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House File 2616

H-8282

1 Amend House File 2616 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <DIVISION I

5 DEFENSE SUBPOENAS IN CRIMINAL ACTIONS

6 Section 1. Section 815.9, subsection 1, unnumbered
7 paragraph 1, Code 2024, is amended to read as follows:

8 For purposes of [this chapter](#), [chapters 13B](#), [229A](#), [232](#), [665](#),
9 [812](#), [814](#), and [822](#), and ~~section~~ sections [811.1A](#) and [821A.1](#), and
10 the rules of criminal procedure, a person is indigent if the
11 person is entitled to an attorney appointed by the court as
12 follows:

13 Sec. 2. NEW SECTION. **821A.1 Defense subpoenas in criminal**
14 **actions.**

15 1. *a.* A criminal defendant or counsel acting on the
16 defendant's behalf shall not issue any subpoena for documents
17 or other evidence except upon application to the court. An
18 application shall not be granted unless a defendant proves by a
19 preponderance of the evidence all of the following:

20 (1) There is a compelling need for the evidence sought and
21 that such evidence is material, necessary, exculpatory, and
22 admissible at trial.

23 (2) The evidence sought does not include the private
24 information of a crime victim or any other person except for
25 the defendant's own private information.

26 *b.* For the purposes of this subsection:

27 (1) "*Exculpatory*" means information that tends to negate the
28 guilt of the defendant and not information that is unrelated to
29 the case and is merely impeaching or substantially cumulative
30 in nature.

31 (2) "*Private information*" means information that is not
32 material for the case for which a person has a reasonable
33 expectation of privacy including but not limited to information
34 the state would need a search warrant to obtain, nonpublic
35 electronic communications, and information that would reveal

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1 personal information not related to the case.

2 2. Notwithstanding any rule of criminal procedure
3 concerning the issuance of a subpoena, this section is the
4 exclusive mechanism for a criminal defendant or counsel acting
5 on the defendant's behalf to issue a subpoena for documents or
6 other evidence.

7 3. An application for a defense subpoena shall not be filed
8 or reviewed ex parte.

9 4. The prosecuting attorney shall not be required to execute
10 or effectuate any order or subpoena issued pursuant to this
11 section.

12 5. A crime victim or other person who is the subject of
13 a subpoena shall not be required by the court to execute a
14 waiver.

15 6. Upon application by a crime victim or the prosecuting
16 attorney, the court shall appoint an attorney to represent a
17 person or entity served with a defense subpoena if the person
18 or entity is determined to be indigent pursuant to section
19 815.9. Counsel appointed pursuant to this subsection shall be
20 paid from the indigent defense fund established pursuant to
21 section 815.11.

22 7. Documents or other evidence obtained through a defense
23 subpoena must be provided to the prosecuting attorney within
24 five business days after the receipt of the documents or other
25 evidence.

26 8. Documents or other evidence obtained through a defense
27 subpoena that does not comply with this section shall not be
28 admissible in any criminal action if offered by the defendant.

29 9. The court may sanction an attorney for knowingly issuing
30 a defense subpoena in violation of this section.

31 10. An applicant for postconviction relief shall not be
32 entitled to relief on a claim of ineffective assistance of
33 counsel when that claim is predicated upon evidence that
34 was obtained through a defense subpoena and required to be
35 disclosed pursuant to this section.

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DIVISION II

LIMITATION OF CRIMINAL ACTIONS INVOLVING CERTAIN SEXUAL
OFFENSES

Sec. 3. Section 802.2B, Code 2024, is amended by adding the following new subsections:

NEW SUBSECTION. 5A. Continuous sexual abuse of a child in violation of section 709.23.

NEW SUBSECTION. 5B. Kidnapping in the first degree when the person kidnapped, and as a consequence of the kidnapping, is intentionally subjected to sexual abuse in violation of section 710.2.

NEW SUBSECTION. 5C. Burglary in the first degree in violation of section 713.3, subsection 1, paragraph "d".

Sec. 4. Section 802.2C, Code 2024, is amended to read as follows:

802.2C Kidnapping.

An information or indictment for kidnapping in the first, second, or third degree, except as provided in section 802.2B, committed on or with a person who is under the age of eighteen years shall be found within ten years after the person upon whom the offense is committed attains eighteen years of age, or if the person against whom the information or indictment is sought is identified through the use of a DNA profile, an information or indictment shall be found within three years from the date the person is identified by the person's DNA profile, whichever is later.

DIVISION III

SEXUALLY PREDATORY OFFENSES

Sec. 5. Section 901A.1, subsection 1, paragraph c, Code 2024, is amended to read as follows:

c. Enticing a minor in violation of section 710.10, subsection 1 or 2.>

2. Title page, by striking lines 1 and 2 and inserting <An Act relating to criminal law, including defense subpoenas in criminal cases, limitation of criminal actions involving

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1 certain sexual offenses, and sexually predatory offenses, and
2 providing penalties.>

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House File 2646

H-8283

1 Amend House File 2646 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <DIVISION I

5 STORAGE TANK MANAGEMENT ACCOUNT

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

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

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

13 NEW SUBSECTION. 1B. "*Claimant*" means an owner or operator
14 who has filed a claim for assistance under the account, and
15 that claim has been approved by the department, or the Iowa
16 comprehensive petroleum underground storage tank fund created
17 in section 455G.3, Code 2024.

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

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

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

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1 storage tank financial responsibility rules.

2 NEW SUBSECTION. 7A. "*Potentially responsible party*" means a
3 person who may be responsible or liable for a release for which
4 payments from the account were made for corrective action or
5 third-party liability.

6 NEW SUBSECTION. 7B. "*Program*" means the storage tank
7 management account financing program created pursuant to
8 section 455B.472A.

9 NEW SUBSECTION. 10A. "*Third-party liability*" means any of
10 the following:

11 a. Property damage including physical injury to tangible
12 property, but not including loss of use. Property damage does
13 not include costs to remediate.

14 b. Bodily injury including sickness, physical injury, or
15 death.

16 Sec. 3. NEW SECTION. 455B.472A Storage tank management
17 account financing program.

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

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

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

34 4. The department shall administer the moneys in the account
35 transferred pursuant to this Act to carry out the purposes

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

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

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

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

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

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1 third-party liability and for all other costs. If federal
2 cleanup moneys are recovered, the federal cleanup moneys shall
3 be used solely for the purpose of future cleanup activities.

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

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

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

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

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1 potentially responsible party who may be liable for costs and
2 expenditures of the type recoverable pursuant to this section.

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

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

31 8. *Claims against potentially responsible parties.*

32 a. Upon payment from the account for corrective action or
33 third-party liability pursuant to this part 8 of subchapter
34 IV, the rights of the claimant to recover payment from any
35 potentially responsible party are assumed by the department to

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1 the extent paid from the account. A claimant shall not receive
2 double compensation for the same injury.

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

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

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

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

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

35 2. The commission may adopt rules pursuant to chapter

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1 17A providing for the transfer of all or a portion of the
2 liabilities relating to the account. Notwithstanding any other
3 provision to the contrary, the department, upon such transfer,
4 shall not maintain any duty to reimburse claimants for those
5 liabilities transferred.

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

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

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

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

31 Sec. 7. Section 455B.474, subsection 9, paragraph d, Code
32 2024, is amended to read as follows:

33 *d.* The certification of groundwater professionals shall
34 not impose liability on the ~~board~~, the department, or the
35 ~~fund~~ account for any claim or cause of action of any nature,

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1 based on the action or inaction of a groundwater professional
2 certified pursuant to [this subsection](#).

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

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

16 Sec. 9. Section 455B.477, subsection 7, Code 2024, is
17 amended to read as follows:

18 ~~7. The civil penalties or other damages or moneys recovered~~
19 ~~by the state or the petroleum underground storage tank fund in~~
20 ~~connection with a petroleum underground storage tank under this~~
21 ~~part 8 of subchapter IV or [chapter 455G](#) shall be credited to~~
22 ~~the fund created in [section 455G.3](#) and allocated between fund~~
23 ~~accounts according to the fund budget. Any federal moneys,~~
24 ~~including but not limited to federal underground storage tank~~
25 ~~trust fund moneys, received by the state or the department of~~
26 ~~natural resources in connection with a release occurring on~~
27 ~~or after May 5, 1989, or received generally for underground~~
28 ~~storage tank programs on or after May 5, 1989, shall be~~
29 ~~credited to the fund account created in [section 455G.3](#) and~~
30 ~~allocated between fund accounts according to the fund budget~~
31 ~~[455E.11](#), subsection 2, paragraph "d", unless such use would~~
32 ~~be contrary to federal law. The department shall cooperate~~
33 ~~with the board of the Iowa comprehensive petroleum underground~~
34 ~~storage tank fund to maximize the state's eligibility for and~~
35 receipt of federal funds for underground storage tank related

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1 purposes.

2 Sec. 10. Section 455E.11, subsection 2, paragraph d,
3 unnumbered paragraph 1, Code 2024, is amended to read as
4 follows:

5 A storage tank management account. ~~All~~ The account shall
6 consist of moneys appropriated to, transferred to, or deposited
7 in the account, including fees collected pursuant to section
8 455B.473, subsection 5, section 455B.477, subsection 7, and
9 section 455B.479, shall be deposited in the storage tank
10 management account. Moneys deposited in the account shall be
11 expended for all of the following purposes:

12 Sec. 11. Section 455E.11, subsection 2, paragraph d, Code
13 2024, is amended by adding the following new subparagraph:

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

17 (a) For reimbursement to tank owners or operators for all
18 or part of the costs of a corrective action for a petroleum
19 release.

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

26 (c) For permanent closure of an underground storage tank
27 system under a remedial program pursuant to chapter 455B,
28 subchapter IV, part 8, for additional assessment and corrective
29 action arising out of releases at sites for which a certificate
30 of no further action has been issued, and for tank operator
31 training. At least three million dollars of the total moneys
32 expended pursuant to this subparagraph shall be expended for
33 the purposes described in this subparagraph division, but not
34 more than fifty thousand dollars shall be utilized for operator
35 training each fiscal year.

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1 Sec. 12. Section 455E.11, subsection 2, paragraph d,
2 subparagraph (2), Code 2024, is amended to read as follows:

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

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

15 DIVISION II

16 CONFORMING CHANGES

17 Sec. 14. Section 68B.35, subsection 2, paragraph e, Code
18 2024, is amended to read as follows:

19 e. Members of the state banking council, the Iowa ethics and
20 campaign disclosure board, the credit union review board, the
21 economic development authority, the employment appeal board,
22 the environmental protection commission, the health facilities
23 council, the Iowa finance authority, the Iowa public employees'
24 retirement system investment board, the Iowa lottery board
25 created in [section 99G.8](#), the natural resource commission,
26 the board of parole, ~~the petroleum underground storage tank~~
27 ~~fund board~~, the public employment relations board, the state
28 racing and gaming commission, the state board of regents, the
29 transportation commission, the office of consumer advocate, the
30 utilities board, the Iowa telecommunications and technology
31 commission, and any full-time members of other boards and
32 commissions as defined under [section 7E.4](#) who receive an annual
33 salary for their service on the board or commission. The Iowa
34 ethics and campaign disclosure board shall conduct an annual
35 review to determine if members of any other board, commission,

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1 or authority should file a statement and shall require the
2 filing of a statement pursuant to rules adopted pursuant to
3 chapter 17A.

4 Sec. 15. Section 323.1, subsection 16, Code 2024, is amended
5 to read as follows:

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

11 Sec. 16. Section 422.7, subsection 2, paragraph u, Code
12 2024, is amended by striking the paragraph.

13 Sec. 17. Section 455B.174, subsection 4, paragraph d, Code
14 2024, is amended to read as follows:

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

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1 unless treatment is provided to ensure that the drinking water
2 meets these standards. Nothing in this paragraph shall affect
3 the public water supply system's right to pursue recovery from
4 a responsible party.

5 Sec. 18. Section 455E.11, subsection 2, paragraph d,
6 subparagraph (3), Code 2024, is amended by striking the
7 subparagraph.

8 Sec. 19. Section 455I.2, subsection 5, paragraph a, Code
9 2024, is amended to read as follows:

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

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

17 DIVISION III

18 TRANSITION PROVISIONS

19 Sec. 21. TRANSITION PROVISIONS.

20 1. Upon repeal of sections 455G.1, 455G.2, 455G.2A, 455G.3,
21 455G.4, 455G.5, 455G.6 455G.7, 455G.8, 455G.9, 455G.12,
22 455G.12A, 455G.13, 455G.14, 455G.15, 455G.16, 455G.20,
23 and 455G.21, pursuant to this Act, all moneys in all funds
24 administered by the Iowa comprehensive petroleum underground
25 storage tank fund board are transferred to the treasurer of
26 state for deposit in the storage tank management account
27 created in the groundwater protection fund created in section
28 455E.11. Any moneys credited to any fund administered by the
29 Iowa comprehensive petroleum underground storage tank fund
30 board on and after the effective date of divisions I and II
31 of this Act are transferred to the treasurer of state for
32 deposit in the storage tank management account created in the
33 groundwater protection fund created in section 455E.11.

34 2. Any rule, regulation, form, order, or directive
35 promulgated by the Iowa comprehensive petroleum underground

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(amending this HF 2646 to CONFORM to SF 2414)

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1 storage tank fund board as required to administer and enforce
2 the provisions relating to the Iowa comprehensive petroleum
3 underground storage tank fund shall continue in full force
4 and effect under the jurisdiction of the department of
5 natural resources until amended, repealed, or supplemented by
6 affirmative action of the department.

7 3. Any remaining liabilities, contracts, outstanding
8 claims, payments, or other obligations for open claims from
9 the comprehensive petroleum underground storage tank fund
10 existing on or before the effective date of divisions I and II
11 of this Act shall continue in full force and effect under the
12 jurisdiction of the department of natural resources. A claim
13 for a release filed on or after the effective date of divisions
14 I and II of this Act shall not be eligible for payment from the
15 Iowa comprehensive petroleum underground storage tank fund.

16 4. The department of natural resources may begin
17 implementation of subsections 2 and 3 prior to the effective
18 date of divisions I and II of this Act, to the extent necessary
19 to transition to full implementation of the provisions
20 relating to the storage tank management account created in the
21 groundwater protection fund created in section 455E.11 and
22 repeal of the Iowa comprehensive petroleum underground storage
23 tank fund created in section 455G.3, Code 2024.

24 5. All property tax credits provided under chapter 427B,
25 subchapter IV, existing upon the repeal of sections 427B.20,
26 427B.21, and 427B.22 shall continue until their expiration.

27 Sec. 22. EFFECTIVE DATE. This division of this Act, being
28 deemed of immediate importance, takes effect upon enactment.>

29 2. Title page, by striking lines 1 through 3 and inserting
30 <An Act relating to underground storage tanks, including
31 repealing the Iowa comprehensive petroleum underground storage
32 tank fund and eliminating the Iowa comprehensive petroleum
33 underground storage tank fund board, making appropriations, and
34 including effective date and transition provisions.>

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MOMMSEN of Clinton

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(amending this HF 2646 to CONFORM to SF 2414)

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House File 2681

H-8284

1 Amend House File 2681 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. NEW SECTION. 321.492C Use of automated or
5 remote systems for traffic law enforcement prohibited — sharing
6 related information prohibited.

7 1. The state or a local authority shall not place or cause
8 to be placed on or adjacent to a highway, or maintain or employ
9 the use of, any automated or remote system for traffic law
10 enforcement.

11 2. The department of transportation and the department of
12 public safety shall not share or provide information used to
13 impose or collect a civil penalty that results from a violation
14 captured by an automated or remote system for traffic law
15 enforcement through any existing interstate compact that does
16 not specifically allow or require information to be shared or
17 provided for that explicit purpose.

18 3. For purposes of this section, *“automated or remote system*
19 *for traffic law enforcement”* means a camera or other optical
20 device designed to work in conjunction with an official traffic
21 control signal or speed measuring device to identify motor
22 vehicles operating in violation of traffic laws, the use of
23 which results in the issuance of citations sent through the
24 mail or by electronic means.

25 Sec. 2. REMOVAL OF AUTOMATED OR REMOTE SYSTEMS FOR TRAFFIC
26 LAW ENFORCEMENT — VALIDITY OF PRIOR CITATIONS. Prior to July
27 1, 2025, a local authority using an automated or remote system
28 for traffic law enforcement shall discontinue using the system
29 and remove the system equipment. On and after July 1, 2025,
30 all local ordinances authorizing the use of automated or remote
31 systems for traffic law enforcement are void. However, any
32 citation issued or mailed pursuant to such an ordinance prior
33 to July 1, 2025, shall not be invalidated by the enactment of
34 this Act and shall be processed according to the provisions of
35 law under which the citation was authorized.

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1 Sec. 3. EFFECTIVE DATE. The section of this Act enacting
2 section 321.492C takes effect July 1, 2025.>

3 2. Title page, by striking lines 1 and 2 and inserting <An
4 Act prohibiting the use of automated or remote systems for
5 traffic law enforcement and the sharing of related information,
6 and including effective date provisions.>

WILLS of Dickinson

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House File 2681

H-8285

1 Amend House File 2681 as follows:

2 1. Page 5, after line 34 by inserting:

3 <Sec. _____. NEW SECTION. 321P.9 Prompt investigation of
4 reported violation — citation issued to driver.

5 1. A peace officer of a local jurisdiction using an
6 automated traffic enforcement system shall promptly investigate
7 a detected excessive-speed violation to identify the driver of
8 the vehicle used to commit the violation detected by automated
9 enforcement.

10 2. a. If, from the investigation, the peace officer has
11 reasonable cause to believe an excessive-speed violation has
12 occurred, the peace officer shall prepare a uniform citation
13 and complaint pursuant to chapter 805 for the violation and
14 shall serve it personally to the driver of the vehicle not more
15 than seventy-two hours after the violation occurs.

16 b. A peace officer may contact the owner of a motor
17 vehicle used to commit an excessive-speed violation detected
18 by automated enforcement and request that the owner supply
19 information identifying the driver in accordance with section
20 321.484. When requested, the owner of the vehicle shall
21 identify the driver to the best of the owner's ability.
22 However, the owner of the vehicle is not required to supply
23 identification information to the officer if the owner believes
24 the information is self-incriminating. The owner of a vehicle
25 shall not be held responsible for a violation if the owner was
26 not the driver.

27 c. A peace officer who makes personal contact with the owner
28 of a motor vehicle that was used to commit an excessive-speed
29 violation detected by automated enforcement shall arrive at the
30 owner's location in an authorized emergency vehicle, whether
31 marked or unmarked.

32 3. A citation for a violation detected by automated
33 enforcement issued not in accordance with this section is void
34 and unenforceable, including but not limited to issuing a
35 citation for a civil infraction by mail.

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1 4. For purposes of this section, "owner" means a person who
2 holds the legal title to a motor vehicle; however, if the motor
3 vehicle is the subject of a security agreement with a right of
4 possession in the debtor, the debtor shall be deemed the owner
5 for purposes of this section, or if the motor vehicle is leased
6 as defined in section 321.493, the lessee shall be deemed the
7 owner for purposes of this section.>

8 2. Page 5, line 35, by striking <321P.9> and inserting
9 <321P.10>

10 3. Page 6, line 6, by striking <321P.10> and inserting
11 <321P.11>

12 4. Page 6, line 25, by striking <321P.9> and inserting
13 <321P.10>

14 5. Page 7, line 8, by striking <321P.11> and inserting
15 <321P.12>

16 6. Page 7, line 16, by striking <321P.12> and inserting
17 <321P.13>

18 7. By renumbering as necessary.

WILLS of Dickinson

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House File 2681

H-8286

1 Amend House File 2681 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <DIVISION I

5 AUTOMATED OR REMOTE SYSTEMS FOR TRAFFIC LAW ENFORCEMENT —

6 AUTOMATIC REGISTRATION PLATE READERS

7 Section 1. NEW SECTION. 321P.1 Definitions.

8 As used in this chapter, unless the context otherwise
9 requires:

10 1. *“Automated or remote system for traffic law enforcement”*
11 or *“system”* means a camera or other optical device designed to
12 work in conjunction with a speed measuring device to detect
13 motor vehicles being operated in violation of the speed limit,
14 the use of which results in the issuance of citations sent
15 through the mail or by electronic means.

16 2. *“Critical traffic safety issues”* include traffic
17 violations resulting in a traffic collision or accident and
18 traffic collisions and accidents resulting in serious injury or
19 death occurring at a location.

20 3. *“Department”* means the state department of
21 transportation.

22 4. *“Local authority”* means a county or municipality
23 having authority to adopt local police regulations under the
24 Constitution of the State of Iowa and laws of this state.

25 Sec. 2. NEW SECTION. 321P.2 Permit required — local
26 ordinances.

27 1. A person shall not use an automated or remote system
28 for traffic law enforcement unless authorized under this
29 chapter. A local authority shall not adopt, enforce, or
30 otherwise administer an ordinance authorizing the use of a
31 system, and shall not use a system, unless the local authority
32 holds a valid permit to use a system at the system’s location.
33 Notwithstanding section 331.302, subsection 6, and section
34 380.3, the governing body of a local authority that is
35 considering an ordinance to authorize or implement traffic law

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1 enforcement by automated or remote systems shall not suspend
2 the requirements of section 331.302, subsection 6, or section
3 380.3, as applicable.

4 2. A local authority may apply for a permit by submitting
5 an application to the department in a manner determined by
6 the department. The department may approve or disapprove
7 the application for a permit based on the department's
8 determination that a system is appropriate and necessary and
9 the least restrictive means to address the critical traffic
10 safety issues at a location. The department shall only issue
11 one permit for a local authority, which shall set forth all
12 locations at which a local authority is authorized to use a
13 system. A local authority may submit an application to the
14 department to update the local authority's permit with a new
15 location in the same manner and with the same information as
16 required for the initial permit. An application for a permit
17 must contain all of the following for a location at which the
18 local authority intends to operate a system:

19 a. Records detailing the number and description of traffic
20 violations at the location, which shall be compiled and
21 maintained by the local authority for at least one year prior
22 to the installation of the system and for each year the system
23 is in operation. The records shall be considered public
24 records for purposes of chapter 22.

25 b. Records detailing the number and severity of traffic
26 collisions and accidents occurring at the location.

27 c. An analysis of existing traffic speed data, posted speed
28 limits, traffic volume data, and intersection and roadway
29 measurements of the location. The analysis must demonstrate to
30 the department that existing speed restrictions are appropriate
31 and must describe how the speed restrictions were established.

32 d. The proposed cause of critical traffic safety issues at
33 the location.

34 e. Alternative methods to improve traffic safety at the
35 location that the local authority has implemented or has

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1 considered but declined to implement. Alternative methods
2 to improve traffic safety may include but are not limited to
3 changes relating to law enforcement practices, roadway or
4 intersection design, traffic control devices used, and public
5 education campaigns.

6 *f.* Details of discussions, if any, held with an entity
7 that has resources which may aid the reduction of traffic
8 collisions and accidents caused at the location by failure to
9 obey speed restrictions and subsequent actions taken by the
10 local authority.

11 *g.* An explanation detailing the reasons that the use of a
12 system at the location is appropriate and necessary and the
13 least restrictive means to address the critical traffic safety
14 issues.

15 **Sec. 3. NEW SECTION. 321P.3 Use limited.**

16 1. A local authority shall not use an automated or remote
17 system for traffic law enforcement to issue a citation for a
18 traffic violation unless the violation is for exceeding the
19 speed limit by more than ten miles per hour.

20 2. A local authority with a population of twenty thousand or
21 less based on the most recent federal decennial census shall
22 not use a mobile system to issue a citation for a traffic
23 violation. The department shall adopt rules pursuant to
24 chapter 17A otherwise authorizing and regulating the operation
25 of mobile systems, taking into consideration a mobile system's
26 mobility, flexible usage, and the needs of a local authority to
27 control traffic speed to address critical traffic safety issues
28 at a location. However, the rules shall not authorize the use
29 of a mobile system other than in neighborhoods, construction
30 zones, school zones, including collegiate zones, and locations
31 where traffic enforcement is difficult or dangerous to enforce
32 by alternative methods.

33 3. A local authority, regardless of its population, may
34 issue a warning memorandum to the owner of a vehicle that was
35 operated in violation of a traffic law if the violation was

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1 detected by an automated or remote system for traffic law
2 enforcement, including a mobile system.

3 Sec. 4. NEW SECTION. 321P.4 Automatic registration plate
4 readers — data retention limited.

5 1. The operator of an automatic registration plate reader
6 or any associated data storage device shall permanently delete
7 from the plate reader and storage device, as applicable, every
8 image of a vehicle registration plate captured by the plate
9 reader, and any other accompanying data, no later than thirty
10 days after the image was captured.

11 2. Prior to deletion under subsection 1, an image of
12 a vehicle registration plate captured by an automatic
13 registration plate reader, and any other accompanying data,
14 may be copied and stored by a law enforcement agency if the
15 image and data are relevant to an ongoing criminal case or
16 investigation. The law enforcement agency shall maintain
17 the copied registration plate image and accompanying data in
18 accordance with the agency's evidence retention policies.
19 Copies maintained by the law enforcement agency are not subject
20 to subsection 1.

21 3. For purposes of this section, "*automatic registration*
22 *plate reader*" or "*plate reader*" means a camera or other optical
23 device designed or programmed to automatically detect a
24 vehicle's registration plate, or to automatically capture
25 or store an image of a vehicle's registration plate and any
26 accompanying data.

27 4. A person who violates subsection 1 commits a simple
28 misdemeanor.

29 Sec. 5. NEW SECTION. 321P.5 Notice — signage and reports.

30 1. a. A local authority shall not operate an automated or
31 remote system for traffic law enforcement at a fixed location
32 unless permanent signs meeting the requirements as specified in
33 the department manual on uniform traffic-control devices and
34 giving notice of the system are erected at least five hundred
35 feet but not more than one thousand feet along the approach of

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1 the highway where the system is used.

2 *b.* A local authority shall not operate a mobile automated
3 or remote system for traffic law enforcement unless permanent
4 signs meeting the requirements as specified in the department
5 manual on uniform traffic-control devices and giving notice
6 of the local authority's use of a mobile system within the
7 boundaries of the local authority are posted at every location
8 where a highway enters the boundaries of the local authority.

9 *c.* Signs required under this subsection shall be erected
10 by the local authority at the local authority's expense at
11 least thirty days prior to a system enforcing any detected
12 violations.

13 2. A local authority using a system shall submit to the
14 department an annual report by March 1 of each year detailing
15 the number of traffic collisions and accidents that occurred at
16 each location where a system is in use, the number of citations
17 issued for each system during the previous calendar year, and
18 any other relevant information about the systems that the local
19 authority deems appropriate. The local authority shall post
20 the report on the local authority's internet site, if the local
21 authority has an internet site.

22 Sec. 6. NEW SECTION. 321P.6 Enforcement.

23 1. A local authority shall not issue a citation or warning
24 memorandum for a violation detected by a system until a peace
25 officer of the local authority, or an individual trained and
26 certified by the local authority, has reviewed and approved
27 the recorded photograph or video to affirm a traffic violation
28 occurred.

29 2. *a.* For an excessive speed violation detected by a system
30 other than as provided in paragraph `b`, the fine shall not
31 exceed the following amounts:

32 (1) Seventy-five dollars for speed greater than ten miles
33 per hour in excess of the limit but not more than twenty miles
34 per hour in excess of the limit.

35 (2) One hundred dollars for speed greater than twenty miles

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1 per hour in excess of the limit but not more than twenty-five
2 miles per hour in excess of the limit.

3 (3) Two hundred fifty dollars for speed greater than
4 twenty-five miles per hour in excess of the limit but not more
5 than thirty miles per hour in excess of the limit.

6 (4) Five hundred dollars for speed greater than thirty miles
7 per hour in excess of the limit.

8 *b.* For an excessive speed violation detected by a system in
9 a road work zone, as defined in section 321.1, the fine shall
10 not exceed the following amounts:

11 (1) One hundred fifty dollars for speed greater than ten
12 miles per hour in excess of the limit but not more than twenty
13 miles per hour in excess of the limit.

14 (2) Two hundred dollars for speed greater than twenty miles
15 per hour in excess of the limit but not more than twenty-five
16 miles per hour in excess of the limit.

17 (3) Five hundred dollars for speed greater than twenty-five
18 miles per hour in excess of the limit but not more than thirty
19 miles per hour in excess of the limit.

20 (4) One thousand dollars for speed greater than thirty miles
21 per hour in excess of the limit.

22 3. A system not in compliance with this chapter shall not
23 be used to detect violations. A citation issued while the
24 system is not in compliance with this chapter is void and
25 unenforceable.

26 4. A violation detected by an automated or remote system
27 for traffic law enforcement is a civil infraction. Such
28 a violation shall not be considered by the department of
29 transportation for purposes of driver's license sanctions,
30 and shall not be considered by an insurer for purposes of a
31 person's automobile insurance rates. The fine associated with
32 a citation issued by a local authority as the result of the use
33 of a system must be a civil penalty.

34 Sec. 7. NEW SECTION. 321P.7 Liability for violations
35 detected.

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1 1. A citation for a violation detected by an automated or
2 remote system for traffic law enforcement shall be issued to
3 the owner of the identified motor vehicle.

4 2. *a.* Notwithstanding subsection 1, a local authority shall
5 provide the owner of a motor vehicle who receives a citation
6 for a violation detected by a system with an opportunity
7 to submit evidence that the owner was not operating the
8 motor vehicle at the time of the violation. As part of the
9 proceeding, the owner shall provide the name and address of the
10 person who was operating the motor vehicle at the time of the
11 violation.

12 *b.* Notwithstanding subsection 1, a citation issued to the
13 owner of a motor vehicle may be amended and issued to the
14 person identified under paragraph "a" who was operating the
15 motor vehicle.

16 3. For purposes of this section, "owner" means a person
17 who holds the legal title to a motor vehicle. However, if the
18 motor vehicle is the subject of a security agreement with a
19 right of possession in the debtor, the debtor is deemed the
20 owner for purposes of this section, or if the motor vehicle is
21 leased as defined in section 321.493, the lessee is deemed the
22 owner for purposes of this section.

23 **Sec. 8. NEW SECTION. 321P.8 Restrictions on use of revenue.**

24 A local authority shall not use any revenue received as
25 a result of the use of a system and retained by the local
26 authority, not including the cost to install, operate, and
27 maintain the system, other than for any of the following
28 purposes:

29 1. To fund transportation infrastructure improvement
30 projects.

31 2. To offset costs incurred relating to the operation of a
32 police department or fire department.

33 **Sec. 9. NEW SECTION. 321P.9 Installation and maintenance.**

34 1. A local authority shall install a system in a manner that
35 minimizes the effect of camera flash on drivers, if a camera

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1 flash is used.

2 2. An automated or remote system for traffic law enforcement
3 must only record a photograph or video of the rear of a vehicle
4 and the vehicle's registration plate while the vehicle is used
5 to commit an alleged traffic violation. A local authority
6 shall not install a system such that the system's camera is
7 placed to capture the front of a motor vehicle or the face of
8 any person in the vehicle being recorded. In accordance with
9 section 321P.6, subsection 3, a citation issued by a system
10 that captures the front of a motor vehicle or the face of any
11 person in the vehicle is void and unenforceable.

12 3. A system must verify its internal calibrations daily, and
13 a person trained in the calibration of the system shall conduct
14 a monthly calibration.

15 4. A local authority operating a system shall maintain
16 a monthly log detailing whether a person trained in the
17 calibration of the system successfully performed the monthly
18 calibrations and whether the system successfully performed the
19 daily internal calibrations.

20 5. The log and documentation of the calibrations required
21 under this section are admissible in any court proceeding
22 relating to a violation detected by the system.

23 6. If a daily or monthly calibration is not successfully
24 performed, the system shall not operate until a successful
25 calibration is subsequently performed.

26 DIVISION II

27 EXISTING SYSTEMS

28 Sec. 10. EXISTING SYSTEMS.

29 1. A local authority using an automated or remote system for
30 traffic law enforcement prior to January 1, 2024, may submit
31 to the department of transportation by July 1, 2024, a list
32 of system locations and justifications for placement and use
33 of the systems at the locations in conformance with section
34 321P.2, as enacted by this Act, to the extent practicable,
35 as determined by the department. The department shall, by

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1 October 1, 2024, issue a permit as provided in section 321P.2,
2 as enacted by this Act, to a local authority that provided
3 valid submissions in accordance with this subsection. A local
4 authority using a system prior to January 1, 2024, may continue
5 to use the system in the same manner and at the same locations
6 as the system was used on or before January 1, 2024, during
7 the period of time between the local authority's submission to
8 the department and the date the department issues the permit
9 to the local authority, unless the system is a mobile system
10 prohibited under section 321P.3, as enacted by this Act. If,
11 on October 1, 2024, a local authority has not been issued a
12 permit by the department as a result of a submission that was
13 not timely filed, or due to a timely filed submission that did
14 not otherwise comply with this subsection, the local authority
15 shall cease using all systems until the local authority obtains
16 a permit from the department pursuant to section 321P.2, as
17 enacted by this Act.

18 2. A local authority using an automated or remote system
19 for traffic law enforcement at a location for the first time
20 on or after January 1, 2024, shall not be issued a permit by
21 the department of transportation pursuant to section 321P.2, as
22 enacted by this Act, before July 1, 2026.

23 Sec. 11. EFFECTIVE DATE. This division of this Act, being
24 deemed of immediate importance, takes effect upon enactment.>

25 2. Title page, by striking lines 1 and 2 and inserting
26 <An Act relating to automated traffic systems, including for
27 traffic law enforcement and for capture of registration plate
28 images, providing penalties, and including effective date
29 provisions.>

P. THOMPSON of Boone

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House File 2644

H-8287

1 Amend House File 2644 as follows:

2 1. Page 1, by striking lines 10 and 11 and inserting <in
3 Iowa is eligible to apply for a grant under the>

4 2. Page 2, by striking lines 1 and 2.

5 3. Page 2, line 35, by striking <80,000> and inserting
6 <100,000>

LOHSE of Polk

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House File 2686

H-8288

1 Amend House File 2686 as follows:

2 1. Page 5, after line 28 by inserting:

3 <Sec. _____. Section 272C.2, subsection 2, Code 2024, is
4 amended by adding the following new paragraph:

5 NEW PARAGRAPH. *h.* Allow a licensee to apply continuing
6 education credit obtained in excess of the requirements for a
7 renewal period to the continuing education requirements for
8 the following renewal period in an amount not to exceed fifty
9 percent of the continuing education credits required for a
10 renewal period. A licensing board may adopt rules specifying
11 types of continuing education credits earned in a renewal
12 period that cannot be applied to the continuing education
13 requirements for the following renewal period.>

14 2. Page 49, before line 19 by inserting:

15 <Sec. _____. Section 84A.5, subsection 5, paragraph o, Code
16 2024, is amended to read as follows:

17 *o.* Adult education and literacy programs with community
18 colleges under section 84A.19.>

19 3. Page 50, by striking lines 1 through 8.

20 4. By renumbering as necessary.

FRY of Clarke

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House File 2616

H-8289

1 Amend House File 2616 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. Section 815.9, subsection 1, unnumbered
5 paragraph 1, Code 2024, is amended to read as follows:

6 For purposes of [this chapter](#), [chapters 13B](#), [229A](#), [232](#), [665](#),
7 [812](#), [814](#), and [822](#), and ~~section~~ sections [811.1A](#) and [821A.1](#), and
8 the rules of criminal procedure, a person is indigent if the
9 person is entitled to an attorney appointed by the court as
10 follows:

11 Sec. 2. NEW SECTION. **821A.1 Defense subpoenas in criminal**
12 **actions.**

13 1. *a.* A criminal defendant or counsel acting on the
14 defendant's behalf shall not issue any subpoena for documents
15 or other evidence except upon application to the court. An
16 application shall not be granted unless a defendant proves by a
17 preponderance of the evidence all of the following:

18 (1) There is a compelling need for the evidence sought and
19 that such evidence is material, necessary, exculpatory, and
20 admissible at trial.

21 (2) The evidence sought does not include the private
22 information of a crime victim or any other person except for
23 the defendant's own private information.

24 *b.* For the purposes of this subsection:

25 (1) "*Exculpatory*" means information that tends to negate the
26 guilt of the defendant and not information that is unrelated to
27 the case and is merely impeaching or substantially cumulative
28 in nature.

29 (2) "*Private information*" means information for which
30 a person has a reasonable expectation of privacy including
31 but not limited to information the state would need a search
32 warrant to obtain, nonpublic electronic communications, and
33 information that would reveal personal information immaterial
34 to the prosecution.

35 2. Notwithstanding any rule of criminal procedure

HF 2616.4093 (1) 90

(amending this HF 2616 to CONFORM to SF 2349)

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1 concerning the issuance of a subpoena, this section is the
2 exclusive mechanism for a criminal defendant or counsel acting
3 on the defendant's behalf to issue a subpoena for documents or
4 other evidence.

5 3. An application for a defense subpoena shall not be filed
6 or reviewed ex parte.

7 4. The prosecuting attorney shall not be required to execute
8 or effectuate any order or subpoena issued pursuant to this
9 section.

10 5. A crime victim or other party who is the subject of
11 a subpoena shall not be required by the court to execute a
12 waiver.

13 6. Upon application by a crime victim or the prosecuting
14 attorney, the court shall appoint an attorney to represent a
15 person or entity served with a defense subpoena if the person
16 or entity is determined to be indigent pursuant to section
17 815.9. Counsel appointed pursuant to this subsection shall be
18 paid from the indigent defense fund established pursuant to
19 section 815.11.

20 7. Documents or other evidence obtained through a defense
21 subpoena must be provided to the prosecuting attorney within
22 five business days after the receipt of the documents or other
23 evidence.

24 8. Documents or other evidence obtained through a defense
25 subpoena that does not comply with this section shall not be
26 admissible in any criminal action if offered by the defendant.

27 9. The court may sanction an attorney for knowingly issuing
28 a defense subpoena in violation of this section.

29 10. An applicant for postconviction relief shall not be
30 entitled to relief on a claim of ineffective assistance of
31 counsel as a result of evidence obtained through a defense
32 subpoena.>

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COLLINS of Des Moines

HF 2616.4093 (1) 90
(amending this HF 2616 to CONFORM to SF 2349)
as/js 3/3

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Senate File 2349

H-8290

1 Amend Senate File 2349, as passed by the Senate, as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <DIVISION I

5 DEFENSE SUBPOENAS IN CRIMINAL ACTIONS

6 Section 1. Section 815.9, subsection 1, unnumbered
7 paragraph 1, Code 2024, is amended to read as follows:

8 For purposes of [this chapter](#), [chapters 13B](#), [229A](#), [232](#), [665](#),
9 [812](#), [814](#), and [822](#), and ~~section~~ sections [811.1A](#) and [821A.1](#), and
10 the rules of criminal procedure, a person is indigent if the
11 person is entitled to an attorney appointed by the court as
12 follows:

13 Sec. 2. NEW SECTION. **821A.1 Defense subpoenas in criminal**
14 **actions.**

15 1. *a.* A criminal defendant or counsel acting on the
16 defendant's behalf shall not issue any subpoena for documents
17 or other evidence except upon application to the court. An
18 application shall not be granted unless a defendant proves by a
19 preponderance of the evidence all of the following:

20 (1) There is a compelling need for the evidence sought and
21 that such evidence is material, necessary, exculpatory, and
22 admissible at trial.

23 (2) The evidence sought does not include the private
24 information of a crime victim or any other person except for
25 the defendant's own private information.

26 *b.* For the purposes of this subsection:

27 (1) "*Exculpatory*" means information that tends to negate the
28 guilt of the defendant and not information that is unrelated to
29 the case and is merely impeaching or substantially cumulative
30 in nature.

31 (2) "*Private information*" means information that is not
32 material for the case for which a person has a reasonable
33 expectation of privacy including but not limited to information
34 the state would need a search warrant to obtain, nonpublic
35 electronic communications, and information that would reveal

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1 personal information not related to the case.

2 2. Notwithstanding any rule of criminal procedure
3 concerning the issuance of a subpoena, this section is the
4 exclusive mechanism for a criminal defendant or counsel acting
5 on the defendant's behalf to issue a subpoena for documents or
6 other evidence.

7 3. An application for a defense subpoena shall not be filed
8 or reviewed ex parte.

9 4. The prosecuting attorney shall not be required to execute
10 or effectuate any order or subpoena issued pursuant to this
11 section.

12 5. A crime victim or other person who is the subject of
13 a subpoena shall not be required by the court to execute a
14 waiver.

15 6. Upon application by a crime victim or the prosecuting
16 attorney, the court shall appoint an attorney to represent a
17 person or entity served with a defense subpoena if the person
18 or entity is determined to be indigent pursuant to section
19 815.9. Counsel appointed pursuant to this subsection shall be
20 paid from the indigent defense fund established pursuant to
21 section 815.11.

22 7. Documents or other evidence obtained through a defense
23 subpoena must be provided to the prosecuting attorney within
24 five business days after the receipt of the documents or other
25 evidence.

26 8. Documents or other evidence obtained through a defense
27 subpoena that does not comply with this section shall not be
28 admissible in any criminal action if offered by the defendant.

29 9. The court may sanction an attorney for knowingly issuing
30 a defense subpoena in violation of this section.

31 10. An applicant for postconviction relief shall not be
32 entitled to relief on a claim of ineffective assistance of
33 counsel when that claim is predicated upon evidence that
34 was obtained through a defense subpoena and required to be
35 disclosed pursuant to this section.

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DIVISION II

LIMITATION OF CRIMINAL ACTIONS INVOLVING CERTAIN SEXUAL
OFFENSES

Sec. 3. Section 802.2B, Code 2024, is amended by adding the following new subsections:

NEW SUBSECTION. 5A. Continuous sexual abuse of a child in violation of section 709.23.

NEW SUBSECTION. 5B. Kidnapping in the first degree when the person kidnapped, and as a consequence of the kidnapping, is intentionally subjected to sexual abuse in violation of section 710.2.

NEW SUBSECTION. 5C. Burglary in the first degree in violation of section 713.3, subsection 1, paragraph "d".

Sec. 4. Section 802.2C, Code 2024, is amended to read as follows:

802.2C Kidnapping.

An information or indictment for kidnapping in the first, second, or third degree, except as provided in section 802.2B, committed on or with a person who is under the age of eighteen years shall be found within ten years after the person upon whom the offense is committed attains eighteen years of age, or if the person against whom the information or indictment is sought is identified through the use of a DNA profile, an information or indictment shall be found within three years from the date the person is identified by the person's DNA profile, whichever is later.

DIVISION III

SEXUALLY PREDATORY OFFENSES

Sec. 5. Section 901A.1, subsection 1, paragraph c, Code 2024, is amended to read as follows:

c. Enticing a minor in violation of section 710.10, subsection 1 or 2.>

2. Title page, by striking lines 1 and 2 and inserting <An Act relating to criminal law, including defense subpoenas in criminal cases, limitation of criminal actions involving

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1 certain sexual offenses, and sexually predatory offenses, and
2 providing penalties.>

GUSTOFF of Polk

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Senate File 2349

H-8291

- 1 Amend the amendment, H-8290, to Senate File 2349, as passed
2 by the Senate, as follows:
- 3 1. Page 1, line 15, by striking <a.>
4 2. Page 1, line 19, by striking <all of the following:> and
5 inserting <that there is a compelling need for the evidence
6 sought or that such evidence appears reasonably likely to lead
7 to the discovery of relevant information. A defense subpoena
8 shall not be filed or reviewed ex parte.>
9 3. By striking page 1, line 20, through page 2, line 8.
10 4. Page 2, line 14, after <waiver> by inserting <except upon
11 a showing of good and otherwise lawful cause>
12 5. Page 2, by striking lines 29 through 35 and inserting:
13 <__. A criminal defendant or counsel acting on the
14 defendant's behalf, in evaluating whether to submit an
15 application for a subpoena, and the court, in considering
16 an application for a subpoena, shall give due consideration
17 concerning the likely burdens placed upon the person to
18 be subpoenaed. No subpoena shall issue if the court finds
19 that the likely burdens, including but not limited to the
20 compromise of privacy interests, expense, inconvenience,
21 and the disruption of emotional tranquility, so overwhelm
22 the likely benefit to the defense that the granting of the
23 subpoena application would constitute manifest injustice. If
24 an application for a subpoena appears to have been motivated
25 by malice, the court shall impose appropriate sanctions upon
26 the criminal defendant or counsel acting on the defendant's
27 behalf.>
28 6. By renumbering, redesignating, and correcting internal
29 references as necessary.

THOMSON of Floyd

H 8290.4112 (2) 90

-1-

as/js

1/1

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House File 2681

H-8292

1 Amend the amendment, H-8284, to House File 2681, as follows:

2 1. Page 1, by striking lines 20 through 22 and inserting
3 <device designed to work in conjunction with a speed measuring
4 device to detect motor vehicles being operated in violation of
5 the speed limit, the use of>

WILLS of Dickinson

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Senate Amendment to
House File 2531

H-8293

- 1 Amend House File 2531, as passed by the House, as follows:
- 2 1. Page 1, line 1, by striking <cabarets> and inserting
3 <establishments>
- 4 2. Page 1, by striking lines 2 through 34 and inserting:
5 <1. As used in this section, "adult establishment" means any
6 business that provides nude or topless dancing or operates any
7 other adult-oriented business.>
- 8 3. Page 2, line 2, by striking <cabaret> and inserting
9 <establishment>
- 10 4. Page 2, line 3, by striking <within five>
- 11 5. Page 2, by striking line 4 and inserting <in any parking
12 lots or areas, including but not limited to public rights of
13 way, adjacent to the premises:>
- 14 6. Page 2, line 14, before <believes> by inserting <for the
15 county or city where the premises is located>
- 16 7. Page 2, line 19, by striking <cabaret> and inserting
17 <establishment>
- 18 8. Page 2, line 24, by striking <cabaret> and inserting
19 <establishment>
- 20 9. Title page, by striking lines 1 and 2 and inserting <An
21 Act relating to public safety nuisances at adult establishments
22 that provide nude or topless dancing or operate any other
23 adult-oriented business, and making penalties applicable.>

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Senate Amendment to
House File 2668

H-8294

- 1 Amend House File 2668, as passed by the House, as follows:
2 1. Page 1, by striking lines 14 through 17 and inserting:
3 <c. *Clinical utility* means sufficient medical and
4 scientific evidence indicating that the use of a biomarker test
5 will provide meaningful information that affects treatment
6 decisions and guides improvement of net health outcomes,
7 including an improved quality of life or longer survival.>

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House File 2641

H-8295

1 Amend House File 2641 as follows:

2 1. By striking page 1, line 15, through page 4, line 35, and
3 inserting:

4 <Sec. _____. Section 159.20, subsection 2, Code 2024, is
5 amended to read as follows:

6 2. The department shall ~~establish and~~ administer a
7 ~~choose Iowa promotional program as provided in part 2 of~~
8 ~~this subchapter, in order to provide consumers a choice in~~
9 programs that advance the purchasing food items of agricultural
10 commodities produced on Iowa farms and Iowa products that
11 originate as ~~an agricultural commodity~~ commodities produced on
12 Iowa farms under this title, including chapter 187.

13 Sec. _____. Section 159.20, subsection 3, unnumbered
14 paragraph 1, Code 2024, is amended to read as follows:

15 As used in [this subchapter section](#):

16 Sec. _____. Section 159.28, Code 2024, is amended to read as
17 follows:

18 **159.28 Choose Iowa promotional program.**

19 1. The department shall establish and administer a choose
20 Iowa promotional program to advertise for retail sale ~~on a~~
21 ~~retail basis a food item that originates as an agricultural~~
22 ~~commodity produced on an Iowa farm, and an Iowa product~~ that
23 may include any of the following:

24 a. An agricultural commodity produced on an Iowa farm,
25 except that it may be prepared for sale by washing or packaging
26 in this state.

27 b. ~~A product, if it is~~ An agricultural commodity processed
28 in this state ~~and any of its ingredients, if its components~~
29 originate as an agricultural commodity produced on an Iowa
30 farm.

31 2. a. The department may adopt rules further defining an
32 Iowa farm, Iowa agricultural commodity, and Iowa product; and
33 describing how an Iowa agricultural commodity originates on an
34 Iowa farm.

35 b. The department may adopt rules providing for the

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1 acceptable use of ~~ingredients originating~~ a component that
2 originates from an agricultural commodities commodity not
3 produced on an Iowa farms farm. In adopting the rules, the
4 department may consider whether the ~~ingredient component~~ is
5 an incidental ~~additive or other component that the department~~
6 ~~determines is or~~ insignificant part of an Iowa product.

7 Sec. _____. Section 159.29, subsections 1 and 5, Code 2024,
8 are amended to read as follows:

9 1. As part of the choose Iowa promotional program, the
10 department may establish a choose Iowa logo to identify a ~~food~~
11 ~~item originating as an agricultural commodity produced on an~~
12 Iowa farm an Iowa product.

13 5. The use of a choose Iowa logo does not do any of the
14 following:

15 a. Provide an express or implied guarantee or warranty
16 concerning the safety, fitness, merchantability, or use of a
17 ~~food item~~ product.

18 b. Supersede, revise, or replace a state or federal labeling
19 requirement, including but not limited to a provision in the
20 federal Fair Packaging and Labeling Act, 15 U.S.C. §1451 et
21 seq.

22 c. Indicate the grade, specification, standard, or value of
23 any ~~food item~~ agricultural commodity, component, or product.

24 Sec. _____. Section 159.31, subsections 1, 2, and 3, Code
25 2024, are amended to read as follows:

26 1. A choose Iowa fund is ~~established~~ created in the state
27 treasury under the management and control of the department.

28 2. The fund shall include moneys collected as fees by
29 the department as provided in ~~section 159.30~~ 187.303, moneys
30 appropriated by the general assembly, and other moneys
31 available to and obtained or accepted by the department,
32 including moneys from public or private sources.

33 3. Moneys in the fund are appropriated to the department
34 and shall be used exclusively to ~~carry out the provisions of~~
35 this part administer the programs created in this subchapter

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1 as determined and directed by the department, and shall not
2 require further special authorization by the general assembly.

3 Sec. _____. Section 159.31A, Code 2024, is amended to read as
4 follows:

5 159.31A Dairy innovation fund and revitalization program.

6 ~~1. As used in [this section](#) unless the context otherwise
7 requires:~~

8 ~~a. "Financial assistance" means assistance provided only
9 from the moneys and assets legally available to the department
10 pursuant to [this section](#) and includes assistance in the form of
11 grants, low-interest loans, and forgivable loans.~~

12 ~~b. "Fund" means the dairy innovation fund.~~

13 ~~c. "Located in" means the place or places at which
14 a business's operations are located and where at least
15 ninety-eight percent of the business's employees work, or where
16 employees that are paid at least ninety-eight percent of the
17 business's payroll work.~~

18 ~~d. "Program" means the dairy innovation program.~~

19 ~~2. a. The fund is created in the state treasury under
20 the control of the department and consists of any moneys
21 appropriated to the fund by the general assembly and any other
22 moneys available to or obtained or accepted by the department
23 for placement in the fund. Moneys in the fund are appropriated
24 to the department to award financial assistance as provided
25 under the program. The department shall use any moneys
26 specifically appropriated for purposes of [this section](#) only for
27 the purposes of the program.~~

28 ~~b. Notwithstanding [section 8.33](#), moneys in the fund
29 that remain unencumbered or unobligated at the close of the
30 fiscal year shall not revert but shall remain available for
31 expenditure for the purposes designated until the close of the
32 succeeding fiscal year.~~

33 1. A dairy innovation and revitalization program is created
34 within the department. The purpose of the program is to
35 promote the development, modernization, and expansion of this

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1 state's dairy industry.

2 ~~3.~~ 2. ~~The~~ In administering the program, the department
3 shall ~~establish and administer the program for the purpose of~~
4 ~~awarding~~ award financial assistance to eligible businesses
5 ~~engaged in~~ to support projects that do one or more of the
6 following:

7 *a.* Expand or refurbish existing milk plants or establish a
8 new milk plant, operating pursuant to a permit issued pursuant
9 to section 192.111 or 194.3A.

10 *b.* Expand or refurbish existing mobile dairy processing
11 units, or establish new mobile dairy processing units.

12 *c.* Rent buildings, refrigeration ~~facilities,~~ or freezer
13 facilities, or equipment necessary to expand dairy processing
14 capacity, including mobile dairy or refrigeration units used
15 exclusively for dairy processing.

16 *d.* Incorporate methods and technologies that reduce farm
17 labor associated with milk production and storage, including
18 but not limited to the use of robotics and processes or systems
19 that operate using computerized equipment or machinery.

20 ~~4.~~ 3. The department shall establish eligibility criteria
21 for the program ~~by rule.~~ The eligibility criteria must include
22 all of the following:

23 *a.* The business must be located in this state.

24 *b.* The business must not have been subject to any regulatory
25 enforcement action related to federal, state, or local
26 environmental, worker safety, food processing, or food safety
27 laws, rules, or regulations within the last five years.

28 *c.* The business must only employ individuals legally
29 authorized to work in this state.

30 *d.* The business must not currently be in bankruptcy.

31 *e.* The business must employ less than fifty individuals.

32 ~~5.~~ 4. A An eligible business seeking financial assistance
33 under this section shall make application to the department in
34 the manner and on forms prescribed by the department ~~by rule.~~

35 ~~6.~~ 5. Applications for financial assistance under this

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1 section shall be accepted during one or more annual application
2 periods ~~to be determined~~ established by the department ~~by~~
3 rule. Upon reviewing and scoring all applications that are
4 received during an application period, and subject to ~~funding~~
5 the availability of moneys, the department may award financial
6 assistance to eligible businesses. A financial assistance
7 award shall not exceed the amount of eligible project costs
8 included in the eligible business's application. Priority
9 shall be given to eligible businesses whose proposed project
10 or projects under subsection ~~3~~ 2 ~~will~~ are most likely to do any
11 one or more of the following:

12 a. Create new jobs.

13 b. Create or expand opportunities for local small-scale milk
14 producers to market pasteurized milk and milk products under
15 private labels.

16 c. Provide greater flexibility or convenience for local
17 small-scale farmers to have milk processed.

18 d. Reduce labor associated with the on-farm production and
19 storage of milk.

20 ~~7.~~ 6. A An eligible business that is awarded financial
21 assistance under this section may apply for financial
22 assistance under other programs administered by the ~~authority~~
23 department.

24 ~~8. The department shall adopt rules pursuant to chapter 17A~~
25 ~~to administer~~ this section.

26 Sec. ____. NEW SECTION. 187.101 Short title.

27 This chapter shall be known and may be cited as the "*Choose*
28 *Iowa Act*".

29 Sec. ____. NEW SECTION. 187.102 Definitions.

30 As used in this chapter, unless the context otherwise
31 requires:

32 1. "*Agricultural commodity*" means an animal or plant, or raw
33 material originating from an animal or plant.

34 2. "*Component*" means an agricultural commodity that is
35 combined to form a product during processing.

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1 3. *“Department”* means the department of agriculture and land
2 stewardship.

3 4. *“Farm”* means land and associated structures used to
4 produce an agricultural commodity.

5 5. a. *“Financial assistance”* means support provided by the
6 department to an eligible business under this chapter from
7 moneys or other assets legally available to the department.

8 b. *“Financial assistance”* includes any form of grant,
9 low-interest loan, or forgivable loan.

10 6. *“Food item”* means an agricultural commodity, or an item
11 processed from an agricultural commodity, that is fit for human
12 consumption.

13 7. *“Fund”* means the choose Iowa fund created in section
14 187.201.

15 8. *“Horticulture item”* means any of the following:

16 a. A nursery, floral, or greenhouse plant.

17 b. A product processed from a nursery, floral, or greenhouse
18 plant, including a seed, rooting, cutting, tissue culture,
19 seedling, or other propagation material.

20 9. *“Located in”* means the place or places at which
21 a business’s operations are located and where at least
22 ninety-eight percent of the business’s employees work, or where
23 employees that are paid at least ninety-eight percent of the
24 business’s payroll work.

25 10. *“Natural fiber item”* means fiber originating from
26 an agricultural commodity for use in processing, including
27 manufacturing into a textile, apparel, or other similar
28 product.

29 11. *“Process”* means to prepare a product that includes an
30 agricultural commodity alone or as a component.

31 12. a. *“Product”* means an agricultural commodity that
32 in its raw or processed state is moveable at the time of its
33 retail sale.

34 b. *“Product”* includes but is not limited to a food item,
35 horticulture item, or natural fiber item.

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1 Sec. ____ . NEW SECTION. 187.103 Administration.

2 The department shall adopt all rules under chapter 17A as it
3 determines necessary or desirable to administer this chapter.

4 Sec. ____ . NEW SECTION. 187.321 Value-added agricultural
5 grant program.

6 A value-added agricultural grant program is created within
7 the department. The purpose of the program is to identify,
8 evaluate, and support projects and services that add value to
9 agricultural commodities produced on Iowa farms, including by
10 supporting new technologies and marketing strategies.

11 Sec. ____ . REPEAL. Sections 159.26 and 159.27, Code 2024,
12 are repealed.

13 Sec. ____ . TRANSFER OF MONEYS.

14 1. Not later than June 30, 2024, the balance of the dairy
15 innovation fund created in section 159.31A shall be transferred
16 to the choose Iowa fund created in section 159.31.

17 2. Not later than June 30, 2024, any moneys appropriated
18 to the department of agriculture and land stewardship that the
19 department has not expended as required to support a value
20 added agriculture grant program shall be transferred to the
21 choose Iowa fund, including moneys appropriated in 2022 Iowa
22 Acts, chapter 1147, section 12, and 2023 Iowa Acts, chapter
23 109, section 4, subsection 9.

24 Sec. ____ . CODE EDITOR DIRECTIVE.

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

- 27 a. Section 159.28 to 187.301.
- 28 b. Section 159.29 to 187.302.
- 29 c. Section 159.30 to 187.303.
- 30 d. Section 159.31 to 187.201.
- 31 e. Section 159.31A to 187.311.

32 2. The Code editor shall correct internal references in the
33 Code and in any enacted legislation as necessary due to the
34 enactment of this section.

35 Sec. ____ . DIRECTIONS TO CODE EDITOR — SUBCHAPTERS AND

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1 PARTS. The Code editor is directed to divide the provisions
2 of chapter 187, as amended, enacted, or transferred in this
3 division of this Act, into subchapters and parts as follows:

4 1. Subchapter I, including sections 187.101 through
5 187.103.

6 2. Subchapter II, including section 187.201.

7 3. Subchapter III, as follows:

8 a. Part 1, including sections 187.301 through 187.303.

9 b. Part 2, including section 187.311.

10 c. Part 3, including section 187.321.

11 Sec. ____ . EFFECTIVE DATE.

12 1. Except as provided in subsection 2, this division of this
13 Act takes effect July 1, 2024.

14 2. The following section of this division of this Act, being
15 deemed of immediate importance, takes effect upon enactment:

16 The section that provides for the transfer of moneys to the
17 choose Iowa fund.>

18 2. By renumbering as necessary.

SEXTON of Calhoun

Iowa General Assembly
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House File 2574

H-8296

- 1 Amend the amendment, H-8279, to House File 2574, as follows:
2 1. Page 232, after line 34 by inserting:
3 <DIVISION ____
4 DEPARTMENT OF HEALTH AND HUMAN SERVICES — VOTER REGISTRATION
5 Sec. ____ . NATIONAL VOTER REGISTRATION ACT. The director of
6 the department of health and human services shall ensure that
7 the department is in compliance with the federal National Voter
8 Registration Act of 1993, 52 U.S.C. ch. 205, within thirty days
9 after the effective date of this division of this Act.>
10 2. By renumbering as necessary.

ZABNER of Johnson

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House Study Bill 748 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
WAYS AND MEANS BILL BY
CHAIRPERSON KAUFMANN)

A BILL FOR

1 An Act relating to the applicability of actions of certain
2 international organizations.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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H.F. _____

1 Section 1. NEW SECTION. 1.19 Actions of certain
2 international organizations not binding.

3 A rule, regulation, fee, tax, policy, or mandate of the world
4 health organization, united nations, or world economic forum is
5 not binding on Iowa and shall not be enforced or implemented
6 by the state or an agency, department, board, commission,
7 political subdivision, or other entity of the state.

8 EXPLANATION

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

11 This bill provides that actions of the world health
12 organization, united nations, or world economic forum are not
13 binding on Iowa and prohibits state and local governmental
14 entities from enforcing or implementing such actions.

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Senate File 2195

S-5125

1 Amend Senate File 2195 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. Section 256.16, subsection 1, Code 2024, is
5 amended by adding the following new paragraph:

6 NEW PARAGRAPH. *m.* (1) Administer an examination identical
7 to the foundations of reading assessment administered in 2012
8 as part of the Massachusetts tests, or the most current version
9 of such assessment.

10 (2) The higher education institution shall report to the
11 department no later than August 1 annually, in the form and
12 manner prescribed by the department, the percentage of students
13 whose scores on the assessment administered during the prior
14 school year were above, at, and below the passing score, and
15 shall report any services or opportunities to retake the
16 assessment the institution may make available to a student
17 who fails the assessment. The department shall compile the
18 reports submitted under this subparagraph and publish on the
19 department's internet site the compiled reports related to
20 students enrolled in the practitioner preparation program who
21 plan to teach in kindergarten through grade six.

22 Sec. 2. Section 279.68, subsection 1, Code 2024, is amended
23 by adding the following new paragraphs:

24 NEW PARAGRAPH. *c.* (1) Each school district shall provide
25 written notice to the parent or guardian of any student in
26 kindergarten through grade six who is not reading proficiently
27 of the student's level of reading or reading readiness. The
28 written notice shall contain a description of the parent's or
29 guardian's ability to request that the student be retained in
30 the student's current grade level for the subsequent school
31 year.

32 (2) A school district shall not promote a student who is
33 not reading proficiently to the next grade level, and shall
34 retain the student in the student's current grade level for the
35 subsequent school year, if the student's parent or guardian

SF 2195.4031 (1) 90

amending this SF 2195 to CONFORM to HF 2618

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jda/jh

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1 submits to the school district a request that the student be
2 retained in the student's current grade level pursuant to
3 subparagraph (1).

4 NEW PARAGRAPH. *d.* A school district shall provide to
5 students in kindergarten through the end of grade six who are
6 not reading proficiently with personalized reading plans until
7 the student is reading at grade level, as determined by the
8 student's consistently proficient performance on valid and
9 reliable measures of reading ability.

10 Sec. 3. IMPLEMENTATION OF ACT. Section 25B.2, subsection 3,
11 shall not apply to this Act.>

12 2. Title page, by striking lines 1 through 6 and inserting
13 <An Act relating to elementary literacy by modifying teacher
14 preparation program requirements, requiring personalized
15 reading plans for certain students, and providing parent and
16 guardian discretion for their students to be retained at grade
17 level.>

KEN ROZENBOOM

SF 2195.4031 (1) 90
amending this SF 2195 to CONFORM to HF 2618
jda/jh 2/2

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Senate File 270

S-5126

1 Amend Senate File 270 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. Section 703.3, Code 2024, is amended to read as
5 follows:

6 **703.3 Accessory after the fact.**

7 Any person having knowledge that a public offense has been
8 committed and that a certain person committed it, and who does
9 not stand in the relation of husband or wife to the person
10 who committed the offense, who harbors, aids, or conceals the
11 person who committed the offense, with the intent to prevent
12 the apprehension of the person who committed the offense,
13 commits ~~an~~ the following:

14 1. A class "D" felony if the public offense was a violation
15 of section 707.2, 707.3, or 707.3A.

16 2. An aggravated misdemeanor if the public offense
17 committed was a felony, ~~or commits a~~ not included in subsection
18 1.

19 3. A simple misdemeanor if the public offense was a
20 misdemeanor.>

LYNN EVANS

SF 270.4091 (2) 90
(amending this SF 270 to CONFORM to HF 2422)

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as/js

1/1

Iowa General Assembly
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Senate File 2416

S-5127

1 Amend Senate File 2416 as follows:

2 1. By striking page 70, line 30, through page 75, line 16.

JASON SCHULTZ

Iowa General Assembly
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Senate File 2431

S-5128

1 Amend Senate File 2431 as follows:

2 1. Page 1, line 17, by striking <and> and inserting <or>

TIM KRAAYENBRINK

Iowa General Assembly
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House File 2464

S-5129

1 Amend House File 2464, as amended, passed, and reprinted by
2 the House, as follows:

3 1. By striking everything after the enacting clause and
4 inserting:

5 <Section 1. NEW SECTION. 554H.1 Definitions.

6 1. "*Ammunition*" means the same as defined in 18 U.S.C. §921.

7 2. "*Covered entity*" means an entity, or agent of an entity,
8 that establishes a relationship with a retailer for the purpose
9 of processing credit, debit, or prepaid transactions.

10 3. "*Firearm*" means the same as defined in 18 U.S.C. §921,
11 and includes a shotgun, rifle, and antique firearm, as those
12 terms are defined in 18 U.S.C. §921.

13 4. "*Firearms retailer*" means an individual or entity that
14 is all of the following:

15 a. Physically located in the state.

16 b. Engaged in the lawful business of selling or trading
17 firearms or ammunition.

18 5. "*Merchant category code*" means the code, approved by the
19 international organization for standardization specifically for
20 firearms retailers, that is assigned to a retailer based on the
21 types of goods and services offered to a retailer's customers.

22 6. a. "*Payment card network*" means an entity that, directly
23 or through a member, processor, or agent, provides proprietary
24 services, infrastructure, software, or hardware that is used
25 to authorize, clear, and settle credit, debit, or prepaid
26 transactions.

27 b. "*Payment card network*" does not include an issuing
28 financial institution that settles a credit, debit, or prepaid
29 transaction with a retailer on behalf of a consumer.

30 Sec. 2. NEW SECTION. 554H.2 Merchant category codes.

31 1. A payment card network shall not require, incentivize,
32 or permit the use of a merchant category code in a manner that
33 distinguishes a firearms retailer from other retailers.

34 2. A covered entity, or a covered entity's agent, shall
35 not assign a firearms retailer a merchant category code that

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1 distinguishes the firearms retailer from other retailers.

2 Sec. 3. NEW SECTION. 554H.3 Firearm registry or record.

3 1. Except for records kept during the regular course of a
4 criminal investigation or criminal prosecution, or as otherwise
5 required by law, a person, unit of government, or governmental
6 organization shall not knowingly and willfully keep or cause to
7 be kept a record or registry of privately owned firearms or of
8 the owners of privately owned firearms.

9 2. This section shall not be construed to prohibit an
10 owner or an owner's representative from maintaining a list of
11 the owner's privately owned firearms, or to prohibit a law
12 enforcement agency from maintaining a list, registry, or record
13 of firearms that have been stolen or reported stolen.

14 Sec. 4. NEW SECTION. 554H.4 Enforcement — penalties.

15 1. The attorney general shall investigate reasonable
16 alleged violations of this chapter. As part of the
17 investigation, and in accordance with the Iowa rules of civil
18 procedure, the attorney general may issue a subpoena for the
19 production of records. If a person, unit of government, or
20 governmental organization refuses to comply, the attorney
21 general may seek enforcement by the district court.

22 2. Any of the following may petition the attorney general to
23 investigate an alleged violation of this chapter:

24 a. A firearms retailer, or a customer who made a transaction
25 at a firearms retailer whose business is the subject of any
26 alleged violation of section 554H.2.

27 b. An individual whose firearms ownership is the subject of
28 any alleged violation of section 554H.3.

29 3. Upon finding that a person is in violation of this
30 chapter, the attorney general shall provide written notice
31 to the person, or to the registered agent of the person,
32 determined to have committed the violation.

33 4. Upon receipt of notice under subsection 2, the person
34 shall have sixty calendar days to cease the violation.

35 5. If the violation persists after the expiration of the

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1 sixty-day period under subsection 3, the attorney general
2 shall bring civil action in district court to enjoin further
3 violations by a person found to be in violation of this
4 chapter.

5 6. If a person knowingly or willfully fails to comply with
6 an injunction issued under subsection 4, after sixty calendar
7 days of the date the person is served with the injunction, the
8 attorney general shall petition the district court to impose
9 civil penalties in an amount not to exceed one thousand dollars
10 per violation of the injunction, taking into consideration the
11 financial resources of the violator and the harm or risk of
12 harm to the violator's rights under the second amendment to the
13 Constitution of the United States and Article I, section 1A, of
14 the Constitution of the State of Iowa.

15 7. It shall be a defense to a proceeding initiated pursuant
16 to this section that the person made a good-faith determination
17 that the person's action was required by law.>

18 2. Title page, by striking lines 1 through 3 and inserting
19 <An Act relating to merchant category codes for transactions
20 involving firearms and ammunition, firearm registries and
21 records, and providing civil penalties.>

JASON SCHULTZ

Iowa General Assembly
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Senate File 2411

S-5130

1 Amend Senate File 2411 as follows:

2 1. Page 4, by striking lines 1 through 35 and inserting:

3 <final year of the practitioner preparation program. A
4 student shall be credited a minimum of one week, but not more
5 than fourteen weeks, of work experience as a substitute teacher
6 or a para-educator toward the requirements associated with
7 the fourteen-week student teaching experience, if all of the
8 following requirements are satisfied:

9 (a) The board of educational examiners has issued
10 a substitute license, substitute authorization, or a
11 para-educator certificate to the student.

12 (b) The student works as a substitute teacher or a
13 para-educator for at least one-half of each school day during
14 the student teaching experience.

15 (c) The student's work experience takes place in the
16 classroom of a cooperating teacher who is appropriately
17 licensed in the subject area and grade level endorsement for
18 which the student is being prepared.

19 (d) The student bears the primary responsibility for
20 planning, instruction, and assessment within the classroom
21 during the student teaching experience.>

MOLLY DONAHUE

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Senate File 2121

S-5131

1 Amend Senate File 2121 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. Section 63.11, Code 2024, is amended to read as
5 follows:

6 **63.11 Oath on bond.**

7 ~~Every~~ Except a secretary and treasurer under chapter 291,
8 every civil officer who is required to give bond shall take and
9 subscribe the oath provided for in [section 63.10](#), on the back
10 of the bond, or on a paper attached thereto, to be certified by
11 the officer administering it.

12 **Sec. 2. NEW SECTION. 64.3 Insurance policy in lieu of bond.**

13 1. In lieu of a bond, a public officer required to obtain a
14 bond pursuant to this chapter may obtain an insurance policy in
15 an amount not less than the amounts provided in [section 64.8](#),
16 [64.10](#), [64.13](#), or [64.15](#), as applicable.

17 2. An insurance policy obtained pursuant to this section
18 must substantially comply with the conditions of [section 64.2](#).

19 3. The reasonable expenses of an insurance policy obtained
20 pursuant to this section in lieu of a bond, for which the
21 reasonable expenses of such bond would be paid for by the
22 county or township pursuant to [section 64.11](#), [64.12](#), or [64.15](#),
23 shall be paid by the county or township, as applicable.

24 4. The state of Iowa shall be the beneficiary of an
25 insurance policy obtained pursuant to this section and the
26 policy shall be for the use and benefit of any corporation,
27 public or private, or person injured or sustaining loss, with
28 a right of action in the name of the state for its or the
29 corporation's or person's use.

30 5. An insurance policy obtained pursuant to this section
31 shall be approved, filed, and recorded as provided in [sections](#)
32 [64.19](#) through [64.24](#).

33 **Sec. 3. Section 64.25, Code 2024, is amended to read as**
34 **follows:**

35 **64.25 Failure to give bond.**

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amending this SF 2121 to CONFORM to HF 2398

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1 1. Action by any officer in an official capacity without
2 giving bond when such bond is required shall constitute grounds
3 for removal from office may be suspended from office until the
4 officer gives a bond in compliance with this chapter.

5 2. Failure to give a bond in compliance with this chapter
6 after a reasonable time following a suspension from office
7 pursuant to subsection 1 constitutes grounds for removal from
8 office.

9 Sec. 4. Section 260C.12, subsection 1, Code 2024, is amended
10 to read as follows:

11 1. The board of directors of the merged area shall organize
12 at the first regular meeting following the regular school
13 election or at a special meeting called by the secretary of the
14 board to organize the board in advance of the first regular
15 meeting after the canvass for the regular school election.
16 Organization of the board shall be effected by the election
17 of a president and other officers from the board membership
18 as board members determine. The board of directors shall
19 appoint a secretary and a treasurer who shall each give bond
20 or be covered by an insurance policy as prescribed in section
21 291.2 and who shall each receive the salary determined by
22 the board. The secretary and treasurer shall perform duties
23 under [chapter 291](#) and additional duties the board of directors
24 deems necessary. However, the board may appoint one person to
25 serve as the secretary and treasurer. If one person serves
26 as the secretary and treasurer, only one bond or insurance
27 policy is necessary for that person. The frequency of meetings
28 other than organizational meetings shall be as determined by
29 the board of directors but the president or a majority of the
30 members may call a special meeting at any time.

31 Sec. 5. Section 279.3, subsection 2, Code 2024, is amended
32 to read as follows:

33 2. These officers shall be appointed from outside the
34 membership of the board and the appointment and qualification
35 shall be entered of record in the minutes of the secretary.

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1 They shall qualify within ten days following appointment by
2 taking the oath of office in the manner required by section
3 277.28 and filing a bond or obtaining an insurance policy as
4 required by [section 291.2](#) and shall hold office until their
5 successors are appointed and qualified.

6 Sec. 6. Section 291.2, Code 2024, is amended to read as
7 follows:

8 **291.2 Bonds or insurance of secretary and treasurer.**

9 The secretary and treasurer, within ten days after
10 appointment and before entering upon the duties of the office,
11 shall execute to the school corporation a surety bond, or shall
12 be covered by an insurance policy, in an amount sufficient
13 to cover current operations as determined by the board. All
14 such bonds or insurance policies shall be continued to the
15 faithful discharge of the duties of the office. The amount and
16 sufficiency of all surety bonds or insurance policies shall be
17 determined and approved by the board and shall be filed with
18 the president. The cost of the surety bond or insurance policy
19 shall be paid by the school corporation. If a single person
20 serves as secretary and treasurer, pursuant to [section 279.3](#)
21 or [260C.12](#), only one bond or insurance policy is necessary for
22 that person. The secretary and treasurer may give bond under
23 a single bond, or be covered by an insurance policy, covering
24 other employees of the district.

25 Sec. 7. Section 291.3, Code 2024, is amended to read as
26 follows:

27 **291.3 Cost of bond or insurance policy.**

28 If the bond or insurance policy of an association or
29 corporation as surety or insurance is furnished, the reasonable
30 cost of such bond or insurance policy may be paid by the school
31 corporation.

32 Sec. 8. Section 291.4, Code 2024, is amended to read as
33 follows:

34 **291.4 Oath.**

35 ~~Each~~ The secretary and treasurer shall take the oath

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1 required of civil officers, ~~which shall be endorsed upon the~~
2 ~~bond~~, and shall complete the qualification within ten days.

3 Sec. 9. Section 291.5, Code 2024, is amended to read as
4 follows:

5 **291.5 Action on bond or insurance policy.**

6 In case of a breach of the bond or insurance policy, the
7 president shall bring action thereon in the name of the school
8 corporation.>

SCOTT WEBSTER

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amending this SF 2121 to CONFORM to HF 2398
ss/ns

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Senate File 2385

S-5132

1 Amend Senate File 2385 as follows:

2 1. Page 1, line 4, by striking <4A.1> and inserting <2.69>

3 2. Page 1, line 5, by striking <chapter> and inserting

4 <subchapter>

5 3. Page 1, line 10, by striking <chapter> and inserting

6 <subchapter>

7 4. Page 1, by striking lines 11 through 20.

8 5. Page 1, line 21, by striking <4A.2> and inserting <2.70>

9 6. Page 1, line 23, by striking <chapter> and inserting

10 <subchapter>

11 7. Page 1, line 26, by striking <4A.3> and inserting <2.71>

12 8. Page 1, line 33, by striking <section 4A.4> and inserting

13 <section 2.72>

14 9. Page 2, after line 18 by inserting:

15 <e. Any other information requested by the committee.>

16 10. Page 2, line 25, after <so,> by inserting <the manner

17 in which it is necessary and>

18 11. Page 2, by striking lines 29 through 34.

19 12. Page 3, by striking lines 5 through 16.

20 13. Page 3, by striking lines 19 through 24.

21 14. By striking page 3, line 28, through page 4, line 11.

22 15. By striking page 4, line 14, through page 5, line 2.

23 16. Page 5, line 3, by striking <4A.4> and inserting <2.72>

24 17. Page 5, lines 4 and 5, by striking <section 4A.3> and

25 inserting <section 2.71>

26 18. Page 5, by striking lines 8 through 13 and inserting

27 <than one board. Copies of the report shall be made publicly

28 available on the general assembly's internet site.>

29 19. Page 5, by striking lines 18 through 24.

30 20. By striking page 5, line 33, through page 6, line 9.

31 21. Page 6, line 10, by striking <4A.6> and inserting <2.73>

32 22. Page 6, line 15, by striking <section 4A.3> and

33 inserting <section 2.71>

34 23. Page 6, line 16, before <The> by inserting <(1)>

35 24. Page 6, line 16, by striking <one member> and inserting

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- 1 <two members>
2 25. Page 6, line 19, by striking <one member> and inserting
3 <two members>
4 26. Page 6, line 20, before <one> by inserting <and>
5 27. Page 6, by striking lines 22 through 26 and inserting
6 <of the house of representatives.>
7 28. Page 6, before line 27 by inserting:
8 <(2) The following shall serve as ex officio, nonvoting
9 members of the committee:
10 (a) An employee of the office of the governor, appointed by
11 the governor.
12 (b) The director of the department of management or the
13 director's designee.
14 (c) The director of the department of inspections, appeals,
15 and licensing or the director's designee.>
16 29. By striking page 7, line 12, through page 14, line 19.
17 30. Page 14, line 25, by striking <4A.11> and inserting
18 <2.74>
19 31. Page 14, line 26, by striking <4A.12> and inserting
20 <2.75>
21 32. Page 14, line 27, by striking <4A.13> and inserting
22 <2.76>
23 33. Page 14, line 28, by striking <4A.14> and inserting
24 <2.77>
25 34. Page 14, line 29, by striking <4A.15> and inserting
26 <2.78>
27 35. Page 14, line 30, by striking <4A.16> and inserting
28 <2.79>
29 36. Page 14, line 31, by striking <4A.17> and inserting
30 <2.80>
31 37. Page 14, line 32, by striking <4A.18> and inserting
32 <2.81>
33 38. By striking page 23, line 3, through page 24, line 8.
34 39. By striking page 33, line 26, through page 34, line 23.
35 40. Page 34, by striking lines 30 and 31.

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- 1 41. By striking page 36, line 5, through page 37, line 12.
- 2 42. Page 41, by striking lines 33 and 34 and inserting
3 <subparagraph (7), Code 2024, is amended by striking the
4 subparagraph.>
- 5 43. Page 43, after line 5 by inserting:
6 <Sec. _____. Section 12B.10, subsection 7, unnumbered
7 paragraph 1, Code 2024, is amended to read as follows:
8 Notwithstanding [sections 12C.2, 12C.4, 12C.6, ~~12C.6A,~~](#)
9 and any other provision of law relating to the deposits of
10 public funds, if public funds are deposited in a depository,
11 as defined in [section 12C.1](#), any uninsured portion of the
12 public funds invested through the depository may be invested
13 in insured deposits or certificates of deposit arranged by
14 the depository that are placed in or issued by one or more
15 federally insured banks or savings associations regardless of
16 location for the account of the public funds depositor if all
17 of the following requirements are satisfied:>
- 18 44. Page 44, lines 10 and 11, by striking <and section
19 12C.6A> and inserting <~~and section 12C.6A~~>
- 20 45. By striking page 44, line 12, through page 46, line 18.
- 21 46. By striking page 62, line 35, through page 67, line 27.
- 22 47. By striking page 69, line 35, through page 75, line 8.
- 23 48. By striking page 75, line 19, through page 76, line 34.
- 24 49. Page 77, line 14, by striking <One master mechanical
25 professional> and inserting <Two master mechanical
26 professionals>
- 27 50. Page 77, line 15, after <105> by inserting <, one of
28 whom shall be a member of a union and one of whom shall not>
- 29 51. Page 77, by striking lines 16 through 18 and inserting:
30 <d. Two members, each of whom is either a journeyman
31 licensed pursuant to chapter 103 or a journeyperson licensed
32 pursuant to chapter 105, one of whom shall be a member of a
33 union and one of whom shall not.>
- 34 52. Page 77, by striking lines 21 through 33.
- 35 53. Page 78, line 2, by striking <~~council~~ department> and

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1 inserting <council>
2 54. Page 78, by striking lines 19 through 31.
3 55. Page 85, by striking lines 20 and 21 and inserting:
4 <f. Two designees of the state court administrator.>
5 56. Page 92, line 8, by striking <a, b, c,> and inserting
6 <b,>
7 57. Page 92, by striking lines 10 through 15.
8 58. Page 92, by striking lines 27 through 33.
9 59. By striking page 143, line 16, through page 144, line 5.
10 60. Page 144, line 6, by striking <b, f,> and inserting
11 61. Page 144, by striking lines 16 through 26.
12 62. Page 155, by striking lines 6 through 16.
13 63. Page 158, by striking lines 22 through 34.
14 64. Page 159, line 4, by striking <department at the request
15 of the> and inserting <at the request of the>
16 65. Page 159, line 13, by striking <department> and
17 inserting <commission>
18 66. Page 159, line 21, by striking <department> and
19 inserting <commission>
20 67. Page 159, line 30, by striking <department> and
21 inserting <commission>
22 68. Page 159, line 31, by striking <department> and
23 inserting <commission>
24 69. Page 160, line 4, by striking <department> and inserting
25 <commission>
26 70. Page 160, line 13, by striking <department> and
27 inserting <commission>
28 71. Page 160, by striking lines 24 through 32 and
29 inserting <board commission of imperative and unavoidable
30 public necessity and with the approval of the ~~commission,~~
31 the general assembly by concurrent resolution, and the
32 governor. The ~~board's~~ commission's interest or interests in
33 any area designated as a preserve shall not be taken under
34 the condemnation statutes of the state without such a finding
35 of imperative and unavoidable public necessity by the ~~board~~

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1 commission, and with the consent of ~~the commission~~, the general
2 assembly by concurrent resolution~~7~~ and the governor.>
3 72. Page 160, line 33, by striking <department> and
4 inserting <commission>
5 73. Page 161, line 3, by striking <department> and inserting
6 <commission>
7 74. Page 161, line 6, by striking <department> and inserting
8 <commission>
9 75. Page 161, line 17, by striking <department> and
10 inserting <commission>
11 76. Page 161, by striking lines 18 through 32.
12 77. Page 163, by striking lines 23 through 26 and inserting
13 ~~<superintendent may recommend to the committee established~~
14 ~~under section 12C.6 that the bank be removed from the list of~~
15 ~~financial institutions eligible to accept public funds under~~
16 ~~section 12C.6A and may require that during the>~~
17 78. Page 164, by striking lines 19 through 23 and inserting
18 <licensing. The board consists of three members who are
19 licensed professional engineers, two members who are licensed
20 professional land surveyors, and two members who are not
21 licensed professional engineers or licensed professional land
22 surveyors and who shall represent>
23 79. Page 167, lines 14 and 15, by striking <one person who
24 possesses a license issued under section 544B.11,>
25 80. Page 167, line 17, by striking <or 544B.11>
26 81. Page 167, by striking lines 20 through 23.
27 82. Page 175, by striking lines 21 through 26.
28 83. Page 180, lines 29 and 30, by striking <8A.371, 8A.372,
29 8A.374, 8A.375, 8A.616,> and inserting <8A.616, 12C.6A,>
30 84. Page 180, line 31, by striking <101C.12, 103.2, 103.3,
31 103.4, 103A.14,> and inserting <103.2, 103.3, 103.4,>
32 85. Page 180, line 32, by striking <148I.7,>
33 86. Page 180, line 34, by striking <267A.3, 273.15, 308.1,>
34 and inserting <273.15,>
35 87. Page 181, line 2, by striking <544B.3, 544B.4,>

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1 88. By striking page 211, line 10, through page 218, line
2 31.

3 89. By striking page 221, line 18, through page 245, line 2.

4 90. By striking page 276, line 1, through page 281, line 8.

5 91. Page 294, after line 34 by inserting:

6 <DIVISION ____

7 PROFESSIONAL LAND SURVEYORS — LICENSING

8 Sec. ____ . REPEAL. Section 542B.20, Code 2024, is repealed.

9 Sec. ____ . TRANSITION PROVISIONS. A license issued pursuant
10 to section 542B.20, Code 2024, prior to the effective date of
11 this division of this Act shall continue in full force and
12 effect until expiration or until suspension or revocation by
13 the engineering and land surveying examining board pursuant to
14 section 542B.21.

15 DIVISION ____

16 MIDWIFERY ADVISORY COUNCIL

17 Sec. ____ . Section 148I.7, Code 2024, is amended by adding
18 the following new subsection:

19 NEW SUBSECTION. 4. This section is repealed July 1, 2026.

20 DIVISION ____

21 MISSISSIPPI RIVER PARKWAY COMMISSION

22 Sec. ____ . Section 308.1, subsection 1, Code 2024, is amended
23 to read as follows:

24 1. The Mississippi river parkway planning commission shall
25 must be composed of ten members appointed by the governor,
26 ~~five members to be appointed for two-year terms beginning~~
27 ~~July 1, 1959, and five members to be appointed including one~~
28 member each from Allamakee county, Clayton county, Clinton
29 county, Des Moines county, Dubuque county, Jackson county, Lee
30 county, Louisa county, Muscatine county, and Scott county,
31 for four-year terms ~~beginning July 1, 1959.~~ In addition to
32 the above members there shall must be ~~seven~~ four advisory ex
33 officio members ~~who shall be~~ as follows:

34 a. One member from the state department of transportation
35 commission.

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1 *b.* One member from the natural resource commission.

2 ~~*c.* One member from the state soil conservation and water~~
3 ~~quality committee.~~ One member from the economic development
4 authority, whose primary responsibility includes tourism under
5 section 15.108, subsection 5.

6 *d.* One member from the state historical society of Iowa.

7 ~~*e.* One member from the faculty of the landscape~~
8 ~~architectural division of the Iowa state university of science~~
9 ~~and technology.~~

10 ~~*f.* One member from the economic development authority.~~

11 ~~*g.* One member from the environmental protection commission.~~

12 Sec. _____. Section 308.1, Code 2024, is amended by adding the
13 following new subsections:

14 NEW SUBSECTION. 1A. The parkway commission shall submit a
15 report regarding the economic impact of the great river road
16 on this state on or before December 15 each year to the general
17 assembly and to the governor.

18 NEW SUBSECTION. 1B. The parkway commission may establish a
19 technical committee to advise the commission. If established,
20 members of the committee must include at least one person
21 each from the departments of transportation and agriculture
22 and land stewardship, from the consumer protection division
23 of the office of the attorney general, and from the economic
24 development authority, designated by the applicable head of the
25 entity. The commission may request any other state agency to
26 designate an employee to serve on the committee.>

27 92. Page 295, line 10, by striking <architectural examining
28 board,>

29 93. Page 295, by striking lines 30 through 33.

30 94. Page 296, lines 28 and 29, by striking <commission on
31 aging,>

32 95. Page 296, by striking lines 33 through 35 and inserting
33 <council, justice advisory board,>

34 96. Page 297, line 1, by striking <control,>

35 97. Page 298, by striking lines 1 through 5.

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- 1 98. Page 299, line 6, by striking <commission on aging,>
2 99. Page 299, by striking lines 10 through 13 and inserting
3 <self-sufficiency council, justice advisory board, trauma
4 system advisory council, or>
5 100. By renumbering, redesignating, and correcting internal
6 references as necessary.

CHRIS COURNOYER

Iowa General Assembly
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House File 2570

S-5133

- 1 Amend House File 2570, as passed by the House, as follows:
2 1. Page 1, line 19, by striking <may> and inserting <shall>
3 2. Page 1, lines 22 and 23, by striking <shall not exceed
4 the standards required of a peace officer> and inserting <shall
5 be the same standards as those required of a peace officer>

JANET PETERSEN

Iowa General Assembly
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Senate File 2416

S-5134

1 Amend Senate File 2416 as follows:

2 1. Page 36, by striking lines 19 through 22 and inserting:
3 3 c. A number of members equal to the number of citizen
4 members shall be appointed by the chief judge of the judicial
5 district on or before December 31 to serve on the district
6 advisory board for the following calendar year.>

TODD TAYLOR

Iowa General Assembly
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Senate File 2416

S-5135

- 1 Amend Senate File 2416 as follows:
- 2 1. Page 63, by striking lines 13 through 29.
- 3 2. By renumbering as necessary.

CLAIRE CELSI

Iowa General Assembly
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Senate File 2416

S-5136

1 Amend Senate File 2416 as follows:

2 1. By striking page 16, line 17, through page 20, line 5.

3 2. Page 49, before line 19 by inserting:

4 <Sec. ____ . Section 84A.5, subsection 5, paragraph o, Code
5 2024, is amended to read as follows:

6 o. Adult education and literacy programs with community
7 colleges under [section 84A.19](#).>

8 3. Page 50, by striking lines 1 and 8.

9 4. By renumbering as necessary.

CINDY WINCKLER

Iowa General Assembly
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Senate File 2385

S-5137

1 Amend the amendment, S-5132, to Senate File 2385, as
2 follows:

3 1. Page 6, by striking lines 8 through 14 and inserting:

4 <Sec. _____. Section 542B.20, subsection 1, Code 2024, is
5 amended to read as follows:

6 1. a. A person holding a certificate of licensure as a
7 professional engineer or professional land surveyor issued to
8 the person by a proper authority of a state, territory, or
9 possession of the United States, the District of Columbia,
10 or of any foreign country, based on requirements and
11 qualifications, in the opinion of the board equal to or higher
12 than the requirements of this chapter, may be licensed without
13 further examination, except as provided in paragraph "b".

14 b. A person shall not be licensed as a professional
15 land surveyor under this subsection unless the person
16 passes an examination specific to the laws of this state.
17 Notwithstanding section 272C.12, subsection 3, paragraph
18 "c", a person shall not be issued a temporary license as a
19 professional land surveyor.

20 Sec. _____. TRANSITION PROVISIONS.

21 1. A temporary license to practice professional land
22 surveying issued pursuant to section 272C.12, subsection 3,
23 paragraph "c", prior to the effective date of this division
24 of this Act shall continue in full force and effect until
25 expiration or until suspension or revocation by the engineering
26 and land surveying examining board pursuant to section 542B.21.

27 2. A license issued to a professional land surveyor pursuant
28 to section 542B.20, Code 2024, prior to the effective date of
29 this division of this Act shall continue in full force and
30 effect until expiration or until suspension or revocation by
31 the engineering and land surveying examining board pursuant to
32 section 542B.21.>

33 2. By renumbering as necessary.

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CHRIS COURNOYER

Iowa General Assembly
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Senate File 2434 - Introduced

SENATE FILE 2434
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO SSB 3200)

A BILL FOR

1 An Act relating to and making appropriations to the justice
2 system.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 in section 915.94 may be used to provide salary and support
2 of not more than 24.00 full-time equivalent positions and to
3 provide maintenance for the victim compensation functions
4 of the department of justice. In addition to the full-time
5 equivalent positions authorized pursuant to this paragraph,
6 7.00 full-time equivalent positions are authorized and shall
7 be used by the department of justice to employ one accountant
8 and four program planners. The department of justice may
9 employ the additional 7.00 full-time equivalent positions
10 authorized pursuant to this paragraph that are in excess of the
11 number of full-time equivalent positions authorized only if
12 the department of justice receives sufficient federal moneys
13 to maintain employment for the additional full-time equivalent
14 positions during the current fiscal year. The department
15 of justice shall only employ the additional 7.00 full-time
16 equivalent positions in succeeding fiscal years if sufficient
17 federal moneys are received during each of those succeeding
18 fiscal years.

19 The department of justice shall transfer at least \$150,000
20 from the victim compensation fund established in section 915.94
21 to the victim assistance grant program established in section
22 13.31.

23 Notwithstanding section 8.33, moneys appropriated in this
24 lettered paragraph that remain unencumbered or unobligated at
25 the close of the fiscal year shall not revert but shall remain
26 available for expenditure for the purposes designated until the
27 close of the succeeding fiscal year.

28 c. For legal services for persons in poverty grants as
29 provided in section 13.34:
30 \$ 2,634,601

31 d. To improve the department of justice's cybersecurity and
32 technology infrastructure:
33 \$ 202,060

34 2. a. The department of justice, in submitting budget
35 estimates for the fiscal year beginning July 1, 2025, pursuant

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1 to section 8.23, shall include a report of funding from sources
2 other than amounts appropriated directly from the general fund
3 of the state to the department of justice or to the office of
4 consumer advocate. These funding sources shall include but
5 are not limited to reimbursements from other state agencies,
6 commissions, boards, or similar entities, and reimbursements
7 from special funds or internal accounts within the department
8 of justice. The department of justice shall also report actual
9 reimbursements for the fiscal year beginning July 1, 2023,
10 and actual and expected reimbursements for the fiscal year
11 beginning July 1, 2024.

12 b. The department of justice shall include the report
13 required under paragraph "a", as well as information regarding
14 any revisions occurring as a result of reimbursements actually
15 received or expected at a later date, in a report to the
16 general assembly. The department of justice shall submit the
17 report on or before January 15, 2025.

18 3. a. The department of justice shall fully reimburse
19 the costs and necessary related expenses incurred by the Iowa
20 law enforcement academy to continue to employ one additional
21 instructor position who shall provide training for human
22 trafficking-related issues throughout the state.

23 b. The department of justice shall obtain the moneys
24 necessary to reimburse the Iowa law enforcement academy to
25 employ such an instructor from unrestricted moneys from either
26 the victim compensation fund established in section 915.94 or
27 the human trafficking victim fund established in section 915.95
28 or the human trafficking enforcement fund established in 2015
29 Iowa Acts, chapter 138, section 141.

30 Sec. 2. OFFICE OF CONSUMER ADVOCATE. There is appropriated
31 from the commerce revolving fund created in section 546.12 to
32 the office of consumer advocate of the department of justice
33 for the fiscal year beginning July 1, 2024, and ending June 30,
34 2025, the following amount, or so much thereof as is necessary,
35 to be used for the purposes designated:

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as/ns

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1 For salaries, support, maintenance, and miscellaneous
2 purposes, and for not more than the following full-time
3 equivalent positions:

4 \$ 3,450,713
5 FTEs 18.00

6 The office of consumer advocate shall include in its charges
7 assessed or revenues generated an amount sufficient to cover
8 the amount stated in its appropriation and any state-assessed
9 indirect costs determined by the department of administrative
10 services.

11 Sec. 3. DEPARTMENT OF CORRECTIONS — FACILITIES.

12 1. There is appropriated from the general fund of the state
13 to the department of corrections for the fiscal year beginning
14 July 1, 2024, and ending June 30, 2025, the following amounts,
15 or so much thereof as is necessary, to be used for the purposes
16 designated:

17 a. For the operation of the Fort Madison correctional
18 facility, including salaries, support, maintenance, and
19 miscellaneous purposes:

20 \$ 45,522,762

21 b. For the operation of the Anamosa correctional facility,
22 including salaries, support, maintenance, and miscellaneous
23 purposes:

24 \$ 38,887,065

25 c. For the operation of the Oakdale correctional facility,
26 including salaries, support, maintenance, and miscellaneous
27 purposes:

28 \$ 57,703,792

29 d. For the Oakdale correctional facility for
30 department-wide institutional pharmaceuticals and miscellaneous
31 purposes:

32 \$ 9,925,417

33 e. For the operation of the Newton correctional facility,
34 including salaries, support, maintenance, and miscellaneous
35 purposes:

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1 \$ 31,522,181
2 f. For the operation of the Mount Pleasant correctional
3 facility, including salaries, support, maintenance, and
4 miscellaneous purposes:
5 \$ 29,729,489
6 g. For the operation of the Rockwell City correctional
7 facility, including salaries, support, maintenance, and
8 miscellaneous purposes:
9 \$ 11,364,524
10 h. For the operation of the Clarinda correctional facility,
11 including salaries, support, maintenance, and miscellaneous
12 purposes:
13 \$ 28,625,610
14 Moneys received by the department of corrections as
15 reimbursement for services provided to the Clarinda youth
16 corporation are appropriated to the department and shall be
17 used for the purpose of operating the Clarinda correctional
18 facility.
19 i. For the operation of the Mitchellville correctional
20 facility, including salaries, support, maintenance, and
21 miscellaneous purposes:
22 \$ 25,512,183
23 j. For the operation of the Fort Dodge correctional
24 facility, including salaries, support, maintenance, and
25 miscellaneous purposes:
26 \$ 33,279,423
27 k. For reimbursement of counties for temporary confinement
28 of prisoners, as provided in sections 901.7, 904.908, and
29 906.17, and for offenders confined pursuant to section 904.513:
30 \$ 1,345,319
31 1. For federal prison reimbursement, reimbursements for
32 out-of-state placements, and miscellaneous contracts:
33 \$ 234,411
34 2. The department of corrections shall use moneys
35 appropriated in subsection 1 to continue to contract for the

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1 services of a Muslim imam and a Native American spiritual
2 leader.

3 Sec. 4. DEPARTMENT OF CORRECTIONS — ADMINISTRATION.

4 There is appropriated from the general fund of the state to the
5 department of corrections for the fiscal year beginning July
6 1, 2024, and ending June 30, 2025, the following amounts, or
7 so much thereof as is necessary, to be used for the purposes
8 designated:

9 1. For general administration, including salaries and the
10 adjustment of salaries throughout the department, support,
11 maintenance, employment of an education director to administer
12 a centralized education program for the correctional system,
13 and miscellaneous purposes:

14 \$ 7,662,297

15 a. It is the intent of the general assembly that each
16 lease negotiated by the department of corrections with a
17 private corporation for the purpose of providing private
18 industry employment of inmates in a correctional institution
19 shall prohibit the private corporation from utilizing inmate
20 labor for partisan political purposes for any person seeking
21 election to public office in this state and that a violation
22 of this requirement shall result in a termination of the lease
23 agreement.

24 b. It is the intent of the general assembly that as a
25 condition of receiving the appropriation provided in this
26 subsection the department of corrections shall not enter into
27 a lease or contractual agreement pursuant to section 904.809
28 with a private corporation for the use of building space for
29 the purpose of providing inmate employment without providing
30 that the terms of the lease or contract establish safeguards to
31 restrict, to the greatest extent feasible, access by inmates
32 working for the private corporation to personal identifying
33 information of citizens.

34 c. Of the moneys appropriated in this subsection, \$586,966
35 is allocated to employ 5.00 additional full-time equivalent

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1 positions to improve the management and oversight of the
2 department of corrections' central office.

3 2. For educational programs for inmates at state penal
4 institutions:

5 \$ 2,608,109

6 a. To maximize the funding for educational programs,
7 the department shall establish guidelines and procedures to
8 prioritize the availability of educational and vocational
9 training for inmates based upon the goal of facilitating an
10 inmate's successful release from the correctional institution.

11 b. The director of the department of corrections may
12 transfer moneys from Iowa prison industries and the canteen
13 operating funds established pursuant to section 904.310, for
14 use in educational programs for inmates.

15 c. Notwithstanding section 8.33, moneys appropriated in
16 this subsection that remain unencumbered or unobligated at the
17 close of the fiscal year shall not revert but shall remain
18 available to be used only for the purposes designated in this
19 subsection until the close of the succeeding fiscal year.

20 3. For the development and operation of the Iowa corrections
21 offender network (ICON) data system:

22 \$ 2,000,000

23 4. For offender mental health and substance abuse
24 treatment:

25 \$ 28,065

26 5. For department-wide duties, including operations, costs,
27 and miscellaneous purposes:

28 \$ 8,654,633

29 Sec. 5. JUDICIAL DISTRICT DEPARTMENTS OF CORRECTIONAL
30 SERVICES.

31 1. There is appropriated from the general fund of the state
32 to the department of corrections for the fiscal year beginning
33 July 1, 2024, and ending June 30, 2025, for salaries, support,
34 maintenance, and miscellaneous purposes, the following amounts,
35 or so much thereof as is necessary, to be used for the purposes

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1 designated:

2 a. For the first judicial district department of
3 correctional services:

4 \$ 16,826,981

5 It is the intent of the general assembly that the first
6 judicial district department of correctional services maintains
7 the drug courts operated by the district department.

8 b. For the second judicial district department of
9 correctional services:

10 \$ 13,637,109

11 It is the intent of the general assembly that the second
12 judicial district department of correctional services maintains
13 two drug courts to be operated by the district department.

14 c. For the third judicial district department of
15 correctional services:

16 \$ 8,615,128

17 d. For the fourth judicial district department of
18 correctional services:

19 \$ 6,465,898

20 e. For the fifth judicial district department of
21 correctional services, including funding for electronic
22 monitoring devices for use on a statewide basis:

23 \$ 24,328,291

24 It is the intent of the general assembly that the fifth
25 judicial district department of correctional services maintains
26 the drug court operated by the district department.

27 f. For the sixth judicial district department of
28 correctional services:

29 \$ 17,128,661

30 It is the intent of the general assembly that the sixth
31 judicial district department of correctional services maintains
32 the drug court operated by the district department.

33 g. For the seventh judicial district department of
34 correctional services:

35 \$ 10,671,655

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1 It is the intent of the general assembly that the seventh
2 judicial district department of correctional services maintains
3 the drug court operated by the district department.

4 h. For the eighth judicial district department of
5 correctional services:

6 \$ 10,001,148

7 2. Each judicial district department of correctional
8 services, within the moneys available, shall continue programs
9 and plans established within that district to provide for
10 intensive supervision, sex offender treatment, diversion of
11 low-risk offenders to the least restrictive sanction available,
12 job development, and expanded use of intermediate criminal
13 sanctions.

14 3. Each judicial district department of correctional
15 services shall provide alternatives to prison consistent with
16 chapter 901B. The alternatives to prison shall ensure public
17 safety while providing maximum rehabilitation to the offender.
18 A judicial district department of correctional services may
19 also establish a day program.

20 4. The office of drug control policy of the department
21 of public safety shall consider federal grants made to the
22 department of corrections for the benefit of each of the eight
23 judicial district departments of correctional services as local
24 government grants, as defined pursuant to federal regulations.

25 5. The department of corrections shall continue to contract
26 with a judicial district department of correctional services to
27 provide for the rental of electronic monitoring equipment which
28 shall be available statewide.

29 6. The public safety assessment shall not be utilized in
30 pretrial hearings when determining whether to detain or release
31 a defendant before trial until such time the use of the public
32 safety assessment has been specifically authorized by the
33 general assembly.

34 Sec. 6. DEPARTMENT OF CORRECTIONS — REALLOCATION OF
35 APPROPRIATIONS. Notwithstanding section 8.39, within the

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1 moneys appropriated in this division of this Act to the
2 department of corrections, the department may reallocate the
3 moneys appropriated and allocated as necessary to best fulfill
4 the needs of the correctional institutions, administration
5 of the department, and the judicial district departments of
6 correctional services. However, in addition to complying with
7 the requirements of sections 904.116 and 905.8 and providing
8 notice to the legislative services agency, the department
9 of corrections shall also provide notice to the department
10 of management, prior to the effective date of the revision
11 or reallocation of an appropriation made pursuant to this
12 section. The department of corrections shall not reallocate an
13 appropriation or allocation for the purpose of eliminating any
14 program.

15 Sec. 7. INTENT — REPORTS.

16 1. The department of corrections, in cooperation with
17 townships, the Iowa cemetery associations, and other nonprofit
18 or governmental entities, may use inmate labor during the
19 fiscal year beginning July 1, 2024, to restore or preserve
20 rural cemeteries and historical landmarks. The department, in
21 cooperation with the counties, may also use inmate labor to
22 clean up roads, major water sources, and other water sources
23 around the state.

24 2. By January 15, 2025, the department shall provide an
25 annual status report regarding private-sector employment to
26 the general assembly. The report shall include the number
27 of offenders employed in the private sector, the combined
28 number of hours worked by the offenders, the total amount of
29 allowances, and the distribution of allowances pursuant to
30 section 904.702, including any moneys deposited in the general
31 fund of the state.

32 Sec. 8. ELECTRONIC MONITORING REPORT. The department of
33 corrections shall submit a report on electronic monitoring
34 to the general assembly by January 15, 2025. The report
35 shall specifically address the number of persons being

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1 electronically monitored and break down the number of persons
2 being electronically monitored by offense committed. The
3 report shall also include a comparison of any data from the
4 prior fiscal year with the current fiscal year.

5 Sec. 9. STATE AGENCY PURCHASES FROM PRISON INDUSTRIES.

6 1. As used in this section, unless the context otherwise
7 requires, "state agency" means the government of the state
8 of Iowa, including but not limited to all executive branch
9 departments, agencies, boards, bureaus, and commissions, the
10 judicial branch, the general assembly and all legislative
11 agencies, institutions within the purview of the state board of
12 regents, and any corporation whose primary function is to act
13 as an instrumentality of the state.

14 2. State agencies are encouraged to purchase products from
15 Iowa state industries, as defined in section 904.802, when
16 purchases are required and the products are available from
17 Iowa state industries. State agencies shall obtain bids from
18 Iowa state industries for purchases of office furniture during
19 the fiscal year beginning July 1, 2024, exceeding \$5,000 or
20 in accordance with applicable administrative rules related to
21 purchases for the agency.

22 Sec. 10. IOWA LAW ENFORCEMENT ACADEMY.

23 1. There is appropriated from the general fund of the
24 state to the Iowa law enforcement academy for the fiscal year
25 beginning July 1, 2024, and ending June 30, 2025, the following
26 amount, or so much thereof as is necessary, to be used for the
27 purposes designated:

28 a. For salaries, support, maintenance, and miscellaneous
29 purposes, including jailer training and technical assistance,
30 and for not more than the following full-time equivalent
31 positions:

32 \$ 2,904,407
33 FTEs 30.25

34 b. The Iowa law enforcement academy may temporarily exceed
35 and draw more than the amount appropriated in this subsection

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1 and incur a negative cash balance as long as there are
2 receivables equal to or greater than the negative balance and
3 the amount appropriated in this subsection is not exceeded at
4 the close of the fiscal year.

5 2. The Iowa law enforcement academy may select at least
6 five automobiles of the department of public safety, division
7 of state patrol, prior to turning over the automobiles to
8 the department of administrative services to be disposed
9 of by public auction, and the Iowa law enforcement academy
10 may exchange any automobile owned by the academy for each
11 automobile selected if the selected automobile is used in
12 training law enforcement officers at the academy. However, any
13 automobile exchanged by the academy shall be substituted for
14 the selected vehicle of the department of public safety and
15 sold by public auction with the receipts being deposited in the
16 depreciation fund maintained pursuant to section 8A.365 to the
17 credit of the department of public safety, division of state
18 patrol.

19 3. The Iowa law enforcement academy shall provide training
20 for domestic abuse and human trafficking-related issues
21 throughout the state. The training shall be offered at no
22 cost to the attendees and the training shall not replace any
23 existing domestic abuse or human trafficking training offered
24 by the academy.

25 Sec. 11. STATE PUBLIC DEFENDER.

26 1. There is appropriated from the general fund of the state
27 to the office of the state public defender of the department
28 of inspections, appeals, and licensing for the fiscal year
29 beginning July 1, 2024, and ending June 30, 2025, the following
30 amounts, or so much thereof as is necessary, to be used for the
31 purposes designated:

32 a. For salaries, support, maintenance, and miscellaneous
33 purposes, and for not more than the following full-time
34 equivalent positions:

35 \$ 31,477,894

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1 FTEs 241.00
2 b. For payments on behalf of eligible adults and juveniles
3 from the indigent defense fund, in accordance with section
4 815.11:
5 \$ 44,046,374
6 2. Moneys received by the office of the state public
7 defender pursuant to Tit. IV-E of the federal Social Security
8 Act remaining unencumbered and unobligated at the end of the
9 fiscal year shall not revert but shall be transferred to the
10 Tit. IV-E juvenile justice improvement fund created in 2022
11 Iowa Acts, chapter 1146, section 11, subsection 3, to remain
12 available for expenditure by the office of the state public
13 defender in succeeding fiscal years for the purposes allowed by
14 Tit. IV-E of the federal Social Security Act.
15 Sec. 12. BOARD OF PAROLE. There is appropriated from the
16 general fund of the state to the board of parole for the fiscal
17 year beginning July 1, 2024, and ending June 30, 2025, the
18 following amount, or so much thereof as is necessary, to be
19 used for the purposes designated:
20 For salaries, support, maintenance, and miscellaneous
21 purposes, and for not more than the following full-time
22 equivalent positions:
23 \$ 1,545,114
24 FTEs 11.00
25 Sec. 13. DEPARTMENT OF PUBLIC DEFENSE.
26 1. There is appropriated from the general fund of the
27 state to the department of public defense, for the fiscal year
28 beginning July 1, 2024, and ending June 30, 2025, the following
29 amount, or so much thereof as is necessary, to be used for the
30 purposes designated:
31 For salaries, support, maintenance, and miscellaneous
32 purposes, and for not more than the following full-time
33 equivalent positions:
34 \$ 7,211,221
35 FTEs 248.00

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1 2. The department of public defense may temporarily exceed
2 and draw more than the amount appropriated in this section and
3 incur a negative cash balance as long as there are receivables
4 of federal funds equal to or greater than the negative balance
5 and the amount appropriated in this section is not exceeded at
6 the close of the fiscal year.

7 Sec. 14. DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY
8 MANAGEMENT.

9 1. There is appropriated from the general fund of the state
10 to the department of homeland security and emergency management
11 for the fiscal year beginning July 1, 2024, and ending June 30,
12 2025, the following amount, or so much thereof as is necessary,
13 to be used for the purposes designated:

14 For salaries, support, maintenance, and miscellaneous
15 purposes, and for not more than the following full-time
16 equivalent positions:

17 \$ 2,442,595
18 FTEs 25.44

19 2. The department of homeland security and emergency
20 management may temporarily exceed and draw more than the amount
21 appropriated in this section and incur a negative cash balance
22 as long as there are receivables of federal funds equal to or
23 greater than the negative balance and the amount appropriated
24 in this section is not exceeded at the close of the fiscal
25 year.

26 Sec. 15. DEPARTMENT OF PUBLIC SAFETY. There is appropriated
27 from the general fund of the state to the department of public
28 safety for the fiscal year beginning July 1, 2024, and ending
29 June 30, 2025, the following amounts, or so much thereof as is
30 necessary, to be used for the purposes designated:

31 1. For administrative functions, including salaries and the
32 adjustment of salaries throughout the department, the criminal
33 justice information system, and for not more than the following
34 full-time equivalent positions:

35 \$ 7,092,910

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1 FTEs 47.00

2 2. For the division of criminal investigation, including
3 the state's contribution to the peace officers' retirement,
4 accident, and disability system provided in chapter 97A in the
5 amount of the state's normal contribution rate, as defined in
6 section 97A.8, multiplied by the salaries for which the moneys
7 are appropriated, to meet federal fund matching requirements,
8 and for not more than the following full-time equivalent
9 positions:

10 \$ 21,189,769

11 FTEs 180.00

12 3. For the criminalistics laboratory fund created in
13 section 691.9:

14 \$ 650,000

15 Notwithstanding section 8.33, moneys appropriated in this
16 subsection that remain unencumbered or unobligated at the close
17 of the fiscal year shall not revert but shall remain available
18 for expenditure for the purposes designated until the close of
19 the succeeding fiscal year.

20 4. a. For the division of narcotics enforcement, including
21 the state's contribution to the peace officers' retirement,
22 accident, and disability system provided in chapter 97A in the
23 amount of the state's normal contribution rate, as defined in
24 section 97A.8, multiplied by the salaries for which the moneys
25 are appropriated, to meet federal fund matching requirements,
26 and for not more than the following full-time equivalent
27 positions:

28 \$ 9,243,545

29 FTEs 67.00

30 The division of narcotics enforcement is authorized an
31 additional 1.00 full-time equivalent position pursuant to
32 this lettered paragraph that is in excess of the number of
33 full-time equivalent positions authorized for the previous
34 fiscal year only if the division of narcotics enforcement
35 receives sufficient federal moneys to maintain employment

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1 for the additional full-time equivalent position during the
2 current fiscal year. The division of narcotics enforcement
3 shall only employ the additional full-time equivalent position
4 in succeeding fiscal years if sufficient federal moneys are
5 received during each of those succeeding fiscal years.

6 b. For the division of narcotics enforcement for undercover
7 purchases:

8 \$ 209,042

9 5. For the division of state fire marshal, for fire
10 protection services as provided through the state fire service
11 and emergency response council as created in the department,
12 and for the state's contribution to the peace officers'
13 retirement, accident, and disability system provided in chapter
14 97A in the amount of the state's normal contribution rate,
15 as defined in section 97A.8, multiplied by the salaries for
16 which the moneys are appropriated, and for not more than the
17 following full-time equivalent positions:

18 \$ 3,418,466

19 FTEs 21.00

20 6. For the division of state patrol, for salaries, support,
21 maintenance, workers' compensation costs, and miscellaneous
22 purposes, including the state's contribution to the peace
23 officers' retirement, accident, and disability system provided
24 in chapter 97A in the amount of the state's normal contribution
25 rate, as defined in section 97A.8, multiplied by the salaries
26 for which the moneys are appropriated, and for not more than
27 the following full-time equivalent positions:

28 \$ 90,056,257

29 FTEs 613.00

30 It is the intent of the general assembly that members of the
31 state patrol be assigned to patrol the highways and roads in
32 lieu of assignments for inspecting school buses for the school
33 districts.

34 7. For deposit in the sick leave benefits fund established
35 in section 80.42 for all departmental employees eligible to

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1 receive benefits for accrued sick leave under the collective
2 bargaining agreement:
3 \$ 279,517
4 8. For costs associated with the training and equipment
5 needs of volunteer fire fighters:
6 \$ 1,075,520
7 Notwithstanding section 8.33, moneys appropriated in this
8 subsection that remain unencumbered or unobligated at the close
9 of the fiscal year shall not revert but shall remain available
10 for expenditure for the purposes designated in this subsection
11 until the close of the succeeding fiscal year.
12 9. For the public safety interoperable and broadband
13 communications fund established in section 80.44:
14 \$ 115,661
15 10. For the office to combat human trafficking established
16 pursuant to section 80.45, including salaries, support,
17 maintenance, and miscellaneous purposes, and for not more than
18 the following full-time equivalent positions:
19 \$ 200,742
20 FTEs 2.00
21 11. For department-wide duties, including operations,
22 costs, and miscellaneous purposes:
23 \$ 4,649,789
24 12. For deposit in the public safety equipment fund
25 established in section 80.48 for the purchase, maintenance, and
26 replacement of equipment used by the department:
27 \$ 2,500,000
28 13. For the office of drug control policy, for salaries,
29 support, maintenance, and miscellaneous purposes, including
30 statewide coordination of the drug abuse resistance education
31 (D.A.R.E) programs or other similar programs, and for not more
32 than the following full-time equivalent positions:
33 \$ 249,219
34 FTEs 4.00
35 Notwithstanding section 8.39, the department of public

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1 safety may reallocate moneys appropriated in this section
2 as necessary to best fulfill the needs provided for in the
3 appropriation. However, the department shall not reallocate
4 moneys appropriated to the department in this section unless
5 notice of the reallocation is given to the legislative services
6 agency and the department of management prior to the effective
7 date of the reallocation. The notice shall include information
8 regarding the rationale for reallocating the moneys. The
9 department shall not reallocate moneys appropriated in this
10 section for the purpose of eliminating any program.

11 Sec. 16. GAMING ENFORCEMENT.

12 1. There is appropriated from the gaming enforcement
13 revolving fund created in section 80.43 to the department of
14 public safety for the fiscal year beginning July 1, 2024, and
15 ending June 30, 2025, the following amount, or so much thereof
16 as is necessary, to be used for the purposes designated:

17 For any direct support costs for agents and officers of
18 the division of criminal investigation's excursion gambling
19 boat, gambling structure, and racetrack enclosure enforcement
20 activities, including salaries, support, maintenance, and
21 miscellaneous purposes, and for not more than the following
22 full-time equivalent positions:

23	\$ 11,442,487
24	FTEs 65.00

25 2. For each additional license to conduct gambling games on
26 an excursion gambling boat, gambling structure, or racetrack
27 enclosure issued during the fiscal year beginning July 1, 2024,
28 there is appropriated from the gaming enforcement revolving
29 fund to the department of public safety for the fiscal year
30 beginning July 1, 2024, and ending June 30, 2025, an additional
31 amount of not more than \$300,000 to be used for full-time
32 equivalent positions.

33 3. The department of public safety, with the approval of the
34 department of management, may employ no more than three special
35 agents for each additional riverboat or gambling structure

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1 regulated after July 1, 2025, and three special agents for
2 each racing facility which becomes operational during the
3 fiscal year which begins July 1, 2025. Positions authorized
4 in this subsection are in addition to the full-time equivalent
5 positions otherwise authorized in this section.

6 Sec. 17. DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY
7 MANAGEMENT. There is appropriated from the 911 emergency
8 communications fund created in section 34A.7A to the department
9 of homeland security and emergency management for the fiscal
10 year beginning July 1, 2024, and ending June 30, 2025, the
11 following amount, or so much thereof as is necessary, to be
12 used for the purposes designated:

13 For implementation, support, and maintenance of the
14 functions of the administrator and program manager under
15 chapter 34A and to employ the auditor of the state to perform
16 an annual audit of the 911 emergency communications fund:
17 \$ 300,000

18 Sec. 18. CONSUMER EDUCATION AND LITIGATION — FARM
19 MEDIATION AND PROSECUTIONS, APPEALS, AND CLAIMS.
20 Notwithstanding [section 714.16C](#), there is appropriated from the
21 consumer education and litigation fund to the department of
22 justice for the fiscal year beginning July 1, 2024, and ending
23 June 30, 2025, the following amounts, or so much thereof as is
24 necessary, to be used for the purposes designated:

25 1. For farm mediation services as specified in section
26 13.13, subsection 2:
27 \$ 300,000

28 2. For salaries, support, maintenance, and miscellaneous
29 purposes for criminal prosecutions, criminal appeals, and
30 performing duties pursuant to [chapter 669](#):
31 \$ 2,000,000

32 DIVISION II

33 IOWA LAW ENFORCEMENT ACADEMY

34 Sec. 19. Section 80B.11B, subsection 2, paragraph c, Code
35 2024, is amended to read as follows:

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1 c. For a candidate sponsored by a political subdivision
2 and hired by the political subdivision, to the political
3 subdivision, one-third of the total cost; ~~to the candidate,~~
4 ~~one-third of the total cost;~~ and to the state, the remainder of
5 the total cost. ~~The political subdivision may pay for all or a~~
6 ~~portion of the candidate's share of the costs.~~

7 EXPLANATION

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

10 This bill relates to and makes appropriations to the justice
11 system. The bill is organized in divisions.

12 FY 2024-2025 APPROPRIATIONS. The bill makes appropriations
13 for FY 2024-2025 from the general fund of the state to the
14 departments of justice, corrections, public defense, public
15 safety, and homeland security and emergency management, and
16 the Iowa law enforcement academy, office of the state public
17 defender, and board of parole.

18 The bill appropriates moneys from the commerce revolving
19 fund to the office of consumer advocate of the department
20 of justice; from the gaming enforcement revolving fund to
21 the department of public safety; from the 911 emergency
22 communications fund to the department of homeland security
23 and emergency management; and from the consumer education and
24 litigation fund to the department of justice for farm mediation
25 services and for criminal prosecutions, criminal appeals, and
26 performing certain duties.

27 IOWA LAW ENFORCEMENT ACADEMY. For a basic training course
28 provided to a candidate sponsored by a political subdivision
29 and hired by the political subdivision, current law requires
30 the Iowa law enforcement academy to charge one-third of the
31 cost to the political subdivision, one-third to the candidate,
32 and the remainder to the state. The bill provides that the
33 state will be charged the cost previously charged to the
34 candidate.

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Senate File 2435 - Introduced

SENATE FILE 2435
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO SSB 3201)

A BILL FOR

1 An Act relating to and making appropriations to the education
2 system, including the funding and operation of the
3 department for the blind, department of education, and state
4 board of regents, and including effective date provisions.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 DIVISION I
2 FY 2024-2025 APPROPRIATIONS — DEPARTMENT FOR THE BLIND
3 Section 1. GENERAL FUND APPROPRIATIONS —
4 ADMINISTRATION. There is appropriated from the general
5 fund of the state to the department for the blind for the
6 fiscal year beginning July 1, 2024, and ending June 30, 2025,
7 the following amount, or so much thereof as is necessary, to be
8 used for the purposes designated:

9 For salaries, support, maintenance, and miscellaneous
10 purposes, and for not more than the following full-time
11 equivalent positions:
12 \$ 3,087,171
13 FTEs 88.98

14 DIVISION II
15 FY 2024-2025 APPROPRIATIONS — DEPARTMENT OF EDUCATION
16 Sec. 2. GENERAL FUND APPROPRIATIONS. There is appropriated
17 from the general fund of the state to the department of
18 education for the fiscal year beginning July 1, 2024, and
19 ending June 30, 2025, the following amounts, or so much thereof
20 as is necessary, to be used for the purposes designated:

21 1. GENERAL ADMINISTRATION
22 a. For salaries, support, maintenance, and miscellaneous
23 purposes, and for not more than the following full-time
24 equivalent positions:
25 \$ 6,581,620
26 FTEs 66.93

27 b. By January 15, 2025, the department shall submit
28 a written report to the general assembly detailing the
29 department's antibullying programming and current and projected
30 expenditures for such programming for the fiscal year beginning
31 July 1, 2024.

32 2. CAREER AND TECHNICAL EDUCATION ADMINISTRATION
33 For salaries, support, maintenance, and miscellaneous
34 purposes, and for not more than the following full-time
35 equivalent positions:

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1 \$ 598,197
2 FTEs 9.12
3 3. PUBLIC BROADCASTING DIVISION
4 For salaries, support, maintenance, capital expenditures,
5 and miscellaneous purposes, and for not more than the following
6 full-time equivalent positions:
7 \$ 7,943,538
8 FTEs 58.38
9 4. CAREER AND TECHNICAL EDUCATION
10 For reimbursement for career and technical education
11 expenditures made by regional career and technical education
12 planning partnerships in accordance with section 256.136:
13 \$ 2,952,459
14 5. SCHOOL FOOD SERVICE
15 For use as state matching moneys for federal programs that
16 shall be disbursed according to federal regulations, including
17 salaries, support, maintenance, and miscellaneous purposes, and
18 for not more than the following full-time equivalent positions:
19 \$ 2,176,797
20 FTEs 25.40
21 6. BIRTH TO AGE THREE SERVICES
22 a. For expansion of the federal Individuals with
23 Disabilities Education Improvement Act of 2004, Pub. L. No.
24 108-446, as amended to January 1, 2018, birth through age three
25 services due to increased numbers of children qualifying for
26 those services:
27 \$ 1,721,400
28 b. From the moneys appropriated in this subsection,
29 \$383,769 shall be allocated to the child health specialty
30 clinics administered by the state university of Iowa in order
31 to provide additional support for infants and toddlers who are
32 born prematurely, drug-exposed, or medically fragile.
33 7. EARLY HEAD START PROJECTS
34 a. For early head start projects:
35 \$ 574,500

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1 b. The moneys appropriated in this subsection shall be
2 used for implementation and expansion of early head start
3 pilot projects addressing the comprehensive cognitive, social,
4 emotional, and developmental needs of children from birth to
5 age three, including prenatal support for qualified families.
6 The projects shall promote healthy prenatal outcomes and
7 healthy family functioning, and strengthen the development of
8 infants and toddlers in low-income families. Priority shall be
9 given to those organizations that have previously qualified for
10 and received state funding to administer an early head start
11 project.

12 8. STUDENT ACHIEVEMENT AND TEACHER QUALITY PROGRAM

13 For purposes of the student achievement and teacher quality
14 program established pursuant to [chapter 284](#), and for not more
15 than the following full-time equivalent positions:

16	\$	2,990,467
17	FTEs	6.02

18 9. STATEWIDE STUDENT ASSESSMENT

19 a. For distribution to the Iowa testing program by the
20 department of education on behalf of school districts and
21 accredited nonpublic schools to offset the costs associated
22 with a statewide student assessment administered in accordance
23 with [section 256.7, subsection 21](#), paragraph "b":

24	\$	3,000,000
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25 b. From the moneys appropriated in this subsection, not more
26 than \$300,000 shall be distributed to the Iowa testing programs
27 within the university of Iowa college of education to offset
28 the costs of administering the statewide student assessment at
29 accredited nonpublic schools.

30 10. STATEWIDE CLEARINGHOUSE TO EXPAND WORK-BASED LEARNING

31 For support costs associated with the creation of a
32 statewide clearinghouse to expand work-based learning as a part
33 of the future ready Iowa initiative:

34	\$	300,000
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35 11. POSTSECONDARY SUMMER CLASSES FOR HIGH SCHOOL STUDENTS

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1 PROGRAM

2 For support costs associated with the creation of a program
3 to provide additional moneys for resident high school pupils
4 enrolled in grades 9 through 12 to attend a community college
5 for college-level classes or attend a class taught by a
6 community college-employed instructor during the summer and
7 outside of the regular school year through a contractual
8 agreement between a community college and a school district
9 under the future ready Iowa initiative:

10 \$ 600,000

11 Notwithstanding section 8.33, moneys received by the
12 department pursuant to this subsection that remain unencumbered
13 or unobligated at the close of the fiscal year shall not revert
14 but shall remain available for expenditure for the purposes
15 specified in this subsection until the close of the succeeding
16 fiscal year.

17 12. JOBS FOR AMERICA'S GRADUATES

18 For school districts to reinforce combined efforts and
19 regional initiatives that accelerate paraeducator and teacher
20 credential attainment and to provide direct services to the
21 most at-risk middle school or high school students enrolled
22 in school districts through direct intervention by a jobs for
23 America's graduates specialist:

24 \$ 9,146,450

25 13. ATTENDANCE CENTER PERFORMANCE/GENERAL INTERNET SITE AND
26 DATA SYSTEM SUPPORT

27 For administration of a process for school districts to
28 establish specific performance goals and to evaluate the
29 performance of each attendance center operated by the district
30 in order to arrive at an overall school performance grade and
31 report card for each attendance center, for internet site
32 and data system support, and for not more than the following
33 full-time equivalent positions:

34 \$ 250,000

35 FTEs 1.83

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1 14. SUCCESSFUL PROGRESSION FOR EARLY READERS

2 For distribution to school districts for implementation
3 of [section 279.68, subsection 2](#), relating to successful
4 progression for early readers:

5 \$ 7,824,782

6 15. EARLY WARNING SYSTEM FOR LITERACY

7 a. For purposes of purchasing a statewide license for an
8 early warning assessment and administering the early warning
9 system for literacy established in accordance with section
10 279.68 and rules adopted in accordance with section 256.7,
11 subsection 31:

12 \$ 1,915,000

13 b. The department shall administer and distribute to school
14 districts and accredited nonpublic schools the early warning
15 assessment system that allows teachers to screen and monitor
16 student literacy skills from prekindergarten through grade
17 six. The department may charge school districts and accredited
18 nonpublic schools a fee for the system not to exceed the actual
19 costs to purchase a statewide license for the early warning
20 assessment minus the moneys received by the department under
21 this subsection. The fee shall be determined by dividing the
22 actual remaining costs to purchase the statewide license for
23 the school year by the number of pupils assessed under the
24 system in the current fiscal year. School districts may use
25 moneys received pursuant to [section 257.10, subsection 11](#), and
26 moneys received for purposes of implementing section 279.68,
27 subsection 2, to pay the early warning assessment system fee.

28 16. IOWA READING RESEARCH CENTER

29 a. For purposes of the Iowa reading research center in
30 order to implement, in collaboration with the area education
31 agencies, the provisions of [section 256.9, subsection 49](#),
32 paragraph "c":

33 \$ 1,500,000

34 b. From moneys appropriated in this subsection, not more
35 than \$250,000 shall be used for collaborations with the state

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1 board of education relating to the approval of practitioner
2 preparation programs pursuant to [section 256.7, subsection 3,](#)
3 paragraph "c", and with the board of educational examiners for
4 the establishment and continuing oversight of the advanced
5 dyslexia specialist endorsement pursuant to section 256.146,
6 subsection 21. For the fiscal year beginning July 1, 2024, and
7 ending June 30, 2025, the center shall submit a report to the
8 general assembly detailing the expenditures of moneys used for
9 purposes of this paragraph "b".

10 c. Notwithstanding [section 8.33,](#) moneys received by the
11 department pursuant to this subsection that remain unencumbered
12 or unobligated at the close of the fiscal year shall not revert
13 but shall remain available for expenditure for the purposes
14 specified in this subsection until the close of the succeeding
15 fiscal year.

16 17. COMPUTER SCIENCE PROFESSIONAL DEVELOPMENT INCENTIVE
17 FUND

18 For deposit in the computer science professional development
19 incentive fund established under [section 284.6A:](#)

20 \$ 500,000

21 18. CHILDREN'S MENTAL HEALTH SCHOOL-BASED TRAINING AND
22 SUPPORT

23 a. For distribution to area education agencies for
24 school-based children's mental health services, including
25 mental health awareness training for educators:

26 \$ 3,383,936

27 b. Of the moneys appropriated in this subsection for
28 distribution to area education agencies, \$200,000 shall be
29 used for purposes of implementing a children's grief and loss
30 rural pilot program to serve Iowa children in rural school
31 districts or accredited nonpublic schools. The pilot program
32 shall be administered by, and the moneys allocated pursuant to
33 this paragraph shall be distributed to, an existing statewide
34 not-for-profit health care organization that currently provides
35 grief and loss services to children. For the fiscal year

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1 beginning July 1, 2024, and ending June 30, 2025, the health
2 care organization receiving moneys pursuant to this paragraph
3 shall prepare a report, in collaboration with the department
4 of education, detailing the expenditures of moneys used for
5 the purposes of this program and its outcomes, which shall be
6 submitted to the general assembly by September 30, 2025.

7 19. BEST BUDDIES IOWA

8 a. For school districts to create opportunities for
9 one-to-one friendships, integrated employment, and leadership
10 development for students with intellectual and developmental
11 disabilities:

12 \$ 35,000

13 b. The department of education shall establish criteria for
14 the distribution of moneys appropriated under this subsection
15 and shall require an organization receiving moneys under this
16 subsection to annually report student identifying data for
17 students participating in the program to the department in the
18 manner prescribed by the department as a condition of receiving
19 such moneys.

20 20. MIDWESTERN HIGHER EDUCATION COMPACT

21 a. For distribution to the midwestern higher education
22 compact to pay Iowa's member state annual obligation:

23 \$ 115,000

24 b. Notwithstanding [section 8.33](#), moneys appropriated
25 pursuant to this subsection that remain unencumbered or
26 unobligated at the close of the fiscal year shall not revert
27 but shall remain available for expenditure for the purposes
28 designated until the close of the succeeding fiscal year.

29 21. NONPUBLIC SCHOOL CONCURRENT ENROLLMENT PAYMENTS TO
30 COMMUNITY COLLEGES

31 For payments to community colleges for the concurrent
32 enrollment of accredited nonpublic school students under
33 [section 261E.8](#), subsection 2, paragraph "b":

34 \$ 1,000,000

35 Notwithstanding [section 8.33](#), moneys received by the

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1 department pursuant to this subsection that remain unencumbered
2 or unobligated at the close of the fiscal year shall not revert
3 but shall remain available for expenditure for the purposes
4 designated until the close of the succeeding fiscal year.

5 22. COMMUNITY COLLEGES

6 For general state financial aid to merged areas, as defined
7 in [section 260C.2](#), in accordance with chapter 256, subchapter
8 VII, part 2, and chapter [260C](#):

9 \$234,579,615

10 Notwithstanding the allocation formula in [section 260C.18C](#),
11 the moneys appropriated in this subsection shall be allocated
12 as follows:

- 13 a. Merged Area I
- 14 \$ 11,522,148
- 15 b. Merged Area II
- 16 \$ 11,583,122
- 17 c. Merged Area III
- 18 \$ 10,647,193
- 19 d. Merged Area IV
- 20 \$ 5,315,405
- 21 e. Merged Area V
- 22 \$ 13,347,783
- 23 f. Merged Area VI
- 24 \$ 10,281,705
- 25 g. Merged Area VII
- 26 \$ 15,753,582
- 27 h. Merged Area IX
- 28 \$ 20,023,920
- 29 i. Merged Area X
- 30 \$ 36,640,112
- 31 j. Merged Area XI
- 32 \$ 40,136,738
- 33 k. Merged Area XII
- 34 \$ 13,045,552
- 35 l. Merged Area XIII

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1 \$ 14,267,507
2 m. Merged Area XIV
3 \$ 5,408,404
4 n. Merged Area XV
5 \$ 16,845,673
6 o. Merged Area XVI
7 \$ 9,760,771
8 23. IOWA SCHOOL FOR THE DEAF
9 For salaries, support, maintenance, and miscellaneous
10 purposes, and for not more than the following full-time
11 equivalent positions:
12 \$ 11,707,253
13 FTEs 120.00
14 24. IOWA EDUCATIONAL SERVICES FOR THE BLIND AND VISUALLY
15 IMPAIRED PROGRAM
16 For salaries, support, maintenance, and miscellaneous
17 purposes, and for not more than the following full-time
18 equivalent positions:
19 \$ 4,913,891
20 FTEs 56.00
21 25. SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS
22 (STEM) COLLABORATIVE INITIATIVE
23 For purposes of the science, technology, engineering,
24 and mathematics (STEM) collaborative initiative established
25 pursuant to section 256.111, and for not more than the
26 following full-time equivalent positions:
27 \$ 6,354,848
28 FTEs 5.50
29 a. Except as otherwise provided in this subsection, the
30 moneys appropriated in this subsection shall be expended for
31 salaries, staffing, institutional support, activities directly
32 related to recruitment of kindergarten through grade 12
33 mathematics and science teachers, and for ongoing mathematics
34 and science programming for students enrolled in kindergarten
35 through grade 12.

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1 b. The department shall work with the community colleges to
2 develop STEM professional development programs for community
3 college instructors and STEM curriculum development.

4 c. From the moneys appropriated in this subsection, not less
5 than \$500,000 shall be used to provide technology education
6 opportunities to high school, career academy, and community
7 college students through a public-private partnership, as
8 well as opportunities for students and faculties at these
9 institutions to secure broad-based information technology
10 certification. The partnership shall provide all of the
11 following:

- 12 (1) A research-based curriculum.
- 13 (2) Online access to the curriculum.
- 14 (3) Instructional software for classroom and student use.
- 15 (4) Certification of skills and competencies in a broad base
16 of information technology-related skill areas.
- 17 (5) Professional development for teachers.
- 18 (6) Deployment and program support, including but not
19 limited to integration with current curriculum standards.

20 d. Notwithstanding [section 8.33](#), of the moneys appropriated
21 in this subsection that remain unencumbered or unobligated at
22 the close of the fiscal year, an amount equivalent to not more
23 than 5 percent of the amount appropriated in this subsection
24 shall not revert but shall remain available for expenditure for
25 summer programs for students until the close of the succeeding
26 fiscal year.

27 26. THERAPEUTIC CLASSROOM INCENTIVE FUND

28 For deposit in the therapeutic classroom incentive fund
29 established pursuant to [section 256.25](#):

30 \$ 2,351,382

31 Notwithstanding [section 8.33](#), moneys appropriated pursuant
32 to this subsection that remain unencumbered or unobligated at
33 the close of the fiscal year shall not revert but shall remain
34 available for expenditure for the purposes designated until the
35 close of the succeeding fiscal year.

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1 27. THERAPEUTIC CLASSROOM TRANSPORTATION CLAIMS
2 REIMBURSEMENT
3 For payment of school district claims for reimbursement
4 submitted under [section 256.25A, subsection 1](#), paragraph "a":
5 \$ 500,000
6 28. LEAD-K PROGRAM
7 For purposes of developing guidelines for a comprehensive
8 family support mentoring program that meets the language and
9 communication needs of families pursuant to section 256.106:
10 \$ 200,000
11 29. DIVISION OF SPECIAL EDUCATION
12 For salaries, support, maintenance, and miscellaneous
13 purposes, and for not more than the following full-time
14 equivalent positions:
15 \$ 10,000,000
16 FTEs 62.00
17 30. PROFESSIONAL DEVELOPMENT
18 For purposes of providing required professional development
19 to public and nonpublic schools:
20 \$ 2,176,458
21 31. COLLEGE STUDENT AID COMMISSION
22 a. Administration
23 For general administration salaries, support, maintenance,
24 and miscellaneous purposes, and for the administration of the
25 future ready Iowa skilled workforce last-dollar scholarship
26 program in accordance with [section 256.228](#), including salaries,
27 support, maintenance, and miscellaneous purposes related to the
28 future ready Iowa skilled workforce last-dollar scholarship
29 program, and for not more than the following full-time
30 equivalent positions:
31 \$ 591,533
32 FTEs 4.95
33 b. Health care professional recruitment program
34 For the loan repayment program for health care professionals
35 established pursuant to [section 256.223](#):

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1 \$ 500,973
2 c. National guard service scholarship program
3 For purposes of providing national guard service
4 scholarships under the program established in section 256.210:
5 \$ 6,600,000
6 d. All Iowa opportunity scholarship program
7 (1) For purposes of the all Iowa opportunity scholarship
8 program established pursuant to section 256.212:
9 \$ 3,229,468
10 (2) For the fiscal year beginning July 1, 2024, if the
11 moneys appropriated in this lettered paragraph exceed \$500,000,
12 "eligible institution" as defined in section 256.212 shall,
13 during the fiscal year beginning July 1, 2024, include
14 accredited private institutions as defined in section 256.183.
15 e. Teach Iowa scholar program
16 For purposes of the teach Iowa scholar program established
17 pursuant to section 256.218:
18 \$ 650,000
19 f. Rural Iowa primary care loan repayment program
20 For purposes of the rural Iowa primary care loan repayment
21 program established pursuant to section 256.221:
22 \$ 2,504,933
23 g. Health care loan repayment program
24 For purposes of the health care loan repayment program
25 established pursuant to section 256.224:
26 \$ 500,000
27 h. Rural veterinarian loan repayment program
28 For purposes of the rural veterinarian loan repayment
29 program established pursuant to section 256.226:
30 \$ 700,000
31 i. Future ready Iowa skilled workforce last-dollar
32 scholarship program
33 For deposit in the future ready Iowa skilled workforce
34 last-dollar scholarship fund established pursuant to section
35 256.228:

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1 \$ 23,927,005
2 Moneys appropriated in this lettered paragraph shall not
3 be used to provide scholarships under the future ready Iowa
4 skilled workforce last-dollar scholarship program to students
5 with expected family contributions of greater than \$20,000, as
6 determined by the free application for federal student aid.
7 j. Future ready Iowa skilled workforce grant program
8 For deposit in the future ready Iowa skilled workforce grant
9 fund established pursuant to section 256.229:
10 \$ 275,000
11 k. Mental health professional loan repayment program
12 For deposit in the mental health professional loan repayment
13 fund established pursuant to section 256.225:
14 \$ 520,000
15 l. Iowa workforce grant and incentive program
16 For deposit in the Iowa workforce grant and incentive
17 program fund created in section 256.230:
18 \$ 6,500,000
19 Sec. 3. IOWA SKILLED WORKER AND JOB CREATION FUND
20 APPROPRIATIONS. There is appropriated from the Iowa skilled
21 worker and job creation fund created in [section 8.75](#) to the
22 department of education for the fiscal year beginning July
23 1, 2024, and ending June 30, 2025, the following amounts, or
24 so much thereof as is necessary, to be used for the purposes
25 designated:
26 1. For purposes of providing skilled workforce shortage
27 tuition grants in accordance with section 256.227:
28 \$ 5,000,000
29 2. For deposit in the workforce training and economic
30 development funds created pursuant to section 260C.18A:
31 \$ 15,100,000
32 From the moneys appropriated in this subsection, not
33 more than \$100,000 shall be used by the department for
34 administration of the workforce training and economic
35 development funds created pursuant to [section 260C.18A](#).

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1 3. For capital projects at community colleges that meet the
2 definition of the term "vertical infrastructure" in section
3 8.57, subsection 5, paragraph "c":

4 \$ 6,000,000

5 Moneys appropriated in this subsection shall be disbursed
6 pursuant to [section 260G.6, subsection 3](#). Projects that
7 qualify for moneys appropriated in this subsection must include
8 at least one of the following:

9 a. Accelerated career education program capital projects.

10 b. Major renovations and major repair needs, including
11 health, life, and fire safety needs, including compliance with
12 the federal Americans with Disabilities Act.

13 4. For deposit in the pathways for academic career and
14 employment fund established pursuant to [section 260H.2](#):

15 \$ 5,000,000

16 From the moneys appropriated in this subsection, not
17 more than \$200,000 shall be allocated by the department
18 for implementation of regional industry sector partnerships
19 pursuant to section 84A.15 and for not more than 1.00 full-time
20 equivalent position.

21 5. For deposit in the gap tuition assistance fund
22 established pursuant to [section 260I.2](#):

23 \$ 2,000,000

24 6. For support costs associated with administering a
25 workforce preparation outcome reporting system for the purpose
26 of collecting and reporting data relating to the educational
27 and employment outcomes of workforce preparation programs
28 receiving moneys pursuant to this section:

29 \$ 200,000

30 7. For STEM best:

31 \$ 700,000

32 8. Notwithstanding section 8.33, moneys appropriated in
33 this section that remain unencumbered or unobligated at the
34 close of the fiscal year shall not revert but shall remain
35 available for expenditure for the purposes designated until the

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1 close of the succeeding fiscal year.

2 Sec. 4. CHIROPRACTIC LOAN FUNDS. Notwithstanding section
3 256.204, the moneys deposited in the chiropractic loan
4 revolving fund created pursuant to section 256.204 for the
5 fiscal year beginning July 1, 2024, and ending June 30, 2025,
6 may be used for purposes of the chiropractic loan forgiveness
7 program established in section 256.205.

8 Sec. 5. PRESCRIPTION DRUG COSTS. The department of
9 administrative services shall pay the Iowa school for the deaf
10 and the Iowa educational services for the blind and visually
11 impaired program the moneys collected from the counties during
12 the fiscal year beginning July 1, 2024, for expenses relating
13 to prescription drug costs for students attending the Iowa
14 school for the deaf and the Iowa educational services for the
15 blind and visually impaired program.

16 DIVISION III

17 FY 2024-2025 APPROPRIATIONS — STATE BOARD OF REGENTS

18 Sec. 6. GENERAL FUND APPROPRIATIONS. There is appropriated
19 from the general fund of the state to the state board of
20 regents for the fiscal year beginning July 1, 2024, and ending
21 June 30, 2025, the following amounts, or so much thereof as is
22 necessary, to be used for the purposes designated:

23 1. OFFICE OF STATE BOARD OF REGENTS

24 a. For salaries, support, maintenance, and miscellaneous
25 purposes, and for not more than the following full-time
26 equivalent positions:

27	\$	764,642
28	FTEs	2.48

29 For the fiscal year beginning July 1, 2024, and ending June
30 30, 2025, the state board of regents shall submit a quarterly
31 financial report to the general assembly in a format agreed
32 upon by the state board of regents office and the legislative
33 services agency. The report submitted for the quarter ending
34 December 31, 2024, shall include the five-year graduation rates
35 for the regents universities.

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1 b. For distribution to the western Iowa regents resource
2 center:

3 \$ 268,297

4 c. For the fiscal year beginning July 1, 2024, and ending
5 June 30, 2025, the state board of regents and the institutions
6 of higher learning governed by the state board of regents
7 shall not reduce moneys budgeted for the fiscal year for the
8 institutions' police departments.

9 d. For allocation in equal parts by the state board of
10 regents to the state university of Iowa, the Iowa state
11 university of science and technology, and the university
12 of northern Iowa to support the John Pappajohn centers for
13 entrepreneurship:

14 \$ 125,000

15 The moneys appropriated in this lettered paragraph shall be
16 used to supplement, not supplant, any other funding received by
17 the John Pappajohn centers for entrepreneurship.

18 e. For allocation by the state board of regents to the state
19 university of Iowa, the Iowa state university of science and
20 technology, and the university of northern Iowa to support
21 new strategic initiatives, meet needs caused by enrollment
22 increases, meet the demand for new courses and services, fund
23 new but unavoidable or mandated cost increases, and support
24 any other initiatives important to the core functions of the
25 universities:

26 \$ 12,288,672

27 2. STATE UNIVERSITY OF IOWA

28 a. General university

29 For salaries, support, maintenance, equipment, financial
30 aid, and miscellaneous purposes, and for not more than the
31 following full-time equivalent positions:

32 \$218,045,224

33 FTEs 5,058.55

34 b. Oakdale campus

35 For salaries, support, maintenance, and miscellaneous

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1 purposes, and for not more than the following full-time
2 equivalent positions:

3 \$ 2,103,819
4 FTEs 38.25

5 c. State hygienic laboratory

6 For salaries, support, maintenance, and miscellaneous
7 purposes, and for not more than the following full-time
8 equivalent positions:

9 \$ 4,822,610
10 FTEs 102.51

11 d. Family practice program

12 For allocation by the dean of the college of medicine, with
13 approval of the advisory board, to qualified participants
14 to carry out the provisions of [chapter 148D](#) for the family
15 practice residency education program, including salaries
16 and support, and for not more than the following full-time
17 equivalent positions:

18 \$ 2,220,598
19 FTEs 2.71

20 e. Child health care services

21 For specialized child health care services, including
22 childhood cancer diagnostic and treatment network programs,
23 rural comprehensive care for hemophilia patients, and the
24 Iowa high-risk infant follow-up program, including salaries
25 and support, and for not more than the following full-time
26 equivalent positions:

27 \$ 634,502
28 FTEs 4.16

29 f. Statewide cancer registry

30 For the statewide cancer registry, and for not more than the
31 following full-time equivalent positions:

32 \$ 143,410
33 FTEs 2.10

34 g. Substance abuse consortium

35 For distribution to the Iowa consortium for substance abuse

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1 research and evaluation, and for not more than the following
2 full-time equivalent positions:

3 \$ 53,427
4 FTEs .99

5 h. Center for biocatalysis

6 For the center for biocatalysis, and for not more than the
7 following full-time equivalent positions:

8 \$ 696,342
9 FTEs 6.28

10 i. Primary health care initiative

11 For the primary health care initiative in the college
12 of medicine, and for not more than the following full-time
13 equivalent positions:

14 \$ 624,374
15 FTEs 6.22

16 From the moneys appropriated in this lettered paragraph,
17 \$254,889 shall be allocated to the department of family
18 practice at the state university of Iowa college of medicine
19 for family practice faculty and support staff.

20 j. Birth defects registry

21 For the birth defects registry, and for not more than the
22 following full-time equivalent positions:

23 \$ 36,839
24 FTEs .38

25 k. Larned A. Waterman Iowa nonprofit resource center

26 For the Larned A. Waterman Iowa nonprofit resource center,
27 and for not more than the following full-time equivalent
28 positions:

29 \$ 156,389
30 FTEs 2.75

31 l. Iowa online advanced placement academy science,
32 technology, engineering, and mathematics initiative

33 For the Iowa online advanced placement academy science,
34 technology, engineering, and mathematics initiative established
35 pursuant to [section 263.8A](#):

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1 \$ 463,616
2 m. Iowa flood center
3 For the Iowa flood center for use by the university's college
4 of engineering pursuant to [section 466C.1](#):
5 \$ 1,154,593
6 n. College of nursing
7 For employing additional instructors in the college of
8 nursing to increase the number of students who graduate from
9 the college of nursing:
10 \$ 2,800,000
11 3. IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY
12 a. General university
13 For salaries, support, maintenance, equipment, financial
14 aid, and miscellaneous purposes, and for not more than the
15 following full-time equivalent positions:
16 \$174,092,719
17 FTEs 3,647.42
18 b. Agricultural experiment station
19 For the agricultural experiment station salaries, support,
20 maintenance, and miscellaneous purposes, and for not more than
21 the following full-time equivalent positions:
22 \$ 29,462,535
23 FTEs 546.98
24 c. Cooperative extension service in agriculture and home
25 economics
26 For the cooperative extension service in agriculture
27 and home economics salaries, support, maintenance, and
28 miscellaneous purposes, and for not more than the following
29 full-time equivalent positions:
30 \$ 18,157,366
31 FTEs 385.34
32 d. Preparing Iowa's future ready workforce and fostering
33 innovation
34 For purposes of addressing the state's workforce needs in
35 the areas of science, technology, engineering, and mathematics

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1 by expanding degree and certificate programs in the areas of
2 artificial intelligence, cybersecurity, computer science,
3 computer engineering, data science, software engineering, and
4 other high-demand areas related to technology, and fostering
5 innovation in the areas of digital agriculture, manufacturing,
6 water quality, vaccine delivery technologies, and biosciences:
7 \$ 2,800,000

8 4. UNIVERSITY OF NORTHERN IOWA

9 a. General university

10 For salaries, support, maintenance, equipment, financial
11 aid, and miscellaneous purposes, and for not more than the
12 following full-time equivalent positions:

13 \$ 99,408,923

14 FTEs 1,250.28

15 b. Real estate education program

16 For purposes of the real estate education program, and for
17 not more than the following full-time equivalent positions:

18 \$ 123,523

19 FTEs .86

20 c. Educators for Iowa

21 For purposes of recruiting additional students to
22 participate in educational opportunities that lead to teacher
23 licensure:

24 \$ 1,500,000

25 Sec. 7. ENERGY COST-SAVINGS PROJECTS — FINANCING. For
26 the fiscal year beginning July 1, 2024, and ending June 30,
27 2025, the state board of regents may use notes, bonds, or
28 other evidences of indebtedness issued under [section 262.48](#) to
29 finance projects that will result in energy cost savings in an
30 amount that will cause the state board to recover the cost of
31 the projects within an average of six years.

32 DIVISION IV

33 STANDING APPROPRIATIONS

34 Sec. 8. AT-RISK CHILDREN. Notwithstanding the standing
35 appropriation in section 279.51 for the fiscal year beginning

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1 July 1, 2024, and ending June 30, 2025, the amount appropriated
2 from the general fund of the state to the department of
3 education for programs for at-risk children under section
4 279.51 shall not be more than \$10,524,389. The amount of any
5 reduction in this section shall be prorated among the programs
6 specified in section 279.51, subsection 1, paragraphs "a", "b",
7 and "c".

8 Sec. 9. WORK-STUDY APPROPRIATION. Notwithstanding section
9 256.209, for the fiscal year beginning July 1, 2024, and
10 ending June 30, 2025, the amount appropriated from the general
11 fund of the state to the college student aid commission of
12 the department of education for the work-study program under
13 section 256.209 shall be zero.

14 Sec. 10. Section 256.194, subsections 1 and 2, Code 2024,
15 are amended to read as follows:

16 1. There is appropriated from the general fund of the
17 state to the commission for each fiscal year the sum of
18 ~~fifty-one million four hundred twenty-one thousand five hundred~~
19 ~~thirty-one~~ fifty-two million seven hundred seven thousand
20 sixty-nine dollars for tuition grants to qualified students who
21 are enrolled in accredited private institutions.

22 2. There is appropriated from the general fund of the state
23 to the commission for each fiscal year the sum of one hundred
24 ~~eight ten~~ thousand seven hundred dollars for tuition grants for
25 qualified students who are enrolled in eligible institutions.

26 DIVISION V

27 STATE PROGRAM ALLOCATION

28 Sec. 11. Section 284.13, subsection 1, paragraphs a, b, c,
29 e, f, and g, Code 2024, are amended to read as follows:

30 a. For the fiscal year beginning July 1, ~~2023~~ 2024, and
31 ending June 30, ~~2024~~ 2025, to the department, the amount of
32 five hundred eight thousand two hundred fifty dollars for the
33 issuance of national board certification awards in accordance
34 with [section 256.44](#). Of the amount allocated under this
35 paragraph, not less than eighty-five thousand dollars shall

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1 be used to administer the ambassador to education position in
2 accordance with [section 256.45](#).

3 *b.* For the fiscal year beginning July 1, ~~2023~~ 2024, and
4 ending June 30, ~~2024~~ 2025, up to seven hundred twenty-eight
5 thousand two hundred sixteen dollars to the department for
6 purposes of implementing the professional development program
7 requirements of [section 284.6](#), assistance in developing model
8 evidence for teacher quality committees established pursuant to
9 section 284.4, subsection 1, paragraph "b", and the evaluator
10 training program in [section 284.10](#). A portion of the funds
11 allocated to the department for purposes of this paragraph may
12 be used by the department for administrative purposes and for
13 not more than four full-time equivalent positions.

14 *c.* For the fiscal year beginning July 1, ~~2023~~ 2024,
15 and ending June 30, ~~2024~~ 2025, an amount up to one million
16 seventy-seven thousand eight hundred ten dollars to the
17 department for the establishment of teacher development
18 academies in accordance with [section 284.6](#), [subsection 10](#). A
19 portion of the funds allocated to the department for purposes
20 of this paragraph may be used for administrative purposes.

21 *e.* For the fiscal year beginning July 1, ~~2023~~ 2024, and
22 ending June 30, ~~2024~~ 2025, to the department an amount up to
23 fifty thousand dollars for purposes of the fine arts beginning
24 teacher mentoring program established under [section 256.34](#).

25 *f.* For the fiscal year beginning July 1, ~~2023~~ 2024, and
26 ending June 30, ~~2024~~ 2025, to the department an amount up
27 to six hundred twenty-six thousand one hundred ninety-one
28 dollars shall be used by the department for a delivery system,
29 in collaboration with area education agencies, to assist in
30 implementing the career paths and leadership roles considered
31 pursuant to [sections 284.15](#), [284.16](#), and [284.17](#), including but
32 not limited to planning grants to school districts and area
33 education agencies, technical assistance for the department,
34 technical assistance for districts and area education agencies,
35 training and staff development, and the contracting of external

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1 expertise and services. In using moneys allocated for purposes
2 of this paragraph, the department shall give priority to school
3 districts with certified enrollments of fewer than six hundred
4 students. A portion of the moneys allocated annually to the
5 department for purposes of this paragraph may be used by the
6 department for administrative purposes and for not more than
7 five full-time equivalent positions.

8 *g.* For the fiscal year beginning July 1, ~~2024~~ 2025, and
9 for each subsequent fiscal year, to the department, ten
10 million dollars for purposes of implementing the supplemental
11 assistance for high-need schools provisions of [section 284.11](#).
12 Annually, of the moneys allocated to the department for
13 purposes of this paragraph, up to one hundred thousand dollars
14 may be used by the department for administrative purposes and
15 for not more than one full-time equivalent position.

16 DIVISION VI

17 THERAPEUTIC CLASSROOM TRANSPORTATION CLAIMS REIMBURSEMENT

18 Sec. 12. 2023 Iowa Acts, chapter 111, section 2, subsection
19 27, is amended to read as follows:

20 27. THERAPEUTIC CLASSROOM TRANSPORTATION CLAIMS
21 REIMBURSEMENT

22 For payment of school district claims for reimbursement
23 submitted under [section 256.25A, subsection 1](#), paragraph "a":
24 \$ 500,000

25 Notwithstanding [section 8.33](#), moneys appropriated pursuant
26 to this subsection that remain unencumbered or unobligated at
27 the close of the fiscal year shall not revert but shall remain
28 available for expenditure for the purposes designated until the
29 close of the succeeding fiscal year. Any moneys appropriated
30 pursuant to this subsection that remain unencumbered or
31 unobligated after the completion of payments under section
32 256.25A, subsection 1, paragraph "a", may be deposited in the
33 therapeutic classroom incentive fund created in section 256.25,
34 as determined by the department.

35 Sec. 13. EFFECTIVE DATE. This division of this Act, being

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1 deemed of immediate importance, takes effect upon enactment.

2

EXPLANATION

3

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

5

This bill relates to and makes appropriations to the
6 education system. The bill appropriates moneys for FY
7 2024-2025 from the general fund of the state and other funds to
8 the department for the blind, the department of education, and
9 the state board of regents and its institutions. The bill is
10 organized by divisions.

11 DEPARTMENT FOR THE BLIND. The bill appropriates moneys to
12 the department for the blind for its administration.

13 DEPARTMENT OF EDUCATION. The bill appropriates moneys to
14 the department of education for purposes of the department's
15 general administration; career and technical education
16 administration; public broadcasting division; career and
17 technical education reimbursement; school food service;
18 expansion of the federal Individuals with Disabilities
19 Education Improvement Act birth through age three services;
20 early head start projects; the student achievement and teacher
21 quality program; statewide student assessment; statewide
22 clearinghouse to expand work-based learning; postsecondary
23 summer classes for high school students program; jobs
24 for America's graduates specialists; attendance center
25 performance/general internet site and data system support;
26 successful progression for early readers; an early warning
27 system for literacy; the Iowa reading research center; computer
28 science professional development incentive fund; children's
29 mental health school-based training and support; for school
30 districts for students with intellectual and developmental
31 disabilities; distribution to the midwestern higher education
32 compact to pay Iowa's member state annual obligation; community
33 colleges; the Iowa school for the deaf and Iowa educational
34 services for the blind and visually impaired program; the
35 science, technology, engineering, and mathematics collaborative

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1 initiative; the therapeutic classroom incentive fund; the
2 payment of claims for reimbursement submitted for therapeutic
3 classroom transportation; the LEAD-K program; division
4 of special education; professional development; and the
5 administration and various programs of the college student aid
6 commission.

7 The bill also appropriates moneys from the Iowa skilled
8 worker and job creation fund to the department of education for
9 various purposes.

10 STATE BOARD OF REGENTS. The bill appropriates moneys to
11 the state board of regents for the board office, universities'
12 general operating budgets, the western Iowa regents resource
13 center, the state university of Iowa, the Iowa state university
14 of science and technology, and the university of northern Iowa.

15 STANDING APPROPRIATIONS. For FY 2024-2025, the bill
16 limits the appropriations associated with programs for at-risk
17 children under Code section 279.51 and the work-study program
18 under Code section 256.209. The bill increases the standing
19 appropriation for tuition grants for qualified students
20 enrolled in accredited private institutions under Code
21 section 256.194(1) or eligible institutions under Code section
22 256.194(2).

23 STATE PROGRAM ALLOCATION. Code section 284.13 establishes
24 how moneys appropriated for purposes of the student achievement
25 and teacher quality program are to be allocated. The bill
26 extends such allocations to FY 2024-2025. The bill provides
27 that beginning in FY 2025-2026 rather than FY 2024-2025, of the
28 moneys appropriated for purposes of the student achievement and
29 teacher quality program, the final priority for the allocation
30 is \$10 million for purposes of implementing the supplemental
31 assistance for high-need schools provisions of Code section
32 284.11.

33 THERAPEUTIC CLASSROOM TRANSPORTATION CLAIMS REIMBURSEMENT.
34 For FY 2023-2024, the general assembly appropriated \$500,000
35 to the department of education for payment of school district

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1 claims for transportation reimbursement submitted in connection
2 with therapeutic classroom services. The bill authorizes the
3 deposit of moneys that remain unencumbered or unobligated after
4 the completion of such payments into the therapeutic classroom
5 incentive fund created in Code section 256.25, as determined
6 by the department. That fund is used to distribute grants to
7 school districts under the therapeutic classroom incentive
8 grant program. These provisions take effect upon enactment.

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Senate File 2436 - Introduced

SENATE FILE 2436
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO SSB 3203)

A BILL FOR

1 An Act relating to and making appropriations to the judicial
2 branch, including by modifying the judicial retirement fund
3 and membership of district judicial nominating commissions,
4 and including effective date provisions.

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

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1 pursuant to section 232.141, subsection 4:

2 \$ 3,290,000

3 (1) Of the moneys appropriated in this lettered paragraph,
4 no more than \$1,556,000 is allocated to provide school-based
5 supervision of children under chapter 232, of which no more
6 than \$15,000 may be used for purposes of training. A portion
7 of the cost of each school-based liaison officer shall be paid
8 by the school district or other funding source as approved by
9 the chief juvenile court officer.

10 (2) Of the moneys appropriated in this lettered paragraph,
11 no more than \$748,000 is allocated for the payment of expenses
12 for court-ordered services provided to children who are under
13 the supervision of the department of health and human services,
14 which expenses are a charge upon the state pursuant to section
15 232.141, subsection 4.

16 (3) Notwithstanding section 232.141 or any other provision
17 of law to the contrary, the moneys appropriated in this
18 lettered paragraph shall be distributed to the judicial
19 districts as determined by the state court administrator. The
20 state court administrator shall make the determination of the
21 distribution amounts on or before June 15, 2024.

22 (4) Notwithstanding chapter 232 or any other provision of
23 law to the contrary, a district or juvenile court shall not
24 order any service which is a charge upon the state pursuant
25 to section 232.141 if there are insufficient court-ordered
26 services moneys available in the district court distribution
27 amounts to pay for the service. The chief juvenile court
28 officer shall encourage use of the moneys appropriated in this
29 lettered paragraph such that there are sufficient moneys to pay
30 for all court-ordered services during the entire fiscal year.
31 The chief juvenile court officer shall attempt to anticipate
32 potential surpluses and shortfalls in the distribution amounts
33 and shall cooperatively request the state court administrator
34 to transfer moneys between the judicial districts' distribution
35 amounts as prudent.

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1 (5) Notwithstanding any provision of law to the contrary,
2 a district or juvenile court shall not order a county to pay
3 for any service provided to a juvenile pursuant to an order
4 entered under chapter 232 which is a charge upon the state
5 under section 232.141, subsection 4.

6 (6) Of the moneys appropriated in this lettered paragraph,
7 no more than \$83,000 may be used by the judicial branch
8 for administration of the requirements under this lettered
9 paragraph.

10 (7) Of the moneys appropriated in this lettered paragraph,
11 \$23,000 is allocated to the judicial branch to support the
12 interstate commission for juveniles in accordance with the
13 interstate compact for juveniles as provided in section
14 232.173.

15 d. For juvenile delinquent graduated sanctions services
16 pursuant to section 232.192:

17 \$ 12,253,000

18 Any state moneys saved as a result of efforts by juvenile
19 court services to earn a federal fund match pursuant to Tit.
20 IV-E of the federal Family First Prevention Services Act
21 of 2018, Pub. L. No. 115-123, for juvenile court services
22 administration is appropriated to the judicial branch for
23 purposes of this lettered paragraph.

24 2. The judicial branch, except for purposes of internal
25 processing, shall use the current state budget system, the
26 state payroll system, and the Iowa finance and accounting
27 system in administration of programs and payments for services,
28 and shall not duplicate the state payroll, accounting, and
29 budgeting systems.

30 3. The judicial branch shall submit monthly financial
31 statements to the legislative services agency and the
32 department of management containing all appropriated accounts
33 in the same manner as provided in the monthly financial status
34 reports and personal services usage reports of the department
35 of administrative services. The monthly financial statements

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1 shall include a comparison of the dollars and percentage
2 spent of budgeted versus actual revenues and expenditures on
3 a cumulative basis for full-time equivalent positions and
4 dollars.

5 4. The judicial branch shall focus efforts upon the
6 collection of delinquent fines, penalties, court costs, fees,
7 surcharges, or similar amounts.

8 5. It is the intent of the general assembly that the offices
9 of the clerks of the district court operate in all 99 counties
10 and be accessible to the public as much as is reasonably
11 possible in order to address the relative needs of the citizens
12 of each county. An office of the clerk of the district court
13 shall be open regular courthouse hours.

14 6. In addition to the requirements for transfers under
15 section 8.39, the judicial branch shall not change the
16 appropriations from the amounts appropriated to the judicial
17 branch in this division of this Act, unless notice of the
18 revisions is given to the legislative services agency prior
19 to the effective date. The notice shall include information
20 on the judicial branch's rationale for making the changes and
21 details concerning the workload and performance measures upon
22 which the changes are based.

23 7. The judicial branch shall submit a semiannual update
24 to the legislative services agency specifying the amounts of
25 fines, surcharges, and court costs collected using the Iowa
26 court information system since the last report. The judicial
27 branch shall continue to facilitate the sharing of vital
28 sentencing and other information with other state departments
29 and governmental agencies involved in the criminal justice
30 system through the Iowa court information system.

31 8. The judicial branch shall provide a report to the general
32 assembly by January 1, 2025, concerning the amounts received
33 and expended from the court technology and modernization fund
34 created in section 602.8108, subsection 7, during the fiscal
35 year beginning July 1, 2023, and ending June 30, 2024, and the

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1 plans for expenditures from each fund during the fiscal year
2 beginning July 1, 2024, and ending June 30, 2025.

3 Sec. 2. CIVIL TRIALS — LOCATION. Notwithstanding any
4 provision to the contrary, for the fiscal year beginning July
5 1, 2024, and ending June 30, 2025, if all parties in a case
6 agree, a civil trial including a jury trial may take place in a
7 county contiguous to the county with proper jurisdiction, even
8 if the contiguous county is located in an adjacent judicial
9 district or judicial election district. If the trial is moved
10 pursuant to this section, court personnel shall treat the case
11 as if a change of venue occurred.

12 Sec. 3. TRAVEL REIMBURSEMENT. Notwithstanding section
13 602.1509, for the fiscal year beginning July 1, 2024, and
14 ending June 30, 2025, a judicial officer may waive travel
15 reimbursement for any travel outside the judicial officer's
16 county of residence to conduct official judicial business.

17 Sec. 4. JUDICIAL OFFICER — UNPAID LEAVE. Notwithstanding
18 the annual salary rates for judicial officers established by
19 this division of this Act, for the fiscal year beginning July
20 1, 2024, and ending June 30, 2025, the supreme court may by
21 order place all judicial officers on unpaid leave status on any
22 day employees of the judicial branch are placed on temporary
23 layoff status. The biweekly pay of the judicial officers shall
24 be reduced accordingly for the pay period in which the unpaid
25 leave date occurred in the same manner as for noncontract
26 employees of the judicial branch. Through the course of the
27 fiscal year, the judicial branch may use an amount equal to
28 the aggregate amount of salary reductions due to the judicial
29 officer unpaid leave days for any purpose other than for
30 judicial salaries.

31 Sec. 5. IOWA COMMUNICATIONS NETWORK. It is the intent
32 of the general assembly that the judicial branch utilize
33 the Iowa communications network or other secure electronic
34 communications in lieu of traveling for the fiscal year
35 beginning July 1, 2024, and ending June 30, 2025.

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1 Sec. 6. SALARIES — STATE COURT JUSTICES, JUDGES, AND
2 MAGISTRATES.

3 1. The salary rates specified in subsection 2 are for the
4 fiscal year beginning July 1, 2024, effective for the pay
5 period beginning June 21, 2024, and for subsequent fiscal
6 years until otherwise provided by the general assembly. The
7 salaries provided for in this section shall be paid from moneys
8 appropriated to the judicial branch pursuant to this division
9 of this Act or any other Act of the general assembly.

10 2. The following annual salary rates shall be paid to the
11 persons holding the judicial positions indicated during the
12 fiscal year beginning July 1, 2024, effective with the pay
13 period beginning June 21, 2024, and for subsequent pay periods:

- 14 a. Chief justice of the supreme court:
15 \$ 200,034
16 b. Each justice of the supreme court:
17 \$ 191,069
18 c. Chief judge of the court of appeals:
19 \$ 179,130
20 d. Each associate judge of the court of appeals:
21 \$ 173,160
22 e. Each chief judge of a judicial district:
23 \$ 167,190
24 f. Each district judge except the chief judge of a judicial
25 district:
26 \$ 161,221
27 g. Each district associate judge:
28 \$ 143,312
29 h. Each associate juvenile judge:
30 \$ 143,312
31 i. Each associate probate judge:
32 \$ 143,312
33 j. Each judicial magistrate:
34 \$ 44,179
35 k. Each senior judge:

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1 \$ 9,547

2 3. Persons receiving salary rates established under this
3 section shall not receive any additional salary adjustments
4 provided by this division of this Act or any other Act of the
5 general assembly.

6 Sec. 7. EFFECTIVE DATE. The section of this division of
7 this Act enacting salaries for state court justices, judges,
8 and magistrates takes effect June 21, 2024.

9 DIVISION II

10 JUDICIAL RETIREMENT FUND

11 Sec. 8. Section 602.9104, subsection 4, Code 2024, is
12 amended to read as follows:

13 4. As used in [this section](#), unless the context otherwise
14 requires:

15 *a.* ~~“Actuarial valuation” means an actuarial valuation of the~~
16 ~~judicial retirement system or an annual actuarial update of an~~
17 ~~actuarial valuation, as required pursuant to [section 602.9116](#).~~

18 *b.* ~~“Fully funded status” means that the most recent~~
19 ~~actuarial valuation reflects that the funded status of the~~
20 ~~system is at least one hundred percent, based upon the benefits~~
21 ~~provided for judges through the judicial retirement system as~~
22 ~~of July 1, 2006.~~

23 *c.* ~~“Judge’s required contribution” means an amount equal~~
24 ~~to the basic salary of the judge multiplied by the following~~
25 ~~applicable percentage:~~

26 ~~(1) For the fiscal year beginning July 1, 2008, and ending~~
27 ~~June 30, 2009, seven and seven-tenths percent.~~

28 ~~(2) For the fiscal year beginning July 1, 2009, and ending~~
29 ~~June 30, 2010, eight and seven-tenths percent.~~

30 ~~(3) For the fiscal year beginning July 1, 2010, and for each~~
31 ~~subsequent fiscal year until the system attains fully funded~~
32 ~~status, nine and thirty-five hundredths percent.~~

33 ~~(4) Commencing with the first fiscal year in which the~~
34 ~~system attains fully funded status, and for each subsequent~~
35 ~~fiscal year, the percentage rate equal to forty percent of the~~

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1 ~~required contribution percentage rate equal to thirty-five~~
2 ~~percent of the required contribution rate.~~

3 ~~d. b.~~ "Required contribution rate" means that percentage
4 of the basic salary of all judges covered under [this article](#)
5 equal to the actuarially required contribution rate determined
6 by the actuary pursuant to [section 602.9116](#). The required
7 contribution rate shall not vary by more than one percentage
8 point from the required contribution rate for the prior fiscal
9 year.

10 ~~e. c.~~ "State's required contribution" means an amount equal
11 to the basic salary of all judges covered under [this article](#)
12 multiplied by the ~~following applicable percentage:~~

13 ~~(1) For the fiscal year beginning July 1, 2008, and for each~~
14 ~~subsequent fiscal year until the system attains fully funded~~
15 ~~status, thirty and six-tenths percent.~~

16 ~~(2) Commencing with the first fiscal year in which the~~
17 ~~system attains fully funded status, and for each subsequent~~
18 ~~fiscal year, the percentage rate equal to sixty percent of~~
19 ~~the required contribution percentage rate equal to sixty-five~~
20 ~~percent of the required contribution rate.~~

21 DIVISION III

22 DISTRICT JUDICIAL NOMINATING COMMISSIONS

23 Sec. 9. Section 46.3, subsection 1, Code 2024, is amended
24 to read as follows:

25 1. The governor shall appoint ~~five~~ six eligible electors
26 of each judicial election district to the district judicial
27 nominating commission.

28 Sec. 10. Section 46.5, subsection 4, Code 2024, is amended
29 to read as follows:

30 4. If a vacancy occurs in the office of chairperson of the
31 ~~state~~ a judicial nominating commission, the members of the
32 commission shall elect a new chairperson as provided in section
33 46.6. ~~If a vacancy occurs in the office of chairperson of a~~
34 ~~district judicial nominating commission or in the absence of~~
35 ~~the chairperson, the members of the particular commission shall~~

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1 ~~elect a temporary chairperson from their own number.~~

2 Sec. 11. Section 46.6, Code 2024, is amended to read as
3 follows:

4 **46.6 Chairperson.**

5 ~~1.~~ The commissioners of the state judicial nominating
6 commission shall elect a chairperson from their own number and
7 the commissioners of a district judicial nominating commission
8 shall elect a chairperson from their own number. The
9 chairperson shall serve a two-year term that expires on April
10 30 of even-numbered years. A commissioner may be reelected
11 for a second or third term as chairperson. If a chairperson
12 of a judicial nominating commission desires to be relieved
13 of the duties of chairperson while retaining the status of
14 commissioner, the chairperson shall notify the governor and the
15 other commissioners of the commission. At the next meeting of
16 the commission, the commissioners shall elect a new chairperson
17 for the remainder of the two-year term.

18 ~~2. The judge of longest service in the district shall serve~~
19 ~~as the chair of a particular district judicial nominating~~
20 ~~commission. If the judges of longest service in the district~~
21 ~~are of equal service, the eldest of such judges shall be~~
22 ~~chairperson of the particular judicial nominating commission.~~

23 EXPLANATION

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

26 This bill relates to and makes appropriations to the
27 judicial branch.

28 FY 2024-2025 APPROPRIATIONS. The bill appropriates moneys
29 from the general fund of the state for FY 2024-2025 to the
30 judicial branch for salaries, receipt and disbursement of
31 child support payments, reimbursement of the auditor of state,
32 maintenance, equipment, miscellaneous purposes, deposit in the
33 revolving fund created pursuant to Code section 602.1302(3) for
34 certain purposes, payment of court-ordered juvenile services,
35 and juvenile delinquent graduated sanctions services.

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1 The bill provides that a civil trial including a jury trial
2 may take place in a county contiguous to the county with proper
3 jurisdiction, even if the contiguous county is located in an
4 adjacent judicial district or judicial election district, if
5 all the parties in a case agree. If a trial is moved to another
6 county that is located in another judicial district or judicial
7 election district, the judicial officers serving the judicial
8 district or judicial election district receiving the case shall
9 preside over the case.

10 The bill permits a judicial officer to waive travel
11 reimbursement for any travel outside the judicial officer's
12 county of residence to conduct official business.

13 The bill allows a judicial officer to be placed on unpaid
14 leave on any day a court employee is required to furlough.
15 The bill provides that if a judicial officer is placed on
16 unpaid leave, the salary of the judicial officer shall be
17 reduced accordingly for the pay period in which the unpaid
18 leave occurred. The bill provides that the judicial branch
19 may use an amount equal to the aggregate amount of the salary
20 reductions due to judicial officer unpaid leave for any purpose
21 other than judicial salaries.

22 The bill states legislative intent that the judicial
23 branch utilize the Iowa communications network or other secure
24 electronic communications in lieu of traveling.

25 The bill sets forth salaries for justices, judges, and
26 magistrates. This provision takes effect June 21, 2024.

27 JUDICIAL RETIREMENT FUND. The bill modifies the
28 contribution rates for the judicial retirement fund. The bill
29 redefines the term "judge's required contribution" to mean an
30 amount equal to the basic salary of the judge multiplied by
31 35 percent of the required contribution rate, and the term
32 "state's required contribution" to mean an amount equal to the
33 basic salary of all judges multiplied by 65 percent of the
34 required contribution rate. The bill prohibits the required
35 contribution rate from varying by more than 1 percentage point

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1 from the prior fiscal year. The bill's contribution rates
2 apply regardless of whether the judicial retirement fund is
3 fully funded.

4 DISTRICT JUDICIAL NOMINATING COMMISSIONS. Under current
5 law, the governor appoints five eligible electors of each
6 judicial district to each district's 11-person district
7 judicial nominating commission. The bill changes the number of
8 electors appointed by the governor to six.

9 Under current law, the most senior judge in the district
10 serves as a commissioner and as the chairperson of that
11 particular district judicial nominating commission. The
12 bill removes the judge from the commission and from being
13 chairperson and requires the members of each district judicial
14 nominating commission to elect a chairperson from their own
15 number.

16 District judicial nominating commissions are responsible
17 for screening applicants and selecting nominees for district
18 court judicial vacancies. There is a nominating commission for
19 each of Iowa's 14 judicial election subdistricts. District
20 nominating commissions provide the governor with a slate of
21 two nominees from which to make an appointment to the district
22 court.