
10 principal place of residence of any such person.

11 Sec. 108. Section 99G.34, subsection 4, Code 2024, is
12 amended to read as follows:

13 4. Security records pertaining to investigations and
14 intelligence-sharing information between lottery security
15 ~~officers~~ staff and those of other lotteries and law enforcement
16 agencies, the security portions or segments of lottery
17 requests for proposals, proposals by vendors to conduct
18 lottery operations, and records of the security division of the
19 department under **this chapter** pertaining to game security data,
20 ticket validation tests, and processes.

21 Sec. 109. Section 99G.35, subsection 1, unnumbered
22 paragraph 1, Code 2024, is amended to read as follows:

23 The department's ~~chief security officer and investigators~~
24 lottery security staff under **this chapter** shall be qualified
25 by training and experience in law enforcement to perform their
26 respective duties in support of the activities of the security
27 office. ~~The chief security officer and investigators~~ Lottery
28 security staff shall not have sworn peace officer status. The
29 lottery security office shall perform all of the following
30 activities in support of the mission of the department under
31 this chapter:

32 Sec. 110. Section 421.2, Code 2024, is amended to read as
33 follows:

34 **421.2 Department of revenue.**

35 A department of revenue is created. The department shall be

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1 administered by a director of revenue who shall be appointed by
2 the governor subject to confirmation by the senate and shall
3 serve at the pleasure of the governor. If the office of the
4 director becomes vacant, the vacancy shall be filled in the
5 same manner as provided for the original appointment. ~~The~~
6 Except for the Iowa lottery division under chapter 99G, the
7 director may establish, abolish, and consolidate divisions
8 within the department of revenue when necessary for the
9 efficient performance of the various functions and duties of
10 the department of revenue.

11 Sec. 111. Section 421.9, subsection 1, unnumbered paragraph
12 1, Code 2024, is amended to read as follows:

13 The director of revenue or a department employee designated
14 ~~deputy~~ by the director shall sign on behalf of the department
15 all orders, subpoenas, warrants, and other documents of like
16 character issued by the department.

17 DIVISION VII

18 WORKFORCE DEVELOPMENT

19 Sec. 112. Section 84A.5, subsection 5, Code 2024, is amended
20 by adding the following new paragraph:

21 NEW PARAGRAPH. *p.* The supplemental nutrition assistance
22 program employment and training program pursuant to 7 C.F.R.
23 pt. 273, administered jointly with the department of health and
24 human services.

25 Sec. 113. Section 84A.6, subsection 2, paragraph a, Code
26 2024, is amended to read as follows:

27 *a.* The director of the department of workforce development,
28 in cooperation with the department of health and human
29 services, shall provide job placement and training to persons
30 referred by the department of health and human services
31 under the promoting independence and self-sufficiency
32 through employment job opportunities and basic skills program
33 established pursuant to [chapter 239B](#) and the supplemental
34 nutrition assistance program employment and training program
35 pursuant to 7 C.F.R. pt. 273.

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1 Sec. 114. Section 84A.19, subsection 2, Code 2024, is
2 amended to read as follows:

3 2. The department of workforce development ~~and community~~
4 ~~colleges~~ shall ~~jointly~~ implement adult education and literacy
5 programs to assist adults and youths sixteen years of age and
6 older who are not in school in obtaining the knowledge and
7 skills necessary for further education, work, and community
8 involvement.

9 DIVISION VIII

10 DEPARTMENT OF PUBLIC SAFETY

11 Sec. 115. Section 80E.1, subsection 2, paragraph b, Code
12 2024, is amended by striking the paragraph.

13 Sec. 116. Section 100.41, Code 2024, is amended to read as
14 follows:

15 **100.41 Authority to cite violations.**

16 Fire officials acting under the authority of ~~this part~~
17 chapter 10A, subchapter V, part 2, may issue citations in
18 accordance with **chapter 805**, for violations of ~~this part~~
19 chapter 10A, subchapter V, part 2, or a violation of a local
20 fire safety code.

21 DIVISION IX

22 ECONOMIC DEVELOPMENT AUTHORITY AND IOWA FINANCE AUTHORITY —
23 REPORTS

24 Sec. 117. Section 15.107B, Code 2024, is amended by adding
25 the following new subsection:

26 NEW SUBSECTION. 3. The director may, notwithstanding
27 any provision of law to the contrary, include in the report
28 submitted pursuant to subsection 1, any other annual report
29 relating to a program or activity required to be prepared by
30 the authority, the director, or the board, and submitted to the
31 general assembly.

32 Sec. 118. Section 15.108, subsection 6, paragraph c,
33 subparagraph (1), subparagraph division (c), Code 2024, is
34 amended to read as follows:

35 (c) By January 15 of each year, or as part of the annual

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1 report under section 15.107B, the economic development
2 authority shall submit to the governor and the general assembly
3 a compilation of reports required under this subparagraph.

4 Sec. 119. Section 15.108, subsection 8, paragraph f, Code
5 2024, is amended to read as follows:

6 *f.* Conduct surveys of existing art and cultural programs
7 and activities within the state, including but not limited to
8 music, theater, dance, painting, sculpture, architecture, and
9 allied arts and crafts. The authority shall submit, or include
10 as part of the annual report under section 15.107B, a report
11 on the survey to the governor and to the general assembly no
12 later than ten calendar days after the commencement of each
13 first session of the general assembly recommending appropriate
14 legislation or other action as the authority deems appropriate.

15 Sec. 120. Section 15.120, subsection 3, paragraph b, Code
16 2024, is amended to read as follows:

17 *b.* The center shall prepare an annual report in coordination
18 with the authority. The center shall submit the report to the
19 general assembly and the legislative services agency by January
20 15 of each year or shall provide the report to the authority to
21 include as part of the annual report under section 15.107B.

22 Sec. 121. Section 15.231, subsection 7, Code 2024, is
23 amended by striking the subsection.

24 Sec. 122. Section 15.275, subsection 2, Code 2024, is
25 amended to read as follows:

26 2. The authority shall report to the general assembly on or
27 before September 1 of each fiscal year, or report as part of
28 the annual report under section 15.107B, on the effectiveness
29 of each entity that conducted statewide tourism marketing
30 services and efforts in the immediately preceding fiscal
31 year pursuant to a contract awarded under subsection 1. The
32 report shall be provided in an electronic format and shall
33 include metrics and criteria that allow the general assembly to
34 quantify and evaluate the effectiveness and economic impact of
35 each entity's statewide tourism marketing services and efforts.

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1 Sec. 123. Section 15.320, subsection 2, unnumbered
2 paragraph 1, Code 2024, is amended to read as follows:

3 By January 31 of each year, the board, in cooperation with
4 the department of revenue, shall submit to the general assembly
5 and to the governor, or provide to the authority for inclusion
6 in the annual report under section 15.107B, a report describing
7 the activities of the program for the most recent calendar year
8 for which the tax credit application period has ended pursuant
9 to [section 15.318, subsection 1](#), paragraph "d". The report
10 shall, at a minimum, include the following information:

11 Sec. 124. Section 15.338, subsection 7, Code 2024, is
12 amended by striking the subsection.

13 Sec. 125. Section 15E.46, subsection 3, Code 2024, is
14 amended to read as follows:

15 3. The authority shall publish, or include as part of the
16 annual report under section 15.107B, an annual report of the
17 activities conducted pursuant to [this subchapter](#) and shall
18 submit the report to the governor and the general assembly.
19 The report shall include a listing of eligible qualifying
20 businesses and the number of tax credit certificates and the
21 amount of tax credits issued by the authority.

22 Sec. 126. Section 15E.52, subsection 10, unnumbered
23 paragraph 1, Code 2024, is amended to read as follows:

24 On or before January 31 of each year, the board, in
25 cooperation with the department of revenue, shall submit to the
26 general assembly and the governor, or provide to the authority
27 for inclusion in the annual report under section 15.107B, a
28 report describing the activities of the innovation funds during
29 the preceding fiscal year. The report shall at a minimum
30 include the following information:

31 Sec. 127. Section 15E.63, subsection 9, Code 2024, is
32 amended to read as follows:

33 9. The board shall, in consultation with the Iowa capital
34 investment corporation, publish an annual report of the
35 activities conducted by the Iowa fund of funds, and present

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1 the report to the governor and the general assembly or provide
2 the report to the authority to include such report as part
3 of the annual report under section 15.107B. The annual
4 report shall include a copy of the audit of the Iowa fund
5 of funds and a valuation of the assets of the Iowa fund of
6 funds, review the progress of the investment fund allocation
7 manager in implementing its investment plan, and describe any
8 redemption or transfer of a certificate issued pursuant to this
9 subchapter, provided, however, that the annual report shall not
10 identify any specific designated investor who has redeemed or
11 transferred a certificate. Every five years, the board shall
12 publish a progress report which shall evaluate the progress
13 of the state of Iowa in accomplishing the purposes stated in
14 section 15E.61.

15 Sec. 128. Section 15F.107, subsection 2, Code 2024, is
16 amended to read as follows:

17 2. The authority shall submit a report to the general
18 assembly and the governor's office each year, or include such
19 report as part of the annual report under section 15.107B, that
20 moneys are appropriated to the fund established in [this section](#)
21 describing the use of moneys and the results achieved under
22 each of the programs receiving fund moneys.

23 Sec. 129. Section 15J.4, subsection 7, Code 2024, is amended
24 to read as follows:

25 7. All reports received by the board under subsection
26 6 shall be posted on the economic development authority's
27 internet site as soon as practicable following receipt of
28 the report. The board shall submit a written report to the
29 governor and the general assembly on or before January 15
30 of each year or shall provide the report to the economic
31 development authority to include such report as part of
32 the annual report under section 15.107B. The report
33 shall summarize and analyze the information submitted by
34 municipalities under [subsection 6](#).

35 Sec. 130. Section 16.7, Code 2024, is amended by adding the

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1 following new subsection:

2 NEW SUBSECTION. 3. The director may, notwithstanding
3 any provision of law to the contrary, include in the report
4 submitted under this section, any other annual report relating
5 to a program or activity required to be prepared by the
6 authority, the director, or the board and submitted to the
7 general assembly.

8 Sec. 131. Section 16.57B, subsection 7, unnumbered
9 paragraph 1, Code 2024, is amended to read as follows:

10 On or before January 31 of each year, or as part of the
11 annual report under section 16.7, the authority shall submit
12 a report to the general assembly that identifies all of the
13 following for the calendar year immediately preceding the year
14 of the report:

15 Sec. 132. Section 16.134, subsection 8, Code 2024, is
16 amended to read as follows:

17 8. By October 1 of each year, or as part of the annual
18 report under section 16.7, the authority shall submit a report
19 to the governor and the general assembly itemizing expenditures
20 under the program during the previous fiscal year, if any.

21 Sec. 133. Section 16.153, subsection 4, Code 2024, is
22 amended to read as follows:

23 4. ~~By October 1, 2019, and by~~ October 1 of each year
24 thereafter or as part of the annual report under section 16.7,
25 the authority shall submit a report to the governor and the
26 general assembly itemizing expenditures from the fund, if any,
27 during the previous fiscal year.

28 DIVISION X

29 ECONOMIC DEVELOPMENT AUTHORITY AND IOWA FINANCE AUTHORITY —
30 PROGRAMS

31 Sec. 134. Section 15.410, subsection 2, Code 2024, is
32 amended by striking the subsection.

33 Sec. 135. Section 15.411, subsection 3, Code 2024, is
34 amended by striking the subsection.

35 Sec. 136. Section 15.412, subsection 2, Code 2024, is

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1 amended to read as follows:

2 2. Moneys in the fund are appropriated to the authority and,
3 with the approval of the board, shall be used to facilitate
4 agreements, and enhance commercialization, ~~and increase the~~
5 ~~availability of skilled workers~~ in innovative businesses. Such
6 moneys shall not be used for the support of retail businesses,
7 health care businesses, or other businesses requiring a
8 professional license.

9 Sec. 137. Section 15.412, subsection 3, paragraph a, Code
10 2024, is amended by striking the paragraph.

11 Sec. 138. NEW SECTION. **84A.20 Iowa student internship**
12 **program.**

13 1. As used in this section, unless the context otherwise
14 requires:

15 a. "*Innovative business*" means the same as defined in
16 section 15E.52.

17 b. "*Internship*" means temporary employment of a student that
18 focuses on providing the student with work experience in the
19 student's field of study.

20 c. "*Iowa student*" means a student of an Iowa community
21 college, private college, or institution of higher learning
22 under the control of the state board of regents, or a student
23 who graduated from high school in Iowa but now attends an
24 institution of higher learning outside the state of Iowa.

25 2. a. The department of workforce development shall
26 establish and administer an internship program with two
27 components for Iowa students. To the extent permitted by
28 this section, the department of workforce development shall
29 administer the two components in as similar a manner as
30 possible.

31 b. The purpose of the first component of the program is
32 to link Iowa students to small and medium-sized Iowa firms
33 through internship opportunities. An Iowa employer may receive
34 financial assistance on a matching basis for a portion of the
35 wages paid to an intern. If providing financial assistance,

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1 the department of workforce development shall provide the
2 assistance on a reimbursement basis such that for every two
3 dollars of wages earned by the student, one dollar paid by
4 the employer is matched by one dollar from the department of
5 workforce development. The amount of financial assistance
6 shall not exceed three thousand one hundred dollars for any
7 single internship, or nine thousand three hundred dollars
8 for any single employer. In order to be eligible to receive
9 financial assistance, the employer must have five hundred
10 or fewer employees and must be an innovative business. The
11 department of workforce development shall encourage youth who
12 reside in economically distressed areas, youth adjudicated to
13 have committed a delinquent act, and youth transitioning out
14 of foster care to participate in the first component of the
15 internship program.

16 *c.* (1) The purpose of the second component of the program
17 is to assist in placing Iowa students studying in the fields
18 of science, technology, engineering, and mathematics into
19 internships that lead to permanent positions with Iowa
20 employers. The department of workforce development shall
21 collaborate with eligible employers, including but not limited
22 to innovative businesses, to ensure that the interns hired
23 are studying in such fields. An Iowa employer may receive
24 financial assistance on a matching basis for a portion of the
25 wages paid to an intern. If providing financial assistance,
26 the department of workforce development shall provide the
27 assistance on a reimbursement basis such that for every two
28 dollars of wages earned by the student, one dollar paid by
29 the employer is matched by one dollar from the department of
30 workforce development. The amount of financial assistance
31 shall not exceed five thousand dollars per internship. The
32 department of workforce development may adopt rules to
33 administer this component. In adopting rules to administer
34 this component, the department of workforce development shall
35 adopt rules as similar as possible to those adopted pursuant

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1 to paragraph "b".

2 (2) The requirement to administer this component of the
3 internship program is contingent upon the provision of funding
4 for such purposes by the general assembly.

5 3. a. An Iowa student internship fund is created in the
6 state treasury under the control of the department of workforce
7 development. The fund shall consist of moneys appropriated to
8 the department of workforce development and any other moneys
9 available to, obtained, or accepted by the department of
10 workforce development for placement in the fund.

11 b. Payments of interest, repayments of moneys loaned
12 pursuant to this section, and recaptures of financial
13 assistance shall be credited to the fund. Moneys in the fund
14 are not subject to section 8.33. Notwithstanding section
15 12C.7, interest or earnings on moneys in the fund shall be
16 credited to the fund.

17 c. Moneys in the fund are appropriated to the department
18 of workforce development and, with the approval of the Iowa
19 workforce development board, shall be used to increase the
20 availability of skilled workers in innovative businesses, by
21 providing Iowa student internship opportunities. Such moneys
22 shall not be used for the support of retail businesses, health
23 care businesses, or other businesses requiring a professional
24 license.

25 Sec. 139. TRANSITION PROVISIONS. Any internship or
26 financial assistance awarded under a program administered by
27 the economic development authority under section 15.411, Code
28 2024, prior to the effective date of this division of this Act
29 is valid and shall continue as provided in the terms of the
30 internship or financial assistance under section 84A.20, as
31 enacted in this division of this Act.

32 DIVISION XI

33 DEPARTMENT OF HEALTH AND HUMAN SERVICES

34 Sec. 140. Section 125.7, subsection 4, Code 2024, is amended
35 to read as follows:

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1 4. Adopt rules for ~~subsections~~ subsection 1 and 6 and review
2 other rules necessary to carry out the provisions of this
3 chapter, subject to review in accordance with chapter 17A.

4 Sec. 141. Section 125.7, subsection 6, Code 2024, is amended
5 by striking the subsection.

6 Sec. 142. Section 125.13, subsection 2, paragraphs a, b, i,
7 and j, Code 2024, are amended to read as follows:

8 a. A hospital providing care or treatment to persons with
9 a substance use disorder licensed under chapter 135B which is
10 accredited by the joint commission on the accreditation of
11 health care organizations, the commission on accreditation
12 of rehabilitation facilities, the American osteopathic
13 association, or another recognized organization approved by the
14 ~~council~~ department. All survey reports from the accrediting or
15 licensing body must be sent to the department.

16 b. Any practitioner of medicine and surgery or osteopathic
17 medicine and surgery, in the practitioner's private practice.
18 However, a program shall not be exempted from licensing by the
19 ~~council~~ department by virtue of its utilization of the services
20 of a medical practitioner in its operation.

21 i. A substance use disorder treatment program not funded
22 by the department which is accredited or licensed by the joint
23 commission on the accreditation of health care organizations,
24 the commission on the accreditation of rehabilitation
25 facilities, the American osteopathic association, or another
26 recognized organization approved by the ~~council~~ department.
27 All survey reports from the accrediting or licensing body must
28 be sent to the department.

29 j. A hospital substance use disorder treatment program
30 that is accredited or licensed by the joint commission on the
31 accreditation of health care organizations, the commission on
32 the accreditation of rehabilitation facilities, the American
33 osteopathic association, or another recognized organization
34 approved by the ~~council~~ department. All survey reports for
35 the hospital substance use disorder treatment program from the

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1 accrediting or licensing body shall be sent to the department.

2 Sec. 143. Section 125.14, Code 2024, is amended to read as
3 follows:

4 **125.14 Licenses — renewal — fees.**

5 The ~~council~~ department shall consider all cases involving
6 initial issuance, and renewal, denial, suspension, or
7 revocation of a license. The department shall issue a license
8 to an applicant whom the ~~council~~ department determines meets
9 the licensing requirements of **this chapter**. Licenses shall
10 expire no later than three years from the date of issuance
11 and shall be renewed upon timely application made in the same
12 manner as for initial issuance of a license unless notice of
13 nonrenewal is given to the licensee at least thirty days prior
14 to the expiration of the license. The department shall not
15 charge a fee for licensing or renewal of programs contracting
16 with the department for provision of treatment services. A fee
17 may be charged to other licensees.

18 Sec. 144. Section 125.15A, subsection 1, paragraph b, Code
19 2024, is amended to read as follows:

20 *b.* The ~~council~~ department has suspended, revoked, or refused
21 to renew the existing license of the program.

22 Sec. 145. Section 125.16, Code 2024, is amended to read as
23 follows:

24 **125.16 Transfer of license or change of location prohibited.**

25 A license issued under **this chapter** may not be transferred,
26 and the location of the physical facilities occupied or
27 utilized by any program licensed under **this chapter** shall not
28 be changed without the prior written consent of the ~~council~~
29 department.

30 Sec. 146. Section 125.17, Code 2024, is amended to read as
31 follows:

32 **125.17 License suspension or revocation.**

33 Violation of any of the requirements or restrictions
34 of **this chapter** or of any of the rules adopted pursuant to
35 this chapter is cause for suspension, revocation, or refusal

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1 to renew a license. The director shall at the earliest
2 time feasible notify a licensee whose license the ~~council~~
3 department is considering suspending or revoking and shall
4 inform the licensee what changes must be made in the licensee's
5 operation to avoid such action. The licensee shall be
6 given a reasonable time for compliance, as determined by the
7 director, after receiving such notice or a notice that the
8 ~~council~~ department does not intend to renew the license. When
9 the licensee believes compliance has been achieved, or if
10 the licensee considers the proposed suspension, revocation,
11 or refusal to renew unjustified, the licensee may submit
12 pertinent information to the ~~council~~ department and the ~~council~~
13 department shall expeditiously make a decision in the matter
14 and notify the licensee of the decision.

15 Sec. 147. Section 125.18, Code 2024, is amended by striking
16 the section and inserting in lieu thereof the following:

17 **125.18 Applications — approval or denial — disciplinary**
18 **actions.**

19 The department may deny an application for license, or
20 may place on probation, suspend or revoke a license of, or
21 otherwise discipline a licensee if the department finds that
22 the licensee has not been or will not be operated in compliance
23 with this chapter and the rules adopted pursuant to this
24 chapter, or that there is insufficient assurance of adequate
25 protection for the public. The authorization denial or period
26 of probation, suspension, or revocation, or other disciplinary
27 action shall be effected and may be appealed as provided by
28 section 17A.12.

29 Sec. 148. Section 125.19, Code 2024, is amended to read as
30 follows:

31 **125.19 Reissuance or reinstatement.**

32 After suspension, revocation, or refusal to renew a license
33 pursuant to [this chapter](#), the affected licensee shall not have
34 the license reissued or reinstated within one year of the
35 effective date of the suspension, revocation, or expiration

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1 upon refusal to renew, unless the ~~council~~ department orders
2 otherwise. After that time, proof of compliance with the
3 requirements and restrictions of [this chapter](#) and the rules
4 adopted pursuant to [this chapter](#) must be presented to the
5 ~~council~~ department prior to reinstatement or reissuance of a
6 license.

7 Sec. 149. Section 125.21, subsection 1, Code 2024, is
8 amended to read as follows:

9 1. The ~~council~~ department has exclusive power in this state
10 to approve and license chemical substitutes and antagonists
11 programs, and to monitor chemical substitutes and antagonists
12 programs to ensure that the programs are operating within the
13 rules adopted pursuant to [this chapter](#). The ~~council~~ department
14 shall grant approval and license if the requirements of the
15 rules are met and state funding is not requested. The chemical
16 substitutes and antagonists programs conducted by persons
17 exempt from the licensing requirements of [this chapter](#) pursuant
18 to [section 125.13, subsection 2](#), are subject to approval and
19 licensure under [this section](#).

20 Sec. 150. Section 125.58, subsection 1, Code 2024, is
21 amended to read as follows:

22 1. If the department has probable cause to believe that
23 an institution, place, building, or agency not licensed
24 as a substance use disorder treatment and rehabilitation
25 facility is in fact a substance use disorder treatment and
26 rehabilitation facility as defined by [this chapter](#), and
27 is not exempt from licensing by section 125.13, subsection
28 2, the ~~council~~ department may order an inspection of the
29 institution, place, building, or agency. If the inspector
30 upon presenting proper identification is denied entry for the
31 purpose of making the inspection, the inspector may, with
32 the assistance of the county attorney of the county in which
33 the premises are located, apply to the district court for an
34 order requiring the owner or occupant to permit entry and
35 inspection of the premises to determine whether there have been

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1 violations of [this chapter](#). The investigation may include
2 review of records, reports, and documents maintained by the
3 facility and interviews with staff members consistent with the
4 confidentiality safeguards of state and federal law.

5 Sec. 151. Section 217.30, subsection 3, Code 2024, is
6 amended to read as follows:

7 3. Information described in [subsection 2](#) shall not be
8 disclosed to or used by any person except for purposes of
9 administration or evaluation of a program of services or
10 assistance, and shall not, except as provided in subsection
11 5, be disclosed to or used by a person outside the department
12 unless the person is subject to standards of confidentiality
13 comparable to those imposed on the department by [this section](#).

14 Sec. 152. Section 217.30, subsection 5, paragraph b,
15 subparagraph (1), Code 2024, is amended to read as follows:

16 (1) Upon written application to and with the approval of the
17 director or the director's designee, confidential information
18 described in [subsection 2](#), paragraphs "a", "b", and "c", ~~shall~~
19 is required to be disclosed within the department and to a
20 public official for use in connection with the department or
21 public official's duties relating to law enforcement, audits,
22 the support and protection of children and families, and
23 other purposes directly connected with the administration of
24 the programs of services and assistance referred to in this
25 section.

26 Sec. 153. Section 217.34, Code 2024, is amended to read as
27 follows:

28 **217.34 Debt setoff.**

29 The investigations division of the department of
30 inspections, appeals, and licensing and the department shall
31 provide assistance to set off against a person's or provider's
32 income tax refund or rebate any debt which has accrued
33 through written contract, nonpayment of premiums pursuant to
34 section 249A.3, subsection 2, paragraph "a", subparagraph (1),
35 subrogation, departmental recoupment procedures, or court

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1 judgment and which is in the form of a liquidated sum due
2 and owing the department. The department of inspections,
3 appeals, and licensing, with approval of the department,
4 shall adopt rules under [chapter 17A](#) necessary to assist the
5 department of revenue in the implementation of the setoff
6 under [section 421.65](#) in regard to money owed to the state for
7 public assistance overpayments or nonpayment of premiums as
8 specified in [this section](#). The department shall adopt rules
9 under [chapter 17A](#) necessary to assist the department of revenue
10 in the implementation of the setoff under [section 421.65](#), in
11 regard to collections by child support services ~~and foster care~~
12 ~~services~~.

13 Sec. 154. Section 218.94, subsection 1, paragraph a, Code
14 2024, is amended to read as follows:

15 a. The director ~~may~~ shall have full power to secure options
16 to purchase real estate, to acquire and sell real estate,
17 and to grant utility easements, for the proper uses of the
18 institutions. Real estate shall be acquired and sold and
19 utility easements granted, upon such terms and conditions as
20 the director may determine. Upon sale of the real estate, the
21 proceeds shall be deposited in a health and human services
22 capital reinvestment fund created in the state treasury under
23 the control of the department. There is appropriated from
24 such capital reinvestment fund a sum equal to the proceeds
25 deposited and credited to the capital reinvestment fund to the
26 department, which may be used to purchase other real estate,
27 for capital improvements upon property under the director's
28 control, or for improvements to property which is owned by the
29 state and utilized by the department.

30 Sec. 155. Section 252I.8, subsection 6, Code 2024, is
31 amended to read as follows:

32 6. The support obligor may withdraw the request for
33 challenge by submitting a written withdrawal to ~~the person~~
34 ~~identified as the contact for child support services in~~
35 ~~the notice~~ or child support services may withdraw the

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1 administrative levy at any time prior to the court hearing and
2 provide notice of the withdrawal to the obligor and any account
3 holder of interest and to the financial institution, by regular
4 mail.

5 DIVISION XII

6 STATE SALARIES — APPOINTED STATE OFFICERS

7 Sec. 156. NEW SECTION. 8A.461 Appointed state officers —
8 salary ranges.

9 1. Unless otherwise provided by law, the governor shall
10 establish a salary for nonelected persons appointed by the
11 governor within the executive branch of state government.
12 In establishing a salary for a person holding a position
13 enumerated in subsection 3 within the range provided, the
14 governor may consider, among other items, the experience of
15 the person in the position, changes in the duties of the
16 position, the incumbent's performance of assigned duties,
17 and subordinates' salaries. However, the attorney general
18 shall establish the salary of the consumer advocate, the
19 chief justice of the supreme court shall establish the salary
20 of the state court administrator, the ethics and campaign
21 disclosure board shall establish the salary of the executive
22 director, the Iowa public information board shall establish
23 the salary of the executive director, the board of regents
24 shall establish the salary of the executive director, and the
25 Iowa public broadcasting board shall establish the salary of
26 the administrator of the public broadcasting division of the
27 department of education, each within the salary range provided
28 in subsection 3.

29 2. A person whose salary is established pursuant to this
30 section and who is a full-time, year-round employee of the
31 state shall not receive any other remuneration from the state
32 or from any other source for the performance of that person's
33 duties unless the additional remuneration is first approved by
34 the governor or authorized by law. However, this subsection
35 does not apply to reimbursement for necessary travel and

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1 expenses incurred in the performance of duties or fringe
2 benefits normally provided to employees of the state.

3 3. a. The annual salary ranges for appointed state officers
4 as specified in paragraphs "b", "c", and "d", are effective
5 for the fiscal year beginning July 1, 2024, effective for the
6 pay period beginning June 21, 2024, and for subsequent fiscal
7 years. The governor or other person designated in subsection 1
8 shall determine the salary to be paid to the person indicated
9 at a rate within the applicable salary range from moneys
10 appropriated by the general assembly for that purpose.

11 b. The following are range one positions: chairperson
12 and members of the employment appeal board of the department
13 of inspections, appeals, and licensing; director of the
14 department for the blind; executive director of the ethics
15 and campaign disclosure board; executive director of the Iowa
16 public information board; and chairperson, vice chairperson,
17 and members of the board of parole. Range one positions shall
18 be paid in a range set in accordance with pay grade thirty-two
19 of the pay plans published by the department of administrative
20 services pursuant to section 8A.413, subsection 3.

21 c. The following are range two positions: workers'
22 compensation commissioner, director of the law enforcement
23 academy, superintendent of banking of the department of
24 insurance and financial services, superintendent of credit
25 unions of the department of insurance and financial services,
26 consumer advocate, director of the Iowa civil rights
27 commission, and administrator of the public broadcasting
28 division of the department of education. Range two positions
29 shall be paid in a range set in accordance with pay grade
30 thirty-eight of the pay plans published by the department of
31 administrative services pursuant to section 8A.413, subsection
32 3.

33 d. The following are range three positions: chairperson
34 and members of the utilities board, executive director of the
35 Iowa telecommunications and technology commission, executive

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1 director of the state board of regents, lottery administrator
2 of the department of revenue, labor commissioner, state public
3 defender, and state court administrator. Range three positions
4 shall be paid in a range set in accordance with pay grade
5 forty-three of the pay plans published by the department of
6 administrative services pursuant to section 8A.413, subsection
7 3.

8 Sec. 157. Section 8D.4, Code 2024, is amended to read as
9 follows:

10 **8D.4 Executive director appointed.**

11 The commission shall appoint an executive director of
12 the commission, subject to confirmation by the senate. Such
13 individual shall not serve as a member of the commission.
14 The executive director shall serve at the pleasure of the
15 commission. The executive director shall be selected primarily
16 for administrative ability and knowledge in the field, without
17 regard to political affiliation. The governor shall establish
18 the salary of the executive director within the applicable
19 salary range as established by ~~the general assembly~~ section
20 8A.461. The salary and support of the executive director shall
21 be paid from funds deposited in the Iowa communications network
22 fund.

23 Sec. 158. Section 20.5, subsection 2, Code 2024, is amended
24 to read as follows:

25 2. The governor shall appoint an executive director of the
26 board, subject to confirmation by the senate, who shall serve
27 at the pleasure of the governor. The executive director shall
28 serve as the executive officer of the board. In selecting
29 the executive director, consideration shall be given to the
30 person's knowledge, ability, and experience in the field of
31 labor-management relations. The governor shall set the salary
32 of the executive director ~~within the applicable salary range~~
33 ~~established by the general assembly~~.

34 Sec. 159. Section 68B.32, subsection 5, Code 2024, is
35 amended to read as follows:

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1 5. The board shall employ a full-time executive director who
2 shall be the board's chief administrative officer. The board
3 shall employ or contract for the employment of legal counsel
4 notwithstanding [section 13.7](#), and any other personnel as may
5 be necessary to carry out the duties of the board. The board's
6 legal counsel shall be the chief legal officer of the board and
7 shall advise the board on all legal matters relating to the
8 administration of [this chapter](#) and [chapter 68A](#). The state may
9 be represented by the board's legal counsel in any civil action
10 regarding the enforcement of [this chapter](#) or [chapter 68A](#), or at
11 the board's request, the state may be represented by the office
12 of the attorney general. Notwithstanding [section 8A.412](#), all
13 of the board's employees, except for the executive director and
14 legal counsel, shall be employed subject to the merit system
15 provisions of [chapter 8A, subchapter IV](#). The salary of the
16 executive director shall be fixed by the board, within the
17 range established by ~~the general assembly~~ [section 8A.461](#). The
18 salary of the legal counsel shall be fixed by the board, within
19 a salary range established by the department of administrative
20 services for a position requiring similar qualifications and
21 experience.

22 Sec. 160. Section 99G.5, subsection 2, Code 2024, is amended
23 to read as follows:

24 2. The salary of the lottery administrator shall be set by
25 the governor within the applicable salary range established by
26 ~~the general assembly~~ [section 8A.461](#).

27 Sec. 161. Section 216B.3A, subsection 1, Code 2024, is
28 amended to read as follows:

29 1. The director of the department shall be appointed by
30 the governor, subject to confirmation by the senate, and shall
31 serve at the pleasure of the governor. The governor shall set
32 the salary of the director within the applicable salary range
33 established by ~~the general assembly~~ [section 8A.461](#).

34 Sec. 162. Section 256.81, subsection 1, Code 2024, is
35 amended to read as follows:

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1 1. The public broadcasting division of the department of
2 education is created. The chief administrative officer of the
3 division is the administrator who shall be appointed by and
4 serve at the pleasure of the Iowa public broadcasting board.
5 The board shall set the division administrator's salary within
6 the applicable salary range established by ~~the general assembly~~
7 ~~unless otherwise provided by law~~ section 8A.461. Educational
8 programming shall be the highest priority of the division.
9 The division shall be governed by the national principles
10 of editorial integrity developed by the editorial integrity
11 project. The director of the department of education and the
12 state board of education are not liable for the activities of
13 the division of public broadcasting.

14 Sec. 163. Section 475A.3, subsection 3, Code 2024, is
15 amended to read as follows:

16 3. *Salaries, expenses, and appropriation.* The salary of the
17 consumer advocate shall be fixed by the attorney general within
18 the salary range set by ~~the general assembly~~ section 8A.461.
19 The salaries of employees of the consumer advocate shall be
20 at rates of compensation consistent with current standards in
21 industry. The reimbursement of expenses for the employees and
22 the consumer advocate is as provided by law. The appropriation
23 for the office of consumer advocate shall be a separate line
24 item contained in the appropriation from the commerce revolving
25 fund created in section 546.12.

26 Sec. 164. Section 524.201, subsection 2, Code 2024, is
27 amended to read as follows:

28 2. The superintendent shall receive a salary set by the
29 governor within a range established by ~~the general assembly~~
30 section 8A.461.

31 Sec. 165. Section 533.104, subsection 2, Code 2024, is
32 amended to read as follows:

33 2. The superintendent shall receive a salary set by the
34 governor within a range established by ~~the general assembly~~
35 section 8A.461.

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1 Sec. 166. Section 904A.6, Code 2024, is amended to read as
2 follows:

3 **904A.6 Salaries and expenses.**

4 Each member of the board shall be paid a salary as ~~determined~~
5 set by the general assembly governor within a range established
6 by section 8A.461. Each member of the board and all employees
7 are entitled to receive, in addition to their salary, their
8 necessary maintenance and travel expenses while engaged in
9 official business.

10 Sec. 167. EFFECTIVE DATE. This division of this Act takes
11 effect June 21, 2024.

12 DIVISION XIII

13 OFFICE FOR STATE-FEDERAL RELATIONS

14 Sec. 168. Section 7F.1, subsection 3, Code 2024, is amended
15 to read as follows:

16 3. *Office established.* A state-federal relations office
17 is established as an independent agency. The office shall be
18 ~~located in Washington, D.C.,~~ attached to the office of the
19 governor for administrative purposes and shall be administered
20 by the director of the office who is appointed by the governor,
21 subject to confirmation by the senate, and who serves at
22 the pleasure of the governor. The office and its personnel
23 are exempt from the merit system provisions of chapter 8A,
24 subchapter IV.

25 DIVISION XIV

26 HISTORICAL SITES

27 Sec. 169. Section 8A.702, subsection 2, Code 2024, is
28 amended by striking the subsection and inserting in lieu
29 thereof the following:

30 2. Administer and care for historical sites under the
31 authority of the department and maintain collections within
32 these sites. For the purposes of this section, "*historical*
33 *site*" means any district, site, building, or structure listed
34 on the national register of historic sites or identified as
35 eligible for such status by the state historic preservation

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1 officer or that is identified according to established criteria
2 by the state historic preservation officer as significant in
3 national, state, and local history, architecture, engineering,
4 archaeology, or culture.

5 Sec. 170. Section 8A.702, subsection 4, Code 2024, is
6 amended to read as follows:

7 4. Develop, in consultation with the state historic
8 preservation officer, standards and criteria for the
9 acquisition of historic properties and for the preservation,
10 restoration, maintenance, operation, and interpretation of
11 properties under the jurisdiction of the department.

12 Sec. 171. Section 15.121, subsection 2, Code 2024, is
13 amended by adding the following new paragraph:

14 NEW PARAGRAPH. e. Developing standards and criteria for the
15 preservation, restoration, and maintenance of historical sites.

16 Sec. 172. Section 15.121, Code 2024, is amended by adding
17 the following new subsection:

18 NEW SUBSECTION. 7. Before modifying a historical site in a
19 manner that could impact a site's listing on, or eligibility
20 for, the national register of historic places, a state agency
21 which owns, manages, or administers the historical site must
22 consult with the state historic preservation officer to ensure
23 the proper management, maintenance, and development of the
24 site. The state agency and the state historic preservation
25 officer may, at the discretion of the state historic
26 preservation officer, enter into an agreement relating to the
27 proper management, maintenance, and development of the site.
28 The authority may, in consultation with the state historic
29 preservation officer, adopt rules to implement this subsection.

30 DIVISION XV

31 DEPARTMENT OF MANAGEMENT — JUSTICE INFORMATION

32 Sec. 173. NEW SECTION. 8.100 Subchapter definitions.

33 As used in this subchapter, "department" means the department
34 of management.

35 Sec. 174. NEW SECTION. 8.101 Integrated justice information

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1 **system.**

2 The department shall maintain a statewide integrated justice
3 information system that encourages and enables automated
4 information sharing in a common format between and for the
5 benefit of state and local justice agencies.

6 Sec. 175. NEW SECTION. **8.102 Administration of funds.**

7 In compliance with applicable state and federal laws,
8 rules, and other requirements, the department may administer
9 federal funds, funds appropriated to the department by the
10 general assembly for purposes of this subchapter, and funds
11 otherwise made available to the department in furtherance of
12 this subchapter.

13 Sec. 176. Section 216A.131A, Code 2024, is amended to read
14 as follows:

15 **216A.131A Criminal and juvenile justice planning.**

16 The department shall fulfill the responsibilities of
17 this subchapter, including the duties specified in sections
18 216A.135, ~~216A.136~~, ~~216A.137~~, ~~216A.138~~, and 216A.140.

19 Sec. 177. Section 216A.133, subsection 3, paragraph h, Code
20 2024, is amended by striking the paragraph.

21 Sec. 178. Section 216A.136, unnumbered paragraph 1, Code
22 2024, is amended to read as follows:

23 The department of management shall maintain an Iowa
24 statistical analysis center for the purpose of coordinating
25 with data resource agencies to provide data and analytical
26 information to federal, state, and local governments, and
27 assist agencies in the use of criminal and juvenile justice
28 data. Notwithstanding any other provision of state law, unless
29 prohibited by federal law or regulation, the department of
30 management shall be granted access, for purposes of research
31 and evaluation, to criminal history records, official juvenile
32 court records, juvenile court social records, and any other
33 data collected or under control of the board of parole,
34 department of corrections, department of workforce development,
35 department of health and human services, district departments

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1 of correctional services, judicial branch, and department of
2 public safety. However, intelligence data and peace officer
3 investigative reports maintained by the department of public
4 safety shall not be considered data for the purposes of this
5 section. Any record, data, or information obtained by the
6 department of management under this section and the department
7 itself is subject to the federal and state confidentiality laws
8 and ~~regulations~~ rules which are applicable to the original
9 record, data, or information obtained by the department of
10 management and to the original custodian of the record, data,
11 or information. The access ~~shall include~~ includes but is not
12 limited to all of the following:

13 Sec. 179. Section 216A.136, subsection 13, Code 2024,
14 is amended by striking the subsection and inserting in lieu
15 thereof the following:

16 13. Child welfare records maintained under chapter 235.

17 Sec. 180. Section 216A.137, Code 2024, is amended to read
18 as follows:

19 **216A.137 Correctional policy project.**

20 1. The department of management shall maintain an Iowa
21 correctional policy project for the purpose of conducting
22 analyses of major correctional issues affecting the criminal
23 and juvenile justice system. The justice advisory board
24 established in section 216A.132 shall identify and prioritize
25 the issues and studies to be addressed by the department of
26 management through this project and shall report project
27 plans and findings annually ~~along with the report required in~~
28 ~~section 216A.135~~ to the department. Issues and studies to be
29 considered by the justice advisory board shall include but are
30 not limited to a review of the information systems available
31 to assess corrections trends and program effectiveness, the
32 development of an evaluation plan for assessing the impact of
33 corrections expenditures, and a study of the desirability and
34 feasibility of changing the state's sentencing practices, which
35 includes a prison population forecast.

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1 2. The department of management may form subcommittees for
2 the purpose of addressing major correctional issues affecting
3 the criminal and juvenile justice system. The department ~~shall~~
4 of management may establish a subcommittee to address issues
5 specifically affecting the juvenile justice system.

6 Sec. 181. Section 216A.138, Code 2024, is amended to read
7 as follows:

8 **216A.138 Multiagency ~~database~~ information system concerning**
9 **~~juveniles~~ juvenile and adult court records.**

10 1. The department of management shall coordinate the
11 development and maintenance of a multiagency ~~database~~
12 information system to track the progress of juveniles, and
13 adults who have been charged with a criminal offense, in
14 the court system through various state and local agencies
15 and programs. The department shall develop a ~~plan~~ system
16 which utilizes existing databases, including the Iowa court
17 information system, the Iowa corrections offender network,
18 information systems of the department of health and human
19 services, the federally mandated national adoption and
20 foster care information system, and the other state and local
21 databases pertaining to juveniles, and to adults who have been
22 charged with a criminal offense, in the court system, to the
23 extent possible.

24 2. The department of health and human services, department
25 of corrections, judicial branch, department of public safety,
26 department of education, local school districts, and other
27 state agencies and political subdivisions shall cooperate with
28 the department of management in the development of the ~~plan~~
29 system.

30 3. The ~~database~~ multiagency information system shall be
31 designed to count and track ~~the progress of juveniles in~~
32 ~~various programs~~ various decision points for juveniles in
33 the juvenile justice system and minors in the child welfare
34 system, evaluate the experiences of the juveniles and minors,
35 and evaluate the success of the services provided. The system

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1 shall also be designed to count and track various decision
2 points for adults who have been charged with a criminal offense
3 in the court system, including dismissed charges, convictions,
4 and sentence information.

5 4. The department of management shall develop the ~~plan~~
6 system within the context of existing federal privacy and
7 confidentiality requirements. The ~~plan system~~ shall build upon
8 existing resources and facilities to the extent possible.

9 5. The ~~plan system~~ shall include proposed guidelines for the
10 sharing of information by ~~case management teams, consisting of~~
11 ~~designated representatives of various state and local agencies~~
12 ~~and political subdivisions to coordinate the delivery of~~
13 ~~services to juveniles under the jurisdiction of the juvenile~~
14 ~~court~~ the department of management. The guidelines shall be
15 developed to structure and improve the information-sharing
16 ~~procedures of case management teams~~ established pursuant to any
17 applicable state or federal law or approved by the ~~juvenile~~
18 ~~court with respect to a juvenile who is the recipient of the~~
19 ~~case management team services~~ judicial branch, department
20 of corrections, or other entities that supply data to the
21 multiagency information system. The ~~plan system~~ shall also
22 ~~contain~~ provide a process to recommend proposals for changes in
23 state laws or rules to facilitate the exchange of information
24 ~~among members of case management teams~~.

25 6. ~~The plan shall include development of a resource guide~~
26 ~~outlining successful programs and practices established~~
27 ~~within this state which are designed to promote positive youth~~
28 ~~development and that assist delinquent and other at-risk youth~~
29 ~~in overcoming personal and social problems. The guide shall be~~
30 ~~made publicly available.~~

31 7. 6. If the department of management has insufficient
32 funds and resources to implement **this section**, the department
33 shall determine what, if any, portion of **this section** may be
34 implemented, and the remainder of **this section** shall not apply.

35 Sec. 182. CODE EDITOR DIRECTIVE.

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- 1 1. The Code editor is directed to make the following
2 transfers:
- 3 a. Section 216A.136 to section 8.103.
4 b. Section 216A.137 to section 8.104.
5 c. Section 216A.138 to section 8.105.
- 6 2. The Code editor shall correct internal references in the
7 Code and in any enacted legislation as necessary due to the
8 enactment of this section.
- 9 3. The Code editor shall make changes in any Code sections
10 amended or enacted in another Act to correspond with the
11 changes made in this division of this Act if there appears to
12 be no doubt as to the proper method of making the changes and
13 the changes would not be contrary to or inconsistent with the
14 purposes of this division of this Act.
- 15 4. The Code editor shall designate sections 8.100 through
16 8.105 as a new subchapter within chapter 8.

17 EXPLANATION

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

20 This bill relates to the organization, structure, and
21 functions of state and local governments, provides for salaries
22 of certain state officers, makes statutory corrections,
23 resolves inconsistencies, and removes ambiguities.

24 DIVISION I — NATURAL RESOURCES. Code section 233A.15
25 authorizes the director of the department of health and human
26 services (HHS) to assign certain children from the state
27 training school to perform services for the department of
28 natural resources (DNR) within the state parks, state game
29 and forest areas, and other lands under the jurisdiction of
30 DNR. The bill strikes a requirement that DNR provide permanent
31 housing for such children.

32 DIVISION II — DEPARTMENT OF INSPECTIONS, APPEALS, AND
33 LICENSING. The bill revises Code section 10A.309 to reflect
34 that the workers' compensation commissioner no longer has a
35 term of office and serves at the pleasure of the governor.

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1 The bill changes a reference to "the director of the
2 department of workforce development" to the director of
3 inspections, appeals, and licensing to align with 2023 changes
4 to Code section 10A.310.

5 The bill strikes the requirement in Code section 10A.504
6 that the executive directors of the board of medicine, board
7 of nursing, dental board, and board of pharmacy be full-time
8 executive directors. Additionally, the bill amends Code
9 section 147.80 to provide that while the board of medicine,
10 board of pharmacy, dental board, and board of nursing shall
11 retain an executive director, an individual executive director
12 may be appointed and serve as the executive director of one
13 or more such boards. The bill also directs the executive
14 directors, to the extent possible, share administrative,
15 clerical, and investigative staff.

16 The bill amends Code section 91C.4 to specify that all
17 contractor registration fees collected under Code chapter
18 91C shall be deposited in the licensing and regulation fund
19 created in Code section 10A.507. The bill repeals Code section
20 91C.9, which created the contractor registration revolving fund
21 consisting of such fees. The bill provides for the transfer of
22 remaining moneys in the contractor registration revolving fund.

23 The bill amends Code section 135C.9(1)(b) to remove
24 a provision relating to the status of the director of
25 inspections, appeals, and licensing, and specifies that certain
26 activities of the director may be undertaken by the director's
27 designee.

28 The bill modifies authority for the establishment by rule of
29 specified fees collected by certain health-related professional
30 boards under Code section 147.80, to require approval of the
31 department of inspections, appeals, and licensing (DIAL), or
32 to require the board to adopt such rules if directed by DIAL.
33 The bill strikes language in Code section 147.80 providing
34 that the fees established by each board by rule for certain
35 functions are to be based on the costs of sustaining the board

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1 and the actual costs of the service. The bill requires DIAL to
2 annually review and, if necessary, direct the boards to adjust
3 the schedule of fees to cover aggregate projected costs and
4 ensure fees are not greater than similar fees in other states.
5 Additionally, the bill requires DIAL to annually provide
6 each board a comparison of the amount of the board's fees as
7 compared to similar fees imposed by similar boards or agencies
8 in other states.

9 The bill changes an incorrect Code section reference in
10 Code section 231B.4 relating to the state plumbing code from
11 "135.11" to "105.4" in a provision governing elder group homes.

12 The bill adds the real estate appraiser examining board,
13 created pursuant to Code chapter 543D, to the definition of
14 "licensing board" or "board" under Code chapter 272C.

15 DIVISION III — DEPARTMENT OF TRANSPORTATION. The bill
16 amends Code section 321.383 by changing the rulemaking
17 authority for safety rules relating to movement of implements
18 of husbandry and animal-drawn vehicles on a roadway from the
19 department of transportation (DOT) to the department of public
20 safety.

21 Code chapter 307 governs general duties and authority of the
22 DOT and the director of the DOT.

23 The bill amends Code section 307.12 to change the deadline
24 by which the director must present the DOT's proposed budget
25 to the state transportation commission from December 31 of
26 each year to March 31 immediately preceding the applicable
27 fiscal year. The bill also provides the director with the
28 authority to establish divisions within the DOT as necessary
29 or desirable in addition to any departmental division required
30 or established by law.

31 The bill amends Code section 307.21, relating to
32 departmental operations and finances, by specifying the DOT
33 as the entity responsible for such activities rather than the
34 "department's administrator responsible for the operations and
35 finances of the department".

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1 The bill amends Code section 307.22, relating to
2 departmental planning and programming, by specifying the DOT
3 as the entity responsible for such activities rather than the
4 "department's administrator responsible for transportation
5 planning and infrastructure program development". The bill
6 also strikes Code section 307.22(2), which specified that the
7 function of planning does not include the detailed design
8 of highways or other modal transportation facilities, but
9 is restricted to the needs of this state for multimodal
10 transportation systems.

11 The bill amends Code section 307.23(1)(b) to no longer
12 require the attorney general to provide all legal services for
13 the DOT.

14 The bill amends Code section 307.24, relating to highway
15 programs and activities, by specifying the DOT as the entity
16 responsible for such activities rather than the "department's
17 administrator responsible for highway programs and activities".

18 The bill amends Code section 307.26, relating to
19 departmental modal programs and activities, by specifying the
20 DOT as the entity responsible for such activities rather than
21 the "department's administrator responsible for modal programs
22 and activities".

23 The bill amends Code section 307.27, relating to
24 departmental enforcement and regulation of motor carriers,
25 registration of motor vehicles, and licensing of drivers,
26 by specifying the DOT as the entity responsible for such
27 activities rather than the "department's administrator
28 responsible for enforcement and regulation of motor carriers,
29 registration of motor vehicles, and licensing of drivers".

30 The bill also amends Code sections 307.47, 307.48, 327D.192,
31 and 327F.39 to eliminate references to specific administrator
32 titles within DOT.

33 DIVISION IV — DEPARTMENT OF EDUCATION. The bill modifies
34 provisions within Code section 259.9 governing the general
35 duties of the director of the department of education (DE).

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1 The bill removes the higher education division of DE from the
2 general exception to the duties of the director and authorizes
3 the director to, in addition to establishing divisions of the
4 department, assign subject matter duties to divisions of DE in
5 a manner determined by the director. The bill also provides
6 that beginning July 1, 2024, the director may reassign within
7 DE the boards, commissions, bureaus, and duties specified in
8 Code sections 256.111 (innovation division) and 256.121 (higher
9 education division). The bill also modifies portions of Code
10 sections 256.111 and 256.121 governing the duties of the heads
11 of the innovation division and the higher education division.

12 Code section 256.10 provides that professional staff of DE
13 serve at the discretion of the director. The bill strikes that
14 provision and a provision of that Code section that prohibits
15 professional staff from being dismissed for cause without
16 appropriate due process procedures including a hearing. Code
17 section 256.10 is also amended by striking several references
18 to "professional" staff and makes such provisions apply to
19 "salaried" staff. The bill also strikes a provision in Code
20 section 256.9(4) that specifies that professional staff are
21 not subject to the merit system provisions of Code chapter 8A,
22 subchapter IV. The bill also modifies provisions governing how
23 the salaries and benefits of full-time salaried employees who
24 are employed for less than 12 months per year are paid.

25 The bill also authorizes the director of the department of
26 education to employ hourly staff for less than 12 months each
27 year, but such staff shall be employed by the director for at
28 least nine months of each year. The bill includes provisions
29 for how the wages and benefits of such employees are paid.

30 The bill amends Code section 256.103 to provide that Code
31 sections 279.19A and 279.19B, relating to extracurricular
32 contracts and coaching endorsements and authorizations, apply
33 to employees of the Iowa educational services for the blind
34 and visually impaired program and employees of the Iowa school
35 for the deaf, who are licensed pursuant to Code chapter 256,

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1 subchapter VII, part 3.

2 The bill also enacts new Code section 256.103A, which
3 provides that salaried employees of the Iowa educational
4 services for the blind and visually impaired program and
5 employees of the Iowa school for the deaf who are employed on
6 a school year basis for less than 12 months per year shall be
7 exempt from the provisions of Code chapter 70A relating to
8 vacation leave. In lieu of vacation leave, the bill provides
9 that such employees shall accrue two personal leave days per
10 school year and may carry over up to one unused personal day
11 into a subsequent school year. Such employees shall not accrue
12 more than three personal leave days at any one time and such
13 leave shall not be paid out to the employee upon separation
14 from employment.

15 DIVISION V — DEPARTMENT OF CORRECTIONS. The bill
16 amends, repeals, and transfers various provisions relating
17 to the department of corrections (DOC) and judicial district
18 departments of correctional services.

19 The bill amends Code sections 80D.1 and 80D.11 to specify the
20 governing body when a reserve peace officer is employed by the
21 state of Iowa.

22 The bill amends Code section 125.93 by striking certain
23 language relating to employees of judicial district departments
24 of correctional services due to the movement of those entities
25 under the DOC following enactment of 2023 Iowa Acts, chapter
26 19.

27 The bill adds definitions of "community-based correctional
28 program", "community-based corrections facility", "district
29 advisory board", "district department", and "district director"
30 to Code chapter 904 that are similar to those definitions
31 repealed in the bill under Code chapter 905. The bill updates
32 references to those terms in Code chapter 904 and other
33 sections of the Code.

34 The bill adds community-based corrections facilities to the
35 list of institutions in Code section 904.102 over which the DOC

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1 is responsible for the control, treatment, and rehabilitation
2 of offenders. The bill also amends other provisions of Code
3 chapter 904 to reflect changes to the DOC's authority over
4 district departments made in 2023 Iowa Acts, chapter 19.

5 The bill strikes Code section 904.103(1), relating to the
6 DOC's responsibility for the accreditation and funding of
7 community-based corrections programs.

8 The bill adds district directors to various provisions
9 governing the duties, authority, and compensation of
10 superintendents of other correctional institutions under the
11 DOC.

12 The bill strikes language from Code section 904.513 relating
13 to the DOC's cooperation with the district departments in
14 establishing a continuum of programming for the supervision and
15 treatment of offenders convicted of violating Code chapter 321J
16 who are sentenced to the custody of the director of the DOC.

17 The bill modifies Code section 904.904 by providing that
18 the DOC shall coordinate, rather than contract with, judicial
19 district departments of correctional services for quartering
20 and supervision of certain inmates after working hours.

21 The bill amends several sections of Code chapter 905 to
22 reflect terminology and definition changes in the bill and as
23 a result of Code section transfers required in the bill. The
24 bill also modifies the composition of district advisory boards,
25 which advise district directors, by striking the provision
26 governing citizen members appointed by the chief judge of the
27 judicial district.

28 The bill repeals Code sections 905.1, 905.7, 905.8, 905.9,
29 905.10, 905.12, 905.13, and 905.15. The bill directs the
30 Iowa Code editor to transfer the remaining sections in Code
31 chapter 905 to various locations in Code chapter 904 and to
32 correct internal references in the Code as necessary. The bill
33 corrects cross-references to various other Code sections to
34 reflect amendments and transfers made in this division of the
35 bill.

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1 DIVISION VI — DEPARTMENT OF REVENUE. The bill modifies
2 several provisions relating to departmental divisions within
3 the department of revenue (DOR). Within Code chapter 99G,
4 "department" is defined as DOR and "division" is defined as the
5 Iowa lottery division of DOR.

6 The bill amends Code section 99G.7 by modifying provisions
7 governing the duties of the administrator of the Iowa lottery,
8 including striking a provision requiring the administrator
9 to report semiannually to the general assembly regarding the
10 operations of the division.

11 The bill amends Code section 99G.8 by designating the
12 administrator of the Iowa lottery, rather than the chief
13 executive officer, as the person other than the chairperson
14 who may call a meeting of the board of directors of the Iowa
15 lottery and strikes the word "major" from the provision
16 prohibiting a board member from having any interest in a major
17 procurement contract.

18 The bill amends Code section 99G.10 by striking a reference
19 to "officer of the division" in a provision relating to
20 background investigations of employees. The bill also amends
21 Code section 99G.11 by striking references to "officer" within
22 provisions relating to conflicts of interest.

23 The bill amends Code section 99G.12 to designate DOR,
24 instead of the former Iowa lottery authority, as having power
25 to operate self-service kiosks to dispense authorized lottery
26 tickets or products. The bill makes a similar change to Code
27 section 99G.21 from "authority" to "department".

28 The bill amends Code section 99G.22(1) by changing
29 "administrator" to "department" in a provision specifying the
30 duty to consult with the division of criminal investigation on
31 certain matters involving major procurement contracts.

32 The bill amends Code section 99G.23 by changing "division"
33 to "department" in several provisions governing procurement
34 and vendor requirements and by specifying that certain vendor
35 performance bond requirements only apply to major procurements.

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1 The bill amends the portion of Code section 99G.24 relating
2 to selection of lottery retailers by replacing "officer of the
3 division" with "employee of the division" that has specified
4 job duties.

5 The bill amends portions of Code section 99G.27 relating
6 to cancellation, suspension, revocation, or termination of
7 a lottery retail license by striking certain references to
8 "division" and inserting "department".

9 The bill amends Code section 99G.28 relating to the handling
10 of proceeds from the sale of lottery tickets or shares by
11 striking references to "division" and inserting "department".

12 The bill amends Code section 99G.30A to eliminate
13 superfluous language.

14 The bill amends Code section 99G.31 to change a reference
15 from "division" to "department" in a provision governing the
16 award of prizes and strikes a reference to an "officer" of the
17 department.

18 The bill amends Code section 99G.34 by striking the term
19 "officers" and inserting the term "staff" in a provision
20 relating to security records pertaining to investigations and
21 intelligence-sharing information between lottery security
22 and other lotteries and law enforcement agencies. The bill
23 also amends Code section 99G.35 relating to lottery security
24 by striking references to "chief security officer and
25 investigators" and inserting "lottery security staff".

26 Code section 421.2 authorizes the director of revenue to
27 establish, abolish, and consolidate divisions within DOR
28 when necessary for the efficient performance of the various
29 functions and duties of DOR. The Iowa lottery division is
30 established by Code chapter 99G. The bill establishes an
31 exception for the Iowa lottery division within the director
32 of revenue's general authority to establish, abolish, and
33 consolidate divisions within DOR.

34 The bill amends Code section 421.9 relating to who may sign
35 an order, subpoena, warrant, or other document issued by DOR

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1 by striking "deputy" and including a "department employee
2 designated by the director".

3 DIVISION VII — WORKFORCE DEVELOPMENT. The bill adds
4 the supplemental nutrition assistance program employment
5 and training program, administered jointly with HHS, to the
6 list of programs administered by the department of workforce
7 development (IWD) under Code section 84A.5(5).

8 Code section 84A.19 requires IWD and community colleges to
9 jointly implement adult education and literacy programs. The
10 bill removes the community colleges from the implementation
11 requirement. However, IWD must still consult with community
12 colleges when prescribing standards and adopting rules to
13 administer the program.

14 DIVISION VIII — DEPARTMENT OF PUBLIC SAFETY. The bill
15 strikes the requirement in Code section 80E.1(2)(b) that the
16 director of the office of drug control policy submit an annual
17 report to the governor and general assembly by November 1
18 of each year concerning the activities and programs of the
19 director and other departments related to drug enforcement,
20 substance use disorder treatment programs, and substance use
21 disorder prevention and education programs.

22 The bill strikes Code subunit references in Code section
23 100.41 and replaces them with references to Code chapter 10A,
24 subchapter V, part 2, where the applicable portions of law were
25 transferred to as the result of 2023 Iowa Acts, chapter 19.

26 DIVISION IX — ECONOMIC DEVELOPMENT AUTHORITY AND IOWA
27 FINANCE AUTHORITY — REPORTS. Code section 15.107B requires
28 the director of the economic development authority (IEDA) to,
29 on or before January 31 of each year, submit to the authority
30 board and the general assembly a report that describes the
31 activities of IEDA during the preceding fiscal year. The
32 bill provides that the director may include in the report any
33 other annual report relating to a program or activity required
34 to be prepared by IEDA, the director, or the IEDA board, and
35 submitted to the general assembly.

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1 Code section 16.7 requires the director of the Iowa finance
2 authority (IFA) to, on or before January 15 of each year,
3 submit to the governor and the general assembly an annual
4 report. The bill provides that the director may include in
5 the report any other annual report relating to a program or
6 activity required to be prepared by IFA, the director, or the
7 IFA board, and submitted to the general assembly.

8 The bill makes corresponding changes to other provisions of
9 law requiring certain reports under Code chapters governing
10 IEDA and IFA to allow for the inclusion of such reports
11 in an annual report under Code section 15.107B or 16.7, as
12 applicable.

13 DIVISION X — ECONOMIC DEVELOPMENT AUTHORITY AND IOWA
14 FINANCE AUTHORITY — PROGRAMS. The bill strikes several
15 provisions of Code chapter 15 that require IEDA to establish
16 and administer certain internship programs for Iowa students.
17 The bill instead establishes similar Iowa student internship
18 program requirements under IWD, including establishment of an
19 Iowa student internship program fund.

20 The bill specifies that any internship or financial
21 assistance awarded under a program administered by IEDA
22 under Code section 15.411 prior to the bill is valid and
23 shall continue as provided in the terms of the internship or
24 financial assistance under Code section 84A.20, as enacted in
25 the bill.

26 DIVISION XI — DEPARTMENT OF HEALTH AND HUMAN SERVICES.
27 The bill amends various provisions relating to the duties and
28 authority of HHS and the council on health and human services.

29 The bill strikes Code section 125.7(6), which requires the
30 council to consider and approve or disapprove all applications
31 for a license and all cases involving the renewal, denial,
32 suspension, or revocation of a license.

33 The bill amends various provisions of Code chapter 125 by
34 changing the responsibility for certain duties relating to
35 licensing of substance use disorder programs from the council

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1 to HHS.

2 The bill also amends Code section 217.30(3), relating to
3 the confidentiality of records for purposes of administering a
4 program of services, to also include evaluation of a program of
5 services. The bill also amends Code section 217.30 to specify
6 persons and officials to whom certain confidential information
7 may be disclosed.

8 The bill amends Code section 217.34, relating to debt
9 setoffs, to strike a reference to foster care services.

10 The bill amends Code section 218.94(1)(a) by specifying that
11 the director of HHS shall have the full power to engage in
12 specified real estate activities.

13 The bill amends Code section 252I.8(6) by modifying part of
14 the procedure for a request to withdraw a challenge by a child
15 support obligor by allowing the written request to be submitted
16 to child support services.

17 DIVISION XII — STATE SALARIES — APPOINTED STATE OFFICERS.
18 The bill establishes and codifies salary ranges for certain
19 appointed state officers for fiscal years beginning on or
20 after July 1, 2024. The bill provides that the governor shall
21 establish a salary for nonelected persons appointed by the
22 governor within the executive branch of state government. In
23 establishing a salary for a person holding certain positions
24 enumerated in the bill within the range provided, the governor
25 may consider, among other items, the experience of the person
26 in the position, changes in the duties of the position, the
27 incumbent's performance of assigned duties, and subordinates'
28 salaries. However, the attorney general shall establish the
29 salary of the consumer advocate, the chief justice of the
30 supreme court shall establish the salary of the state court
31 administrator, the ethics and campaign disclosure board shall
32 establish the salary of the executive director, the Iowa public
33 information board shall establish the salary of the executive
34 director, the board of regents shall establish the salary of
35 the executive director, and the Iowa public broadcasting board

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1 shall establish the salary of the administrator of the public
2 broadcasting division of the department of education, each
3 within the applicable salary.

4 Range one positions shall be paid in a range set in
5 accordance with pay grade 32 of the pay plans published by
6 the department of administrative services (DAS) pursuant to
7 Code section 8A.413(3). Range two positions shall be paid in
8 a range set in accordance with pay grade 38 of the pay plans
9 published by DAS. Range three positions shall be paid in a
10 range set in accordance with pay grade 43 of the pay plans
11 published by DAS.

12 The annual salary ranges for specified appointed state
13 officers are effective for the fiscal year beginning July 1,
14 2024, effective for the pay period beginning June 21, 2024,
15 and for subsequent fiscal years. The governor or other person
16 designated in the bill shall determine the salary to be paid
17 to the person indicated at a rate within the applicable salary
18 range from moneys appropriated by the general assembly for that
19 purpose.

20 The division takes effect June 21, 2024.

21 DIVISION XIII — OFFICE FOR STATE-FEDERAL RELATIONS. The
22 bill amends Code section 7F.1, relating to the establishment
23 of an office for state-federal relations. The bill strikes
24 language requiring the office to be located in Washington,
25 D.C., and specifies that the state-federal relations office
26 is attached to the office of the governor for administrative
27 purposes.

28 DIVISION XIV — HISTORICAL SITES. The bill strikes and
29 rewrites Code section 8A.702(2), relating to administration and
30 care of historical sites, to remove language providing that
31 except for the state board of regents, a state agency which
32 owns, manages, or administers a historical site must enter into
33 an agreement with DAS under Code chapter 28E to ensure the
34 proper management, maintenance, and development of the site.

35 The bill requires DAS to consult with the state historic

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1 preservation officer when developing standards and criteria
2 for the acquisition of historic properties and for the
3 preservation, restoration, maintenance, operation, and
4 interpretation of properties under the jurisdiction of the
5 department under Code section 8A.702(4).

6 The bill adds developing standards and criteria for the
7 preservation, restoration, and maintenance of historical sites
8 to the list of historic preservation activities undertaken by
9 the state historic preservation officer under Code section
10 15.121(2).

11 The bill also amends Code section 15.121 by requiring that
12 before modifying a historical site in a manner that could
13 impact a site's listing on, or eligibility for, the national
14 register of historic places, a state agency which owns,
15 manages, or administers the historical site must consult with
16 the state historic preservation officer to ensure the proper
17 management, maintenance, and development of the site. The
18 bill also authorizes the state agency and the state historic
19 preservation officer to enter into an agreement relating to the
20 proper management, maintenance, and development of the site.
21 The bill authorizes IEDA to, in consultation with the state
22 historic preservation officer, adopt rules to implement this
23 new provision.

24 DIVISION XV — DEPARTMENT OF MANAGEMENT — JUSTICE
25 INFORMATION. The bill requires the department of management
26 (DOM) to maintain a statewide integrated justice information
27 system, and transfers from HHS to DOM the duties to maintain an
28 Iowa statistical analysis center, an Iowa correctional policy
29 project, and a multiagency information system for juvenile and
30 adult court records.

31 The bill makes conforming changes and provides Code editor
32 directives.

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Senate File 2417 - Introduced

SENATE FILE 2417

BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO SSB 3186)

A BILL FOR

1 An Act establishing an excise tax on the sales price of
2 consumable hemp products sold or purchased at bars or
3 restaurants.

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

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1 Section 1. Section 423.3, Code 2024, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 110. The sales price from the sale or
4 purchase of consumable hemp products subject to the excise tax
5 under chapter 423H.

6 Sec. 2. NEW SECTION. **423H.1 Definitions.**

7 1. For the purposes of this chapter, unless the context
8 otherwise requires:

9 a. "Bar" means an establishment where one may purchase
10 alcoholic beverages, as defined in section 123.3, for
11 consumption on the premises and in which the serving of food is
12 only incidental to the consumption of those beverages.

13 b. "Consumable hemp product" means the same as defined in
14 section 204.2.

15 c. "Department" means the department of revenue.

16 d. "Restaurant" means an eating establishment that offers
17 food to the public or guests, and includes the bar area within
18 a restaurant.

19 e. "Retailer" means a bar or restaurant.

20 f. "Sales price" or "purchase price" means the same as
21 defined in section 423.1.

22 2. All other words and phrases used in this chapter and
23 defined in section 423.1 have the meaning given them by section
24 423.1 for the purposes of this chapter.

25 Sec. 3. NEW SECTION. **423H.2 Tax imposed.**

26 A tax of twenty-five percent is imposed on the sales price or
27 purchase price of consumable hemp products sold by a retailer
28 in the state of Iowa. This tax shall be collected and paid to
29 the department by the retailer who sells the consumable hemp
30 product.

31 Sec. 4. NEW SECTION. **423H.3 Exemptions.**

32 There is exempted from tax imposed by this chapter the
33 following:

34 1. The sales price from the sales of consumable hemp
35 products that this state is prohibited from taxing under the

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1 Constitution of the United States or the Constitution of the
2 State of Iowa.

3 2. The sales price or purchase price of sales for resale of
4 consumable hemp products.

5 Sec. 5. NEW SECTION. **423H.4 Administration by director.**

6 1. The director of revenue shall administer the excise
7 tax on consumable hemp products as nearly as possible in
8 conjunction with the administration of the state sales tax law,
9 except that portion of the law which implements the streamlined
10 sales and use tax agreement. The director shall provide
11 appropriate forms, or provide on the regular state tax forms,
12 for reporting the sale of consumable hemp products excise
13 tax liability. All moneys received and all refunds shall be
14 deposited in or withdrawn from the general fund of the state.

15 2. The director may require all persons who are engaged
16 in the business of deriving any sales price or purchase
17 price subject to tax under this chapter to register with
18 the department. The director may also require a tax permit
19 applicable only to this chapter for any retailer not collecting
20 taxes under chapter 423.

21 3. Section 422.25, subsection 4, sections 422.30, 422.67,
22 and 422.68, section 422.69, subsection 1, sections 422.70,
23 422.71, 422.72, 422.74, and 422.75, section 423.14, subsection
24 1, and sections 423.23, 423.24, 423.25, 423.31 through
25 423.35, 423.37 through 423.42, and 423.47, consistent with
26 the provisions of this chapter, apply with respect to the tax
27 authorized under this chapter, in the same manner and with
28 the same effect as if the excise taxes on consumable hemp
29 product sales were retail sales taxes within the meaning of
30 those statutes. Notwithstanding this subsection, the director
31 shall provide for monthly filing of returns and for other than
32 monthly filing of returns both as prescribed in section 423.31.
33 All taxes collected under this chapter by a retailer are deemed
34 to be held in trust for the state of Iowa.

35

EXPLANATION

LSB 6353SV (2) 90

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

3 This bill establishes an excise tax on the sales price
4 of consumable hemp products sold or purchased at bars and
5 restaurants in this state.

6 The bill imposes an excise tax of 25 percent on the sales
7 price of consumable hemp products sold at a bar or restaurant,
8 but exempts the sales price of such consumable hemp products
9 from the sales tax. The bill defines "bar" and "restaurant".

10 The department of revenue (DOR) is required to administer
11 the excise tax. The bill requires DOR to administer the
12 excise tax as nearly as possible in conjunction with the
13 administration of the state sales and use tax laws.

14 The moneys collected from the excise tax imposed in the bill
15 are deposited into the general fund of the state.

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Senate Joint Resolution 2004 - Introduced

SENATE JOINT RESOLUTION 2004
BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO SSB 3189)

SENATE JOINT RESOLUTION

1 A Joint Resolution proposing an amendment to the Constitution
2 of the State of Iowa by requiring a single rate for
3 individual income taxes.
4 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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S.J.R. 2004

1 Section 1. The following amendment to the Constitution of
2 the State of Iowa is proposed:

3 The Constitution of the State of Iowa is amended by adding
4 the following new section to new Article XIII:

5 ARTICLE XIII.

6 TAXATION LIMITATIONS.

7 Section 1. **Single individual income tax rate.** A tax on
8 income or based upon income for individuals shall be imposed
9 at a single rate if imposed, and shall not be imposed at a
10 graduated rate for individuals. There shall not be more than
11 one income tax rate above zero imposed by the state for state
12 purposes on an individual at any one time.

13 Sec. 2. REFERRAL AND PUBLICATION. The foregoing proposed
14 amendment to the Constitution of the State of Iowa is referred
15 to the general assembly to be chosen at the next general
16 election for members of the general assembly, and shall be
17 published as provided by law for three months previous to the
18 date of that election.

19 EXPLANATION

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

22 This joint resolution proposes an amendment to the
23 Constitution of the State of Iowa by requiring a single rate
24 for individual income taxes.

25 Under the amendment, a tax on income or based upon income for
26 individuals shall be imposed at a single rate if imposed, and a
27 graduated rate of taxation on such income is prohibited. The
28 amendment prohibits more than one income tax rate above zero
29 imposed by the state for state purposes on an individual at any
30 one time.

31 The resolution, if adopted, would be published and then
32 referred to the next general assembly (91st) for adoption,
33 before being submitted to the electorate for ratification.