

**Iowa General Assembly  
Daily Bills, Amendments and Study  
Bills  
April 13, 2026**

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House File 2704

H-8346

1 Amend House File 2704 as follows:

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

4 <DIVISION I

5 VICTIM COUNSELORS

6 Section 1. Section 915.20A, subsection 1, paragraphs a and  
7 d, Code 2026, are amended to read as follows:

8 a. *"Confidential communication"* means information shared  
9 between a crime victim and a victim counselor within the  
10 counseling relationship, and includes all information received  
11 by the counselor and any advice, report, or working paper given  
12 to or prepared by the counselor in the course of the counseling  
13 relationship with the victim. *"Confidential information"* is  
14 confidential information ~~which~~ that, so far as the victim is  
15 aware, is not disclosed to a third party with the exception  
16 of a person present in the consultation for the purpose  
17 of furthering the interest of the victim, a person to whom  
18 disclosure is reasonably necessary for the transmission of the  
19 information, or a person with whom disclosure is necessary  
20 for accomplishment of the purpose for which the counselor is  
21 consulted by the victim, or as may be required by this section.

22 d. *"Victim counselor"* means a person who is engaged in a  
23 crime victim center, is certified as a counselor by the crime  
24 victim center, and is under the control of a direct services  
25 supervisor of a crime victim center, whose primary purpose  
26 is the rendering of advice, counseling, and assistance to  
27 the victims of crime. To qualify as a ~~"victim counselor"~~  
28 victim counselor under this section, the person must also have  
29 completed at least twenty hours of training provided by the  
30 center in which the person is engaged, ~~by the Iowa organization~~  
31 ~~of victim assistance, by the Iowa coalition against sexual~~  
32 ~~assault, or by the Iowa coalition against domestic violence,~~  
33 or by an organization under contract with the department  
34 to provide training, which training shall include but not  
35 be limited to the dynamics of victimization, substantive

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1 laws relating to violent crime, human trafficking, sexual  
2 assault, and domestic violence, crisis intervention techniques,  
3 communication skills, working with diverse populations, an  
4 overview of the state criminal justice system, information  
5 regarding pertinent hospital procedures, and information  
6 regarding state and community resources for victims of crime.

7 Sec. 2. Section 915.20A, subsections 2 and 5, Code 2026, are  
8 amended to read as follows:

9 2. A victim counselor shall not be compelled to produce  
10 confidential communications or confidential information or be  
11 examined or required to give evidence in any civil or criminal  
12 proceeding as to any confidential communication or confidential  
13 information made by a victim to the counselor, nor shall a  
14 clerk, secretary, stenographer, or any other employee who types  
15 or otherwise prepares or manages the confidential reports or  
16 working papers of a victim counselor be required to produce  
17 evidence of any such confidential communication or confidential  
18 information, unless the except under any of the following  
19 circumstances:

20 a. The victim waives this privilege in writing or  
21 disclosure.

22 b. Disclosure of the information is compelled by a court  
23 pursuant to subsection 7. Under no circumstances shall the  
24 location of a crime victim center or the identity of the victim  
25 counselor be disclosed in any civil or criminal proceeding.

26 5. The privilege under this section does not apply in  
27 matters of proof concerning the chain of custody of evidence,  
28 or in matters of proof concerning the physical appearance  
29 of the victim at the time of the injury or the counselor's  
30 first contact with the victim after the injury, ~~or where the~~  
31 ~~counselor has reason to believe that the victim has given~~  
32 ~~perjured testimony and the defendant or the state has made an~~  
33 ~~offer of proof that perjury may have been committed.~~

34  
35

DIVISION II

PROTECTIVE ORDERS

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1     Sec. 3. Section 236A.7, subsection 3, Code 2026, is amended  
2 to read as follows:

3     3. a. An order for a protective order or approved consent  
4 agreement shall be for a fixed period of time not to exceed one  
5 year except as provided in this section. The court may amend  
6 or extend its order or a consent agreement at any time upon a  
7 petition filed by the plaintiff or defendant and after notice  
8 and hearing. The court may extend the order if the court,  
9 after hearing at which the defendant has the opportunity to  
10 be heard, finds that the defendant continues to pose a threat  
11 to the safety of the plaintiff, persons residing with the  
12 plaintiff, or members of the plaintiff's immediate family. The  
13 number of extensions that can be granted by the court is not  
14 limited.

15     b. Notwithstanding paragraph "a", in the sentencing  
16 proceeding for a person convicted of a sexual offense as  
17 provided in section 709.8, 709.8A, 709.11, 709.12, 709.14,  
18 709.15, 709.21, or 709.23, any violation of chapter 710A, or  
19 a violation of section 713.3, subsection 1, paragraph "d", a  
20 prosecutor may request that the criminal court grant the victim  
21 an order of protection to remain in effect for the duration of  
22 the criminal court's jurisdiction over the person. At any time  
23 after the expiration of a criminal court's jurisdiction over a  
24 person against whom an order of protection was granted pursuant  
25 to a request under this paragraph, the victim may:

26     (1) File a petition for an order of protection against the  
27 person.

28     (2) Submit evidence of the person's conviction for a sexual  
29 offense as provided in this section as cause for the court to  
30 grant the order of protection.

31     c. Based on evidence submitted pursuant to paragraph "b",  
32 a court may take judicial notice of the facts that led to a  
33 person's conviction for a sexual offense as provided in this  
34 section and a victim shall not be required to appear before  
35 the court on the victim's petition for an order of protection;

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1 provided, however, that another person may appear on the  
2 victim's behalf.

3 d. A court may grant an order of protection pursuant to  
4 this section for any length of time, including for a victim's  
5 lifetime.

6 e. An order of protection granted pursuant to this section  
7 shall continue until the expiration provided in the order,  
8 if any, or until modified or rescinded upon a motion by the  
9 victim.

10 DIVISION III

11 SEX OFFENDER REGISTRATION

12 Sec. 4. Section 692A.104, subsections 1, 2, 3, 5, 7, and 8,  
13 Code 2026, are amended to read as follows:

14 1. A sex offender shall appear in person to register with  
15 the sheriff of each county where the offender has a residence,  
16 maintains employment, or is in attendance as a student, within  
17 ~~five~~ three business days of being required to register under  
18 section 692A.103 by providing all relevant information to  
19 the sheriff. A sheriff shall accept the registration of any  
20 person who is required to register in the county pursuant to  
21 the provisions of this chapter.

22 2. A sex offender shall, within ~~five~~ three business days of  
23 changing a residence, employment, or attendance as a student,  
24 appear in person to notify the sheriff of each county where a  
25 change has occurred.

26 3. A sex offender shall, within ~~five~~ three business days  
27 of a change in relevant information, other than relevant  
28 information enumerated in subsection 2, notify the sheriff of  
29 the county where the principal residence of the offender is  
30 maintained about the change to the relevant information. The  
31 department shall establish by rule what constitutes proper  
32 notification under this subsection.

33 5. A sex offender shall, within ~~five~~ three business days of  
34 the establishment of a residence, employment, or attendance as  
35 a student in another jurisdiction, appear in person to notify

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1 the sheriff of the county where the principal residence of the  
2 offender is maintained, about the establishment of a residence,  
3 employment, or attendance in another jurisdiction. A sex  
4 offender shall, within ~~five~~ three business days of establishing  
5 a new residence, employment, or attendance as a student in  
6 another jurisdiction, register with the registering agency of  
7 the other jurisdiction, if the offender is required to register  
8 under the laws of the other jurisdiction. The department shall  
9 notify the registering agency in the other jurisdiction of the  
10 sex offender's new residence, employment, or attendance as a  
11 student in the other jurisdiction.

12 7. Except as provided in [subsection 8](#), the initial or  
13 subsequent registration and any notifications required in  
14 subsections 1, 2, 4, 5, and 6 shall be by appearance at the  
15 sheriff's office and completion of the initial or subsequent  
16 registration or notification shall be on a printed form, which  
17 shall be signed and dated by the sex offender. If the sheriff  
18 uses an electronic form to complete the initial registration  
19 or notification, the electronic form shall be printed upon  
20 completion and signed and dated by the sex offender. The  
21 sheriff shall transmit the registration or notification form  
22 completed by the sex offender within ~~five~~ three business days  
23 by paper copy, or electronically, using procedures established  
24 by the department by rule.

25 8. The collection of relevant information by a court or  
26 releasing agency under [section 692A.109](#) shall serve as the sex  
27 offender's initial or subsequent registration for purposes of  
28 this section. However, the sex offender shall register by  
29 appearing in person in the county of residence to verify the  
30 offender's arrival and relevant information. The court or  
31 releasing agency shall forward a copy of the registration to  
32 the department within ~~five~~ three business days of completion  
33 of registration using procedures established by the department  
34 by rule.

35 Sec. 5. Section 692A.105, Code 2026, is amended to read as

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1 follows:

2 **692A.105 Additional registration requirements — temporary**  
3 **lodging.**

4 In addition to the registration provisions specified in  
5 section 692A.104, a sex offender, within ~~five~~ three business  
6 days of a change, shall also appear in person to notify  
7 the sheriff of the county of principal residence, of any  
8 location in which the offender is staying when away from the  
9 principal residence of the offender for more than five days, by  
10 identifying the location and the period of time the offender is  
11 staying in such location.

12 **Sec. 6. NEW SECTION. 692A.105A Additional registration**  
13 **requirements.**

14 In addition to the registration provisions specified in  
15 section 692A.104, a sex offender, within three business days  
16 of a change, shall also appear in person to notify the sheriff  
17 of the county of the sex offender's principal residence of the  
18 following:

19 1. The name, address, and telephone number of the sex  
20 offender's place of employment, and any changes to such  
21 information.

22 2. The license plate number and a physical description,  
23 including make, model, and color, of any vehicle owned or  
24 regularly operated by the sex offender.

25 **DIVISION IV**

26 **SEXUAL ABUSE — RIGHTS**

27 **Sec. 7. Section 709.10, subsections 6 and 7, Code 2026, are**  
28 **amended to read as follows:**

29 6. The law enforcement agency shall store the kit in a  
30 clean, dry location for a minimum of ~~fifteen~~ twenty years, or  
31 in the case of a minor victim for ~~a minimum of fifteen years~~  
32 ~~after the minor reaches the age of majority~~ the lifetime of the  
33 minor victim, even if the reported victim of sexual abuse has  
34 not filed a criminal complaint.

35 7. Prior to the disposal of a kit by a law enforcement

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1 agency, the law enforcement agency shall notify the reported  
2 victim ~~of~~ in writing not fewer than sixty days before the  
3 intended date of disposal of the kit, the reason for disposal  
4 of the kit, and the options that remain available for retention  
5 and analysis of the kit, if any. The law enforcement agency  
6 shall obtain written approval from the appropriate county  
7 attorney and retain that approval in the victim's case file  
8 prior to disposal. Any kit disposed of shall be documented  
9 by a law enforcement agency in the kit tracking system within  
10 forty-eight hours of disposal. Upon written request of the  
11 reported victim, the law enforcement agency shall grant further  
12 preservation of the kit or its probative contents.

13 Sec. 8. Section 709.22, subsection 1, paragraph c, Code  
14 2026, is amended to read as follows:

15 c. Providing a victim with immediate and adequate notice  
16 of the victim's rights. The notice shall consist of handing  
17 the victim a document that includes the telephone numbers of  
18 shelters, support groups, and crisis lines operating in the  
19 area and contains the following statement of rights written in  
20 English and Spanish; asking the victim to read the document;  
21 and asking whether the victim understands the rights:

22 [1] You have the right to ask the court for help with any of  
23 the following on a temporary basis:

24 [a] Keeping your attacker away from you, your home, and your  
25 place of work.

26 [b] The right to stay at your home without interference from  
27 your attacker.

28 [c] The right to seek a no-contact order under [section 664A.3](#)  
29 or [915.22](#), if your attacker is arrested for sexual assault.

30 [2] You have the right to register as a victim with the  
31 county attorney under [section 915.12](#).

32 [3] You have the right to file a complaint for threats,  
33 assaults, or other related crimes.

34 [4] You have the right to seek restitution against your  
35 attacker for harm to you or your property.

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1 [5] You have the right to apply for victim compensation.

2 [6] You have the right to contact the county attorney or  
3 local law enforcement to determine the status of your case.

4 [7] If you are in need of medical treatment, you have  
5 the right to request that the officer present assist you in  
6 obtaining transportation to the nearest hospital or otherwise  
7 assist you.

8 [8] You have the right to a sexual assault examination  
9 performed at state expense. You have the right not to be  
10 prevented from receiving a sexual assault examination. If you  
11 choose to have a sexual assault examination:

12 [a] You have the right to have a sexual assault examination  
13 kit or its probative contents preserved, without charge, for  
14 twenty years, or in the case of a minor victim for the lifetime  
15 of the minor victim, even if you do not file a criminal  
16 complaint, pursuant to section 709.10, subsection 6.

17 [b] You have the right to be informed of any results of a  
18 sexual assault examination kit if such disclosure would not  
19 impede or compromise an ongoing investigation.

20 [c] You have the right to be informed of the status and  
21 location of a sexual assault examination kit.

22 [d] At least sixty days prior to the intended disposal of  
23 a sexual assault examination kit, you have the right to be  
24 notified in writing by a law enforcement agency of the intended  
25 disposal. This is so that you can make a written request for  
26 further preservation of the kit or its probative contents.

27 [e] In order to notify a victim, the law enforcement  
28 office that has custody of the sexual assault examination kit  
29 must verify the victim's physical address. A victim must  
30 notify the law enforcement office with custody of the sexual  
31 assault examination kit of any change to the victim's contact  
32 information.

33 [9] You have the right to request the presence of a victim  
34 counselor, as defined in [section 915.20A](#), at any proceeding  
35 related to an assault including a medical examination.

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1 [10] If you believe that police protection is needed for your  
2 physical safety, you have the right to request that the officer  
3 present remain at the scene until you and other affected  
4 parties can leave or until safety is otherwise ensured.

5 DIVISION V

6 MENTAL COMPETENCY

7 Sec. 9. Section 812.8, subsections 4 and 8, Code 2026, are  
8 amended to read as follows:

9 4. a. Upon receiving a notification under [this section](#), the  
10 court shall schedule a hearing to be held within fourteen days.  
11 Within ten days of receiving notice, a party may request a  
12 separate independent psychiatric evaluation to be performed by  
13 a psychiatrist or licensed, doctorate-level psychologist of the  
14 party's own choosing. The requesting party must file notice  
15 of intent to seek such evaluation before the scheduled hearing  
16 and proceedings shall be stayed until such separate evaluation  
17 is completed. Upon receipt of the independent expert's report,  
18 the requesting party shall file notice of receipt of that  
19 report with the court. The court shall schedule a hearing to  
20 be held within fourteen days of receipt of notice. The court  
21 shall also issue an order to transport the defendant to the  
22 hearing if the defendant is in custody or is being held in  
23 an inpatient facility. The defendant shall be transported  
24 by the sheriff of the county where the court's motion or the  
25 application pursuant to [section 812.3](#) was filed.

26 b. Following the submission of an initial evaluation finding  
27 that there is no substantial probability that the defendant  
28 will be restored to competency in a reasonable amount of time  
29 and provided the defendant is otherwise eligible for pretrial  
30 release, the defendant may request a bond review hearing. In  
31 determining the conditions, if any, of the defendant's release,  
32 the court shall consider whether the defendant is likely to  
33 voluntarily participate in the second evaluation as a factor in  
34 setting bond or other conditions of release.

35 c. Upon receipt of the second evaluation, or upon expiration

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1 of the time period for obtaining a second evaluation, the court  
2 shall schedule and hold a hearing to determine the defendant's  
3 competency status. At the hearing, the court shall make one of  
4 the following findings:

5 (1) The defendant is competent to stand trial.

6 (2) The defendant is not currently competent but there is a  
7 substantial probability that the defendant will be restored to  
8 competency within a reasonable period of time.

9 (3) The defendant is not competent and there is no  
10 substantial probability that the defendant will be restored to  
11 competency within a reasonable period of time.

12 8. If the court finds by a preponderance of the evidence  
13 that there is no substantial probability the defendant's  
14 competency will be restored in a reasonable amount of time,  
15 the court shall terminate the commitment under [section 812.6](#)  
16 in accordance with the provisions of [section 812.9](#) and, if the  
17 person is charged with a forcible felony, set the matter for  
18 commencement of civil proceedings. A charge of a forcible  
19 felony shall be deemed a recent overt act for purposes of civil  
20 commitment proceedings under chapter 229.

21 DIVISION VI

22 RESTITUTION

23 Sec. 10. Section 602.8107, subsection 2, paragraph c, Code  
24 2026, is amended to read as follows:

25 c. Payments received under [this section](#) shall be applied in  
26 the following priority order:

27 (1) Pecuniary damages as defined in section 910.1,  
28 subsection 6.

29 (2) Fines or penalties and the crime services surcharge.

30 ~~(3) Crime victim compensation program reimbursement.~~

31 ~~(4)~~ (3) Court costs, court-appointed attorney fees, or  
32 public defender expenses.

33 Sec. 11. Section 910.1, subsections 1 and 2, Code 2026, are  
34 amended to read as follows:

35 1. "Category "A" restitution" means fines, penalties,

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1 payment of crime victim compensation program reimbursements,  
2 and surcharges.

3 2. *“Category “B” restitution”* means the contribution of  
4 funds to a local anticrime organization ~~which~~ that provided  
5 assistance to law enforcement in an offender’s case, ~~the~~  
6 ~~payment of crime victim compensation program reimbursements,~~  
7 payment of restitution to public agencies pursuant to  
8 section 321J.2, subsection 13, paragraph “b”, court costs,  
9 court-appointed attorney fees ordered pursuant to section  
10 815.9, including the expense of a public defender, and payment  
11 to the medical assistance program pursuant to [chapter 249A](#) for  
12 expenditures paid on behalf of the victim resulting from the  
13 offender’s criminal activities including investigative costs  
14 incurred by the Medicaid fraud control unit pursuant to section  
15 249A.50.

16 Sec. 12. Section 910.1, Code 2026, is amended by adding the  
17 following new subsections:

18 NEW SUBSECTION. 2A. *“Crime victim compensation program”*  
19 means the program established in sections 915.80 through  
20 915.94 that provides financial assistance to crime victims for  
21 out-of-pocket expenses resulting from criminal acts.

22 NEW SUBSECTION. 2B. *“Crime victim compensation program*  
23 *reimbursements”* means amounts a court has ordered a defendant  
24 to pay to the crime victim compensation program to reimburse  
25 the program for amounts the program expended to assist the  
26 defendant’s victim with out-of-pocket expenses incurred as a  
27 result of the defendant’s criminal actions. Reimbursements  
28 shall be made in accordance with this chapter and chapter 915.

29 Sec. 13. Section 910.2, subsection 1, paragraph c, Code  
30 2026, is amended to read as follows:

31 *c.* In structuring a plan of restitution, the plan of payment  
32 shall provide for payments in the following order of priority:

- 33 (1) Pecuniary damages to the victim.  
34 (2) Category “A” restitution.  
35 (3) Category “B” restitution in the following order:

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1 ~~(a) Crime victim compensation program reimbursement.~~

2 ~~(b)~~ (a) Public agencies.

3 ~~(c)~~ (b) Court costs.

4 ~~(d)~~ (c) Court-appointed attorney fees ordered pursuant to  
5 section 815.9, including the expense of a public defender.

6 ~~(e)~~ (d) Contribution to a local anticrime organization.

7 ~~(f)~~ (e) The medical assistance program.

8 Sec. 14. Section 915.80, Code 2026, is amended by adding the  
9 following new subsection:

10 NEW SUBSECTION. 2A. *"Crime victim compensation program"*  
11 means the same as defined in section 910.1.

12 DIVISION VII

13 VICTIM RIGHTS

14 Sec. 15. Section 915.46, subsection 1, paragraph e, Code  
15 2026, is amended to read as follows:

16 e. *"Sexual assault nurse examiner"* means a registered  
17 nurse, an advanced registered nurse practitioner, or an  
18 advanced practice registered nurse, licensed pursuant to  
19 chapter 152 or 152E who has completed a sexual assault forensic  
20 examiner program that meets the sexual assault nurse examiner  
21 education guidelines ~~established~~ approved by the ~~international~~  
22 ~~association of forensic nurses~~ federal department of justice.

23 Sec. 16. Section 915.46, subsection 2, Code 2026, is amended  
24 to read as follows:

25 2. A sexual assault forensic examiner program is  
26 established within the state department of justice. The sexual  
27 assault forensic examiner program shall maintain a list of  
28 sexual assault examiners and sexual assault nurse examiners  
29 who have completed didactic and clinical training approved by  
30 the state department of justice and consistent with the sexual  
31 assault forensic examiner education guidelines ~~established~~  
32 approved by the ~~international association of forensic nurses~~  
33 federal department of justice.

34 Sec. 17. Section 915.46, subsection 4, paragraph b, Code  
35 2026, is amended to read as follows:

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1     *b.* The sexual assault forensic examiner program shall  
2 provide didactic and clinical training opportunities consistent  
3 with the sexual assault forensic examiner education guidelines  
4 ~~established~~ approved by the ~~international association of~~  
5 ~~forensic nurses~~ federal department of justice, in collaboration  
6 with the department of health and human services and the Iowa  
7 coalition against sexual assault, in sufficient numbers and  
8 geographical locations across the state to assist treatment  
9 facilities with training sexual assault examiners and sexual  
10 assault nurse examiners.

11     Sec. 18. Section 915.80, subsection 7, Code 2026, is amended  
12 to read as follows:

13     7. "*Secondary victim*" means the victim's spouse, children,  
14 parents, ~~and~~ siblings, foster parents, custodians, and any  
15 person who resides in the victim's household at the time of the  
16 crime or at the time of the discovery of the crime. "*Secondary*  
17 *victim*" does not include persons who are the survivors of a  
18 victim who dies as a result of a crime.>

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GUSTOFF of Polk

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Senate File 2379

H-8347

1 Amend Senate File 2379, as amended, passed, and reprinted by  
2 the Senate, as follows:

3 1. Page 12, after line 8 by inserting:

4 <Sec. \_\_\_\_ . EFFECTIVE DATE. This division of this Act takes  
5 effect July 1, 2027.>

6 2. Title page, line 4, after <rights> by inserting <, and  
7 including effective date provisions>

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House File 2523

H-8348

1 Amend the Senate amendment, H-8303, to House File 2523, as  
2 passed by the House, as follows:

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

4 <Section 1. Section 229.2, subsection 1, Code 2026, is  
5 amended to read as follows:

6 1. a. An application for admission to a public or private  
7 hospital for observation, diagnosis, care, and treatment as a  
8 voluntary patient may be made by any person who is mentally ill  
9 or has symptoms of mental illness.

10 b. (1) In the case of a minor, the minor's parent, legal  
11 guardian, or legal custodian may make application for admission  
12 of the minor as a voluntary patient.

13 ~~(1)~~ (2) Upon receipt of an application for voluntary  
14 admission of a minor, the chief medical officer shall provide  
15 separate prescreening interviews and consultations with the  
16 parent, guardian, or custodian and the minor to assess the  
17 family environment and the appropriateness of the application  
18 for admission.

19 ~~(2)~~ During the interview and consultation the chief medical  
20 officer shall inform the minor orally and in writing that the  
21 minor has a right to object to the admission. If the chief  
22 medical officer of the hospital to which application is made  
23 determines that the admission is appropriate but the minor  
24 objects to the admission, the parent, guardian, or custodian  
25 must petition the juvenile court for approval of the admission  
26 before the minor is actually admitted.

27 ~~(3)~~ As soon as is practicable after the filing of a  
28 petition for juvenile court approval of the admission of the  
29 minor, the juvenile court shall determine whether the minor  
30 has an attorney to represent the minor in the hospitalization  
31 proceeding, and if not, the court shall assign to the minor  
32 an attorney. If the minor is financially unable to pay  
33 for an attorney, the attorney shall be compensated by an  
34 administrative services organization at an hourly rate to be  
35 established by the administrative services organization in

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1 ~~substantially the same manner as provided in [section 815.7](#).~~

2 ~~(4) The juvenile court shall determine whether the~~  
3 ~~admission is in the best interest of the minor and is~~  
4 ~~consistent with the minor's rights.~~

5 ~~(5) The juvenile court shall order hospitalization of a~~  
6 ~~minor, over the minor's objections, only after a hearing in~~  
7 ~~which it is shown by clear and convincing evidence that:~~

8 ~~(a) The minor needs and will substantially benefit from~~  
9 ~~treatment.~~

10 ~~(b) No other setting which involves less restriction of the~~  
11 ~~minor's liberties is feasible for the purposes of treatment.~~

12 ~~(6) Upon approval of the admission of a minor over the~~  
13 ~~minor's objections, the juvenile court shall appoint an~~  
14 ~~individual to act as an advocate representing the interests of~~  
15 ~~the minor in the same manner as an advocate representing the~~  
16 ~~interests of patients involuntarily hospitalized pursuant to~~  
17 ~~[section 229.19](#).~~

18 Sec. \_\_\_\_\_. Section 229.6A, subsections 1 and 3, Code 2026,  
19 are amended to read as follows:

20 1. Notwithstanding [section 229.11](#), the juvenile court has  
21 exclusive original jurisdiction in proceedings concerning  
22 a minor for whom an application is filed under section  
23 229.6 ~~or for whom an application for voluntary admission is~~  
24 ~~made under [section 229.2, subsection 1](#), to which the minor~~  
25 ~~objects. In proceedings under [this chapter](#) concerning a minor,~~  
26 ~~notwithstanding [section 229.11](#), the term "court", "judge", or~~  
27 ~~"clerk" means the juvenile court, judge, or clerk.~~

28 3. It is the intent of [this chapter](#) that when a minor is  
29 involuntarily or voluntarily hospitalized, ~~or hospitalized~~  
30 ~~with juvenile court approval over the minor's objection the~~  
31 ~~minor's family shall be included in counseling sessions offered~~  
32 ~~during the minor's stay in a hospital when feasible. Prior~~  
33 ~~to the discharge of the minor, the juvenile court may, after~~  
34 ~~a hearing, order that the minor's family be evaluated and~~  
35 ~~receive therapy ~~ordered~~ if the juvenile court finds therapy is~~

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1 necessary to facilitate the return of the minor to the family  
2 setting.>

3 2. Page 1, line 6, by striking <or guardian> and inserting  
4 ~~<or guardian>~~, legal guardian, or legal custodian

5 3. Page 1, line 9, by striking <or guardian's> and inserting  
6 ~~<or guardian's>~~, legal guardian's, or legal custodian's

7 4. Page 1, line 13, by striking <or guardian> and inserting  
8 <, legal guardian, or legal custodian>

9 5. Page 1, line 16, after <treatment,> by inserting  
10 <inpatient treatment,>

11 6. Page 1, line 19, by striking <or guardian's> and  
12 inserting <, legal guardian's, or legal custodian's>

13 7. Page 1, line 21, by striking <from> and inserting <by>

14 8. By renumbering as necessary.

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A. MEYER of Webster

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Senate File 2289

H-8349

- 1 Amend Senate File 2289, as amended, passed, and reprinted by  
2 the Senate, as follows:  
3 1. Page 1, by striking lines 3 through 11.  
4 2. By renumbering as necessary.

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SIEGRIST of Pottawattamie

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House File 2254

H-8350

- 1 Amend the Senate amendment, H-8319, to House File 2254, as  
2 passed by the House, as follows:
- 3 1. Page 1, line 7, by striking <the university of Iowa  
4 hospitals and clinics> and inserting <hospitals>
- 5 2. Page 1, lines 15 and 16, by striking <the university of  
6 Iowa hospitals and clinics> and inserting <hospitals>
- 7 3. Page 2, after line 6 by inserting:  
8 <\_\_\_. Title page, lines 2 and 3, by striking <the university  
9 of Iowa hospitals and clinics> and inserting <hospitals>>
- 10 4. By renumbering as necessary.

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BAETH of Polk

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Senate File 2299

H-8351

1 Amend Senate File 2299, as passed by the Senate, as follows:

2 1. Page 1, by striking lines 3 through 16 and inserting:

3 <NEW SUBSECTION. 10. A student's parent or guardian, if the  
4 student is a minor, or the student, if the student is eighteen  
5 years of age or older or is an emancipated minor, shall, upon  
6 the request of the school district or accredited nonpublic  
7 school through which the student is accessing the program,  
8 pay to the school district or accredited nonpublic school an  
9 amount equal to the amount the school district or accredited  
10 nonpublic school paid to a community college pursuant to the  
11 contract entered into under this section that is directly  
12 associated with the student's participation in the community  
13 college-offered class, or the class taught by a community  
14 college-employed instructor, if any one of the following  
15 applies:

16 a. The student failed the community college-offered class.

17 b. The student failed the class taught by a community  
18 college-employed instructor.

19 c. The student withdrew from the community college-offered  
20 class.

21 d. The student withdrew from the class taught by a community  
22 college-employed instructor.>

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STONE of Winnebago

Iowa General Assembly  
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House File 2523

H-8352

1 Amend the Senate amendment, H-8303, to House File 2523, as  
2 passed by the House, as follows:

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

4 <Section 1. Section 229.2, subsection 1, Code 2026, is  
5 amended to read as follows:

6 1. a. An application for admission to a public or private  
7 hospital for observation, diagnosis, care, and treatment as a  
8 voluntary patient may be made by any person who is mentally ill  
9 or has symptoms of mental illness.

10 b. (1) In the case of a minor, the minor's parent,  
11 guardian, or custodian may make application for admission of  
12 the minor as a voluntary patient.

13 ~~(1)~~ (2) Upon receipt of an application for voluntary  
14 admission of a minor, the chief medical officer shall provide  
15 separate prescreening interviews and consultations with the  
16 parent, guardian, or custodian and the minor to assess the  
17 family environment and the appropriateness of the application  
18 for admission.

19 ~~(2)~~ During the interview and consultation the chief medical  
20 officer shall inform the minor orally and in writing that the  
21 minor has a right to object to the admission. If the chief  
22 medical officer of the hospital to which application is made  
23 determines that the admission is appropriate but the minor  
24 objects to the admission, the parent, guardian, or custodian  
25 must petition the juvenile court for approval of the admission  
26 before the minor is actually admitted.

27 ~~(3)~~ As soon as is practicable after the filing of a  
28 petition for juvenile court approval of the admission of the  
29 minor, the juvenile court shall determine whether the minor  
30 has an attorney to represent the minor in the hospitalization  
31 proceeding, and if not, the court shall assign to the minor  
32 an attorney. If the minor is financially unable to pay  
33 for an attorney, the attorney shall be compensated by an  
34 administrative services organization at an hourly rate to be  
35 established by the administrative services organization in

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1 ~~substantially the same manner as provided in [section 815.7](#).~~

2 ~~(4) The juvenile court shall determine whether the~~  
3 ~~admission is in the best interest of the minor and is~~  
4 ~~consistent with the minor's rights.~~

5 ~~(5) The juvenile court shall order hospitalization of a~~  
6 ~~minor, over the minor's objections, only after a hearing in~~  
7 ~~which it is shown by clear and convincing evidence that:~~

8 ~~(a) The minor needs and will substantially benefit from~~  
9 ~~treatment.~~

10 ~~(b) No other setting which involves less restriction of the~~  
11 ~~minor's liberties is feasible for the purposes of treatment.~~

12 ~~(6) Upon approval of the admission of a minor over the~~  
13 ~~minor's objections, the juvenile court shall appoint an~~  
14 ~~individual to act as an advocate representing the interests of~~  
15 ~~the minor in the same manner as an advocate representing the~~  
16 ~~interests of patients involuntarily hospitalized pursuant to~~  
17 ~~[section 229.19](#).~~

18 Sec. \_\_\_\_\_. Section 229.6A, subsections 1 and 3, Code 2026,  
19 are amended to read as follows:

20 1. Notwithstanding [section 229.11](#), the juvenile court has  
21 exclusive original jurisdiction in proceedings concerning  
22 a minor for whom an application is filed under section  
23 229.6 ~~or for whom an application for voluntary admission is~~  
24 ~~made under [section 229.2, subsection 1](#), to which the minor~~  
25 ~~objects. In proceedings under [this chapter](#) concerning a minor,~~  
26 ~~notwithstanding [section 229.11](#), the term "court", "judge", or~~  
27 ~~"clerk" means the juvenile court, judge, or clerk.~~

28 3. It is the intent of [this chapter](#) that when a minor is  
29 involuntarily or voluntarily hospitalized, ~~or hospitalized~~  
30 ~~with juvenile court approval over the minor's objection the~~  
31 ~~minor's family shall be included in counseling sessions offered~~  
32 ~~during the minor's stay in a hospital when feasible. Prior~~  
33 ~~to the discharge of the minor, the juvenile court may, after~~  
34 ~~a hearing, order that the minor's family be evaluated and~~  
35 ~~receive therapy ordered if the juvenile court finds therapy is~~

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1 necessary to facilitate the return of the minor to the family  
2 setting.>

3 2. Page 1, line 16, after <u>treatment,> by inserting  
4 <u>inpatient treatment,>

5 3. Page 1, line 21, by striking <u>from> and inserting <u>by>

6 4. By renumbering as necessary.

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A. MEYER of Webster

Iowa General Assembly  
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Senate File 473

H-8353

- 1 Amend Senate File 473, as amended, passed, and reprinted by  
2 the Senate, as follows:
- 3 1. Page 1, line 1, by striking <2025> and inserting <2026>
  - 4 2. Page 1, line 5, after <licensee> by inserting <or  
5 approved kinship caregiver>
  - 6 3. Page 1, by striking lines 9 and 10 and inserting:  
7 <(2) Preclude a person from being licensed as an individual  
8 licensee or approved as an approved kinship caregiver based on  
9 the person's>
  - 10 4. Page 1, line 16, after <b.> by inserting <(1)>
  - 11 5. Page 1, by striking lines 18 and 19 and inserting  
12 <licensee or an approved kinship caregiver from being  
13 considered as a possible placement for a child based on the  
14 person's sincerely>
  - 15 6. Page 1, line 22, by striking <c.> and inserting <(2)>
  - 16 7. Page 1, line 22, by striking <subsection shall not be  
17 interpreted to> and inserting <paragraph shall not>
  - 18 8. Page 1, line 29, by striking <child foster care provider>  
19 and inserting <individual licensee or approved kinship  
20 caregiver>
  - 21 9. Page 1, line 32, by striking <d.> and inserting <c.>
  - 22 10. Page 1, line 32, by striking <child foster care  
23 provider> and inserting <individual licensee or approved  
24 kinship caregiver>
  - 25 11. Page 1, lines 34 and 35, by striking <child foster  
26 care provider> and inserting <individual licensee or approved  
27 kinship caregiver>
  - 28 12. Page 2, line 5, by striking <e.> and inserting <d.>
  - 29 13. Page 2, line 24, by striking <based, in whole or in  
30 part,> and inserting <based>
  - 31 14. Page 2, line 30, after <b.> by inserting <(1)>
  - 32 15. Page 2, line 33, by striking <based, in whole or in  
33 part,> and inserting <based>
  - 34 16. Page 3, line 1, by striking <c.> and inserting <(2)>
  - 35 17. Page 3, line 1, by striking <subsection shall not be

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1 interpreted to> and inserting <paragraph shall not>

2 18. Page 3, line 10, by striking <d.> and inserting <c.>

3 19. Page 3, line 17, by striking <e.> and inserting <d.>

4 20. Page 3, after line 19 by inserting:

5 <Sec. \_\_\_\_ . DEPARTMENT OF HEALTH AND HUMAN SERVICES — CHILD  
6 FOSTER CARE AND ADOPTION SERVICES — DEPARTMENT REVIEW OF  
7 RELIGIOUS ORGANIZATIONS.

8 1. The department of health and human services shall  
9 adopt rules pursuant to chapter 17A to amend the department's  
10 rules relating to child foster care and adoption recruitment,  
11 retention, training, and support services to provide, unless  
12 otherwise provided by federal law or regulation, that an  
13 entity that holds itself out to the public as a religious  
14 organization as defined in section 13C.1, and that has a  
15 contract, subcontract, or other agreement with the department  
16 or an agent of the department to provide child foster care  
17 or adoption services, shall not be required to provide the  
18 contracted, subcontracted, or other agreed upon services in a  
19 manner inconsistent with the religious organization's sincerely  
20 held religious beliefs.

21 2. a. This section shall not prohibit the department from  
22 determining the best interests of a child in the provision of  
23 child foster care, as that term is defined in section 237.1, or  
24 adoption services to the child.

25 b. This section shall not relieve the department of the  
26 department's duty to determine the best interests of a child in  
27 the provision of child foster care or adoption services to the  
28 child.>

29 21. Title page, by striking lines 2 and 3 and inserting  
30 <beliefs of certain entities for purposes of child foster care  
31 and adoption.>

32 22. By renumbering as necessary.

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WILLIAMS of Carroll

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House File 2760 - Introduced

HOUSE FILE 2760  
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO HF 2331)  
(SUCCESSOR TO HSB 532)

**A BILL FOR**

1 An Act creating an attorney loan repayment program, and making  
2 appropriations.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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H.F. 2760

1 Section 1. NEW SECTION. 256.232 Attorney loan repayment  
2 program — fund.

3 1. *Program established.* The college student aid commission  
4 shall establish an attorney loan repayment program to encourage  
5 attorneys to remain and practice law in this state.

6 2. *Eligibility.* An individual is eligible to apply to  
7 enter into a program agreement with the college student aid  
8 commission pursuant to subsection 3 if the individual meets all  
9 of the following requirements:

10 a. Is a graduate of an accredited law school.

11 b. Is licensed to practice law in Iowa.

12 c. Is practicing law in Iowa at the time of application or  
13 commits to begin practicing law in this state upon execution  
14 of a program agreement.

15 3. *Program agreements.* An agreement shall be entered into  
16 by an eligible attorney and the college student aid commission.  
17 Under the agreement, to receive loan repayments pursuant to  
18 subsection 5, an eligible attorney shall agree to and fulfill  
19 all of the following requirements:

20 a. Remain and practice law in Iowa in the area designated  
21 pursuant to the attorney's preference determination during each  
22 year for which loan repayment assistance is received.

23 b. Provide not less than the number of hours per year of  
24 legal services as an indigent defense attorney as designated  
25 pursuant to the attorney's preference determination.

26 4. *Priority.*

27 a. In awarding loan repayment assistance under this section,  
28 the commission shall give priority to attorneys who practice  
29 law in this state in the following order:

30 (1) Attorneys who reside and practice law in rural areas  
31 of the state and provide a minimum of fifty hours of indigent  
32 defense services annually.

33 (2) Attorneys who practice law in rural areas of the state  
34 and provide a minimum of one hundred hours of indigent defense  
35 services annually.

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1 (3) Attorneys who practice law in Iowa and provide two  
2 hundred hours of indigent defense services annually.

3 (4) Attorneys who graduated from an Iowa law school, an  
4 Iowa high school, or completed private instruction pursuant to  
5 chapter 299A.

6 b. For purposes of this section, "*rural area*" means a county  
7 or municipality that has a population of less than twenty-six  
8 thousand and is located more than twenty miles from a city with  
9 a population of at least fifty thousand, based on the most  
10 recent federal decennial census.

11 5. *Loan repayment assistance.* An eligible attorney  
12 who enters into and remains in compliance with a program  
13 agreement pursuant to subsection 3 shall receive loan repayment  
14 assistance in an amount not to exceed ten thousand dollars per  
15 year or the outstanding balance of the attorney's eligible  
16 loans, whichever is less. In the event an attorney who  
17 receives loan repayment assistance under this section ceases  
18 to practice law in accordance with the program agreement, the  
19 loan repayment assistance shall terminate immediately, the  
20 loan repayment assistance shall be prorated for the months the  
21 attorney complied with the agreement, and no further payment  
22 shall be made. Loan repayment assistance may be provided for  
23 each year of eligible practice during a period of not more than  
24 six consecutive years. The total amount of loan repayment  
25 assistance an attorney may receive under the program shall  
26 not exceed the total outstanding balance of the attorney's  
27 eligible student loans at the time the program agreement  
28 is executed. For purposes of this section, "*eligible loan*"  
29 means the attorney's total federally guaranteed Stafford loan  
30 amount under the federal family education loan program or the  
31 federal direct loan program, the attorney's federal graduate  
32 plus loans, or the attorney's federal Perkins loan, including  
33 principal and interest. Loan payment assistance received  
34 pursuant to this section is not subject to Iowa income tax.

35 6. *Fund established.* An attorney loan repayment program

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1 fund is created in the state treasury under the control of the  
2 college student aid commission. The commission may accept  
3 gifts, grants, bequests, and other private contributions, as  
4 well as state or federal moneys, for deposit in the fund. All  
5 moneys deposited in the fund are appropriated to the commission  
6 to be used for purposes of this section. Notwithstanding  
7 section 8.33, moneys in the fund that remain unencumbered or  
8 unobligated at the close of a fiscal year shall not revert  
9 but shall remain available for expenditure for the purposes  
10 designated. Notwithstanding section 12C.7, subsection 2,  
11 interest or earnings on moneys in the fund shall be credited  
12 to the fund.

13 7. *Rules.* The college student aid commission shall adopt  
14 rules to administer this section.

15 8. *Limitation.* The program shall not provide assistance for  
16 more than twenty-five attorneys in a single year.

17 Sec. 2. Section 422.7, Code 2026, is amended by adding the  
18 following new subsection:

19 NEW SUBSECTION. 46. *a.* Subtract, to the extent included,  
20 income resulting from the payment of the amount of any loan  
21 repayment assistance received pursuant to section 256.232,  
22 whether paid to the taxpayer or the lender, not to exceed ten  
23 thousand dollars in any tax year.

24 *b.* If the taxpayer has a deduction in computing federal  
25 taxable income under section 221 of the Internal Revenue Code  
26 for interest on a qualified education loan, the taxpayer shall  
27 recompute for purposes of this subsection the amount of the  
28 deduction under paragraph "a" by not subtracting any amount of  
29 income resulting from the loan repayment assistance received  
30 pursuant to section 256.232 that was also deducted by the  
31 taxpayer under section 221 of the Internal Revenue Code.

32 *c.* A taxpayer is eligible to receive a deduction pursuant to  
33 this subsection for not more than six consecutive tax years in  
34 the taxpayer's lifetime.

35

EXPLANATION

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

3       This bill establishes an attorney loan repayment program  
4 to encourage attorneys to remain and practice law in Iowa.  
5 The program is to be administered by the college student aid  
6 commission.

7       The bill provides that an individual is eligible to apply for  
8 the program if the individual is a graduate of an accredited  
9 law school, is licensed to practice law in Iowa, and is  
10 practicing law in Iowa at the time of application or commits to  
11 begin practicing law in the state upon execution of a program  
12 agreement.

13       The bill requires a program agreement to be entered into by  
14 the commission and an eligible attorney. Under the agreement,  
15 an attorney must agree to remain and practice law in Iowa  
16 during each year for which loan repayment assistance is  
17 received and must provide not less than the number of hours  
18 per year of legal services as an indigent defense attorney as  
19 designated pursuant to the attorney's preference determination.

20       The bill requires the commission to give priority in  
21 awarding loan repayment assistance to attorneys who practice  
22 law in this state in the following order: (1) attorneys who  
23 reside and practice law in rural areas and provide a minimum of  
24 50 hours of indigent defense services annually; (2) attorneys  
25 who practice law in rural areas and provide a minimum of 100  
26 hours of indigent defense services annually; (3) attorneys who  
27 practice law in the state and provide 200 hours of indigent  
28 defense services annually; and (4) attorneys who graduated from  
29 an Iowa law school, Iowa high school, or completed private  
30 instruction pursuant to Code chapter 299A.

31       The bill defines "rural area" as a county or municipality  
32 that has a population of less than 26,000 and is located more  
33 than 20 miles from a city with a population of at least 50,000,  
34 based on the most recent federal decennial census.

35       The bill provides that an eligible attorney who enters

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1 into and remains in compliance with a program agreement may  
2 receive loan repayment assistance in an amount not to exceed  
3 \$10,000 per year or the outstanding balance of the attorney's  
4 eligible student loans, whichever is less. If an attorney  
5 who receives assistance ceases to practice law in accordance  
6 with the attorney's program agreement, the assistance shall  
7 terminate, be prorated, and no further payments shall be made.  
8 Loan repayment assistance may be provided for not more than  
9 six consecutive years, and the total amount of assistance may  
10 not exceed the outstanding balance of the attorney's eligible  
11 student loans at the time the agreement is executed. The bill  
12 defines "eligible loan" as the attorney's total federally  
13 guaranteed Stafford loan amount under the federal family  
14 education loan program or the federal direct loan program,  
15 the attorney's federal graduate plus loans, or the attorney's  
16 federal Perkins loan, including principal and interest.  
17 The bill creates an attorney loan repayment program fund  
18 in the state treasury under the control of the commission.  
19 The fund consists of gifts, grants, bequests, private  
20 contributions, and state or federal moneys. Moneys in the fund  
21 are appropriated to the commission for purposes of the program,  
22 do not revert at the end of a fiscal year, and retain interest  
23 earnings.  
24 The bill requires the commission to adopt rules to  
25 administer the program and limits participation to not more  
26 than 25 attorneys in a single year.  
27 The bill provides that loan payment assistance received  
28 pursuant to the program is not subject to the Iowa income tax.  
29 The bill adds a corresponding provision.

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House File 2761 - Introduced

HOUSE FILE 2761  
BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO HSB 769)

**A BILL FOR**

1 An Act relating to driver's licenses and nonoperator's  
2 identification cards marked to reflect gold star status.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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H.F. 2761

1 Section 1. Section 321.189, Code 2026, is amended by adding  
2 the following new subsection:

3 NEW SUBSECTION. 8A. *Gold star status.* A licensee who is  
4 the surviving spouse, parent, child, or sibling of a deceased  
5 member of the United States armed forces who died while  
6 serving on active duty during a time of military conflict or  
7 who died as a result of such service may request that the  
8 license be marked to reflect the licensee's gold star status.  
9 Upon receipt of such a request and satisfactory proof of  
10 eligibility, the department shall issue a license with the  
11 phrase "GOLD STAR FAMILY" marked prominently on the face of the  
12 license.

13 Sec. 2. Section 321.190, subsection 1, paragraph b, Code  
14 2026, is amended by adding the following new subparagraph:

15 NEW SUBPARAGRAPH. (05) Upon receipt of a request  
16 and satisfactory proof of eligibility, a nonoperator's  
17 identification card issued to a person who is the surviving  
18 spouse, parent, child, or sibling of a deceased member of the  
19 United States armed forces who died while serving on active  
20 duty during a time of military conflict or who died as a result  
21 of such service, must contain the same information as any other  
22 nonoperator's identification card except the phrase "GOLD STAR  
23 FAMILY" must appear prominently on the face of the card.

24 EXPLANATION

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

27 This bill authorizes a person who is the surviving spouse,  
28 parent, child, or sibling of a deceased member of the United  
29 States armed forces who died while serving on active duty  
30 during a time of military conflict or who died as a result of  
31 such service to request that the person's driver's license  
32 or nonoperator's identification card, as applicable, be  
33 prominently marked with the phrase "GOLD STAR FAMILY". Such a  
34 person is eligible to apply for gold star special registration  
35 plates under current law.

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1 Under current law, a veteran who was honorably discharged  
2 from the armed forces of the United States may similarly  
3 request that the veteran's driver's license or nonoperator's  
4 identification card be marked to reflect the veteran's status  
5 as a veteran.

6 A gold star symbol is used on state driver's licenses and  
7 other identification cards to indicate compliance with federal  
8 REAL ID requirements.

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House File 2762 - Introduced

HOUSE FILE 2762  
BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO HF 2689)

(SUCCESSOR TO HSB 742)

**A BILL FOR**

1 An Act relating to the two hundred fiftieth anniversary of the  
2 signing of the Declaration of Independence, and including  
3 effective date provisions.

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

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H.F. 2762

1 Section 1. SHORT TITLE. This Act shall be known and may  
2 be cited as the "Framework for Iowa's America 250 Celebration  
3 Act".

4 Sec. 2. SALES TAX HOLIDAY — AMERICA'S TWO HUNDRED FIFTIETH  
5 ANNIVERSARY.

6 1. There is exempted from the provisions of chapter 423,  
7 subchapter II, and from the computations of the amount of  
8 tax imposed, the sales price from the sale of an article of  
9 clothing designed to be worn on or about the human body if all  
10 of the following apply:

11 a. The sales price of the article is less than one hundred  
12 dollars.

13 b. The sale takes place on July 3, 2026, July 4, 2026, or  
14 July 5, 2026.

15 2. This section does not apply to any of the following:

16 a. Sport or recreational equipment and protective  
17 equipment.

18 b. Clothing accessories or equipment.

19 c. The rental of clothing.

20 3. For purposes of this section:

21 a. "Clothing" means all human wearing apparel suitable for  
22 general use.

23 (1) "Clothing" includes but is not limited to the following:  
24 aprons, household and shop; athletic supporters; baby receiving  
25 blankets; bathing suits and caps; beach capes and coats; belts  
26 and suspenders; boots; coats and jackets; costumes; earmuffs;  
27 footlets; formal wear; garters and garter belts; girdles;  
28 gloves and mittens for general use; hats and caps; hosiery;  
29 insoles for shoes; lab coats; neckties; overshoes; pantyhose;  
30 rainwear; rubber pants; sandals; scarves; shoes and shoelaces;  
31 slippers; sneakers; socks and stockings; steel-toed shoes;  
32 underwear; uniforms, athletic and nonathletic; and wedding  
33 apparel.

34 (2) "Clothing" does not include the following: belt  
35 buckles sold separately; costume masks sold separately; patches

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1 and emblems sold separately; sewing equipment and supplies  
2 (including but not limited to knitting needles, patterns, pins,  
3 scissors, sewing machines, sewing needles, tape measures, and  
4 thimbles); and sewing materials that become part of clothing  
5 (including but not limited to buttons, fabric, lace, thread,  
6 yarn, and zippers).

7 b. "Clothing accessories or equipment" means incidental  
8 items worn on the person or in conjunction with clothing.

9 "Clothing accessories or equipment" includes but is not  
10 limited to the following: briefcases; cosmetics; hair notions  
11 (including but not limited to barrettes, hair bows, and  
12 hair nets); handbags; handkerchiefs; jewelry; sunglasses,  
13 nonprescription; umbrellas; wallets; watches; and wigs and  
14 hairpieces.

15 c. "Protective equipment" means items for human wear and  
16 designed as protection for the wearer against injury or disease  
17 or as protection against damage or injury of other persons  
18 or property but not suitable for general use. "Protective  
19 equipment" includes but is not limited to the following:  
20 breathing masks; clean room apparel and equipment; ear and  
21 hearing protectors; face shields; hard hats; helmets; paint  
22 or dust respirators; protective gloves; safety glasses and  
23 goggles; safety belts; tool belts; and welders gloves and  
24 masks.

25 d. "Sport or recreational equipment" means items designed  
26 for human use and worn in conjunction with an athletic or  
27 recreational activity that are not suitable for general use.  
28 "Sport or recreational equipment" includes but is not limited  
29 to the following: ballet and tap shoes; cleated or spiked  
30 athletic shoes; gloves (including but not limited to baseball,  
31 bowling, boxing, hockey, and golf); goggles; hand and elbow  
32 guards; life preservers and vests; mouth guards; roller and  
33 ice skates; shin guards; shoulder pads; ski boots; waders; and  
34 wetsuits and fins.

35 Sec. 3. AMERICA 250 TASK FORCE. The members of the

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1 governor's task force celebrating America's 250th birthday  
2 established by Executive Order No. 16 shall do all of the  
3 following:

4 1. Decorate the capitol complex for the period beginning  
5 November 16, 2026, and ending January 9, 2027, by doing all of  
6 the following:

7 a. Creating a program for children in the state to submit  
8 ornaments for display on a Christmas tree at the capitol  
9 building.

10 b. Procuring either one Christmas tree that is at least  
11 thirty feet tall or at least ten Christmas trees for display  
12 throughout the interior of the capitol building.

13 c. Obtaining new Christmas tree decorations that celebrate  
14 unique features of the state and new Christmas lights.

15 d. Decorating the grand staircase and placing live  
16 poinsettias throughout the capitol building.

17 2. Organize events to celebrate the strengths of the United  
18 States in at least five locations in the state during July  
19 2026.

20 3. Coordinate with qualified nonprofit organizations with  
21 demonstrated experience creating large-scale patriotic and  
22 veteran memorial artwork for the creation of such artwork.

23 4. Organize an interactive, educational display to tour  
24 throughout Iowa during the 2026 and 2027 calendar years that  
25 honors every United States president. The display must form  
26 the shape of the number two hundred fifty and be visible from  
27 the air.

28 5. Organize a celebration at the capitol building on July 4,  
29 2026, that celebrates the two hundred fiftieth anniversary of  
30 the signing of the Declaration of Independence, as well as the  
31 anniversary of the Louisiana Purchase, which Thomas Jefferson  
32 announced on July 4, 1803, and the establishment of the Iowa  
33 Territory on July 4, 1838.

34 Sec. 4. CONSTITUTION DAY INSTRUCTION. Every public  
35 elementary school, middle school, and high school shall provide

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1 instruction and activities related to the Constitution of the  
2 United States on September 17, 2026.

3 Sec. 5. PUBLIC BROADCASTING. The Iowa public broadcasting  
4 board shall provide for the broadcast of educational  
5 programming during the 2026 and 2027 calendar years related  
6 to the United States and featuring the state-sponsored events  
7 commemorating the two hundred fiftieth anniversary of the  
8 signing of the Declaration of Independence.

9 Sec. 6. DECLARATION OF INDEPENDENCE — CAPITOL COMPLEX  
10 MONUMENT.

11 1. The department of administrative services, in  
12 consultation with the capitol planning commission, shall  
13 authorize the placement of a monument honoring the two hundred  
14 fiftieth anniversary of the signing of the Declaration of  
15 Independence on the capitol complex grounds subject to the  
16 requirements of this section.

17 2. The department of administrative services shall solicit  
18 and approve an application for the construction of a monument  
19 honoring the two hundred fiftieth anniversary of the signing  
20 of the Declaration of Independence on the capitol complex  
21 grounds. An application for the construction of the monument  
22 must specify the design concept for the monument, provide an  
23 estimated total cost for the monument, identify planned sources  
24 of funding for construction and maintenance of the monument,  
25 provide a proposed timeline for the project, and include such  
26 other information as the department requires. If more than one  
27 application is submitted, the department, in consultation with  
28 the capitol planning commission, shall approve the application  
29 that can best meet the requirements for construction and  
30 maintenance of the monument.

31 Sec. 7. EFFECTIVE DATE. This Act, being deemed of immediate  
32 importance, takes effect upon enactment.

33 EXPLANATION

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

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1 Currently, a sales tax holiday exists on the first weekend  
2 in August. This bill creates an identical sales tax holiday  
3 on the first weekend in July 2026. The bill provides a sales  
4 tax exemption on the sales price from the sale of an article of  
5 clothing if the sales price of the article of clothing is less  
6 than \$100, and the sale takes place on July 3, July 4, or July  
7 5, 2026, with certain exceptions.

8 The bill requires the members of the governor's task force  
9 celebrating 250 to provide for the decoration of the capitol  
10 building from November 16, 2026, through January 9, 2027,  
11 and to create a program for children in the state to submit  
12 ornaments for display on a Christmas tree. The task force  
13 must also organize various events, including a touring display  
14 that honors the United States presidents, and coordinate  
15 with qualified nonprofit organizations for the creation of  
16 large-scale patriotic and veteran memorial artwork.

17 On September 17, 2026, every public elementary school,  
18 middle school, and high school must provide instruction and  
19 activities related to the Constitution of the United States.

20 The bill requires the Iowa public broadcasting board to  
21 broadcast educational programming during the 2026 and 2027  
22 calendar years about the United States and featuring the  
23 state-sponsored events commemorating the anniversary of the  
24 signing of the Declaration of Independence.

25 The bill requires the department of administrative services,  
26 in consultation with the capitol planning commission, to  
27 authorize the placement of a monument honoring the 250th  
28 anniversary of the signing of the Declaration of Independence  
29 on the capitol complex grounds. The bill requires the  
30 department to solicit and approve an application for the  
31 monument. If more than one application is submitted, the  
32 department, in consultation with the capitol planning  
33 commission, shall approve the application that can best meet  
34 the requirements for construction and maintenance of the  
35 monument.

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1 The bill takes effect upon enactment.

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House File 2763 - Introduced

HOUSE FILE 2763  
BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO HF 2709)

(SUCCESSOR TO HSB 751)

A BILL FOR

1 An Act providing for services relating to agricultural  
2 equipment.

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

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H.F. 2763

1 Section 1. NEW SECTION. 322E.1 Definitions.

2 As used in this chapter, unless the context otherwise  
3 requires:

4 1. a. *"Agricultural equipment"* means equipment that is  
5 primarily designed for use in a farming operation.

6 b. *"Agricultural equipment"* includes any of the following:

7 (1) A tractor, trailer, combine, sprayer, tillage  
8 implement, baler, and other equipment used to plant, cultivate,  
9 or harvest agricultural products.

10 (2) An attachment to and repair part for equipment described  
11 in subparagraph (1).

12 (3) *"Agricultural equipment"* does not include any of the  
13 following:

14 (a) A self-propelled vehicle designed primarily for the  
15 transportation of individuals or property on a street or  
16 highway.

17 (b) A powersports vehicle, including any of the following:

18 (i) A vehicle for off-road operation.

19 (ii) A personal watercraft that is a motorboat that is  
20 designed to be operated by a person sitting, standing, or  
21 kneeling on the vessel, rather than the conventional manner of  
22 sitting or standing inside the vessel, and that is designed  
23 primarily for use off of the public highways, and that uses  
24 either an inboard motor powering a water jet pump or an  
25 outboard motor-driven propeller.

26 (iii) A snowmobile.

27 (c) Any aircraft used in an agricultural aircraft  
28 operation, as defined in 14 C.F.R. §137.3.

29 (d) Any equipment designed and used primarily for  
30 irrigation purposes.

31 2. a. *"Authorized repair provider"* means a person that  
32 is unaffiliated with a manufacturer other than through an  
33 arrangement with the manufacturer, whether for a definite or an  
34 indefinite period, in which the manufacturer, for the purpose  
35 of offering to provide services to an equipment owner regarding

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1 the owner's equipment or a part, grants the person any of the  
2 following:

3 (1) A license to use a trade name, service mark, or other  
4 proprietary identifier.

5 (2) Authorization under any other arrangement to act on  
6 behalf of the manufacturer.

7 *b. "Authorized repair provider"* includes a manufacturer that  
8 offers to provide services to an owner of the manufacturer's  
9 agricultural equipment regarding the owner's agricultural  
10 equipment or a part if the manufacturer does not have an  
11 arrangement with an unaffiliated person, as described in  
12 paragraph *"a"*.

13 3. *"Data"* means, with the consent of an owner, transmitted  
14 or compiled information arising from the operation of an  
15 owner's agricultural equipment or its parts.

16 4. *"Documentation"* means a manual; diagram, including a  
17 schematic diagram; reporting output; service code description;  
18 security code or password; or similar type of guidance or  
19 information, whether in an electronic or tangible format, that  
20 a manufacturer provides to an authorized repair provider to  
21 assist the authorized repair provider with services performed  
22 on the manufacturer's agricultural equipment or a part.

23 5. *a. "Embedded software for agricultural equipment"* means  
24 any programmable instructions provided on firmware delivered  
25 with or loaded to the agricultural equipment, with respect to  
26 agricultural equipment operation.

27 *b. "Embedded software for agricultural equipment"* includes  
28 all relevant patches and fixes that the manufacturer makes,  
29 including but not limited to items described as a basic  
30 internal operating system, internal operating system, machine  
31 code, assembly code, root code, and microcode.

32 6. *"Equipment dealer"* means any person primarily engaged in  
33 the retail sale of agricultural equipment.

34 7. *"Fair and reasonable terms and costs"* means the following:

35 *a.* With respect to obtaining documentation, embedded

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1 software, firmware, or tools from a manufacturer to provide  
2 services.

3     *b.* With respect to documentation, the manufacturer provides  
4 the documentation, including any relevant updates to the  
5 documentation, at no charge, except that the manufacturer may  
6 charge a fee for a printed copy of the documentation if the  
7 amount of the fee covers only the manufacturer's actual cost to  
8 prepare and send the printed copy of the documentation.

9     *c.* With respect to tools that are software programs, the  
10 manufacturer provides the tools that are software programs  
11 subject to all of the following:

12     (1) At no charge and without requiring authorization or  
13 internet access or otherwise imposing impediments to access or  
14 use.

15     (2) In the course of effectuating the diagnosis,  
16 maintenance, or repair and enabling the full functionality of  
17 the agricultural equipment or part.

18     (3) In a manner that does not impair the efficient and  
19 cost-effective performance of the agricultural equipment or  
20 part.

21     *d.* Notwithstanding paragraph "*a*", parts shall be sold to an  
22 owner or an independent repair provider under equitable terms  
23 for access to or receipt of any part pertaining to agricultural  
24 equipment and in a manner that is any of the following:

25     (1) Is fair to both parties in light of any agreed-upon  
26 conditions, the promised quality, and the timeliness of the  
27 delivery.

28     (2) Does not discourage or disincentivize repairs to be made  
29 by an owner or an independent repair provider.

30     *e.* Terms are fair if the terms do not impose on an owner or  
31 independent repair provider any of the following:

32     (1) Substantial obligation to use, or any restriction  
33 on the use of, a part, embedded software, embedded software  
34 for agricultural equipment, firmware, or tool, including a  
35 condition that the owner or independent repair provider become

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1 an authorized repair provider of the manufacturer.

2 (2) A requirement that a part, embedded software, embedded  
3 software for agricultural equipment, firmware, or tool be  
4 registered or paired with or approved by the manufacturer or an  
5 authorized repair provider before the part, embedded software,  
6 embedded software for agricultural equipment, firmware, or tool  
7 is operational.

8 8. *"Firmware"* means a software program or set of  
9 instructions programmed on equipment or a part to allow the  
10 equipment or part to function or communicate with itself or  
11 with other computer hardware.

12 9. a. *"Independent repair provider"*, except as otherwise  
13 provided in paragraph *"b"*, means a person in the state that is  
14 all of the following:

15 (1) Neither a manufacturer's authorized repair provider nor  
16 affiliated with a manufacturer's authorized repair provider.

17 (2) Engaged in offering or providing services.

18 b. *"Independent repair provider"* includes all of the  
19 following:

20 (1) An authorized repair provider if the authorized repair  
21 provider is offering or providing services for a manufacturer  
22 other than a manufacturer with which the authorized repair  
23 provider has an arrangement described in subsection 2.

24 (2) A manufacturer with respect to offering or providing  
25 services for another manufacturer's agricultural equipment or  
26 part.

27 10. *"Original equipment manufacturer"* or *"manufacturer"*  
28 means a person doing business in the state and engaged in  
29 the business of selling, leasing, or otherwise supplying  
30 agricultural equipment or parts manufactured by or on behalf of  
31 itself to any individual, business, or other entity.

32 11. *"Owner"* means a person that owns agricultural equipment,  
33 or an agent of the owner.

34 12. *"Part"* means a new or used replacement part for  
35 agricultural equipment that a manufacturer offers for sale

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1 or otherwise makes available for the purpose of providing  
2 services.

3 13. *“Services”* means diagnostic, maintenance, or repair  
4 services performed on agricultural equipment.

5 14. *“Tools”* means any software program, hardware implement,  
6 or other apparatus used for diagnosis, maintenance, or repair  
7 of agricultural equipment or parts, including software or  
8 another mechanism that provides, programs, or pairs a new  
9 part, calibrates functionality, or performs any other function  
10 required to return the agricultural equipment or part to a  
11 fully functional condition.

12 15. *a. “Trade secret”* means the whole or any portion or  
13 phase of any scientific or technical information, design,  
14 process, procedure, formula, improvement, or confidential  
15 business or financial information; a listing of names,  
16 addresses, or telephone numbers; or other information relating  
17 to any business or profession that is secret and of value.

18 *b.* To be a trade secret, the owner thereof must have taken  
19 measures to prevent the secret from becoming available to  
20 persons other than those selected by the owner to have access  
21 thereto for limited purposes.

22 Sec. 2. NEW SECTION. 322E.2 Agricultural equipment —  
23 obligations regarding services — exemption.

24 1. Except as provided in subsection 2, all of the following  
25 apply:

26 *a.* For the purpose of providing services for agricultural  
27 equipment in the state, an original equipment manufacturer  
28 shall, with fair and reasonable terms and costs, make  
29 available to an independent repair provider or owner of the  
30 manufacturer’s equipment any documentation, parts, embedded  
31 software, embedded software for agricultural equipment,  
32 firmware, tools, or, with owner authorization, data that are  
33 intended for use with the equipment or any part, including  
34 updates to documentation, parts, embedded software, embedded  
35 software for agricultural equipment, firmware, tools, or, with

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1 owner authorization, data.

2     *b.* With respect to agricultural equipment that contains an  
3 electronic security lock or other security-related function, a  
4 manufacturer shall, with fair and reasonable terms and costs,  
5 make available to independent repair providers and owners any  
6 documentation, parts, embedded software, embedded software  
7 for agricultural equipment, firmware, tools, or, with owner  
8 authorization, data needed to reset the lock or function when  
9 disabled in the course of providing services. The manufacturer  
10 may make the documentation, parts, embedded software, embedded  
11 software for agricultural equipment, firmware, tools, or,  
12 with owner authorization, data available to independent  
13 repair providers and owners through appropriate secure release  
14 systems.

15     2. Subsection 1 does not apply to any of the following:

16     *a.* A part that is no longer available to the original  
17 equipment manufacturer.

18     *b.* Conduct that would require the manufacturer to divulge  
19 a trade secret, except that a manufacturer shall not refuse  
20 to make available to an independent repair provider or owner  
21 any documentation, part, embedded software, embedded software  
22 for agricultural equipment, firmware, tool, or, with owner  
23 authorization, data necessary to provide services on grounds  
24 that the documentation, part, embedded software, embedded  
25 software for agricultural equipment, firmware, tool, or, with  
26 owner authorization, data itself is a trade secret.

27     3. Neither an original equipment manufacturer nor an  
28 agricultural equipment dealer is liable for faulty or otherwise  
29 improper repairs provided by an independent repair provider  
30 or owner, including faulty or otherwise improper repairs that  
31 cause any of the following:

32     *a.* Damage to agricultural equipment that occurs during such  
33 repairs.

34     *b.* Any indirect, incidental, special, or consequential  
35 damages.

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1 c. An inability to use, or a reduced functionality of, a  
2 piece of agricultural equipment resulting from the faulty or  
3 otherwise improper repair.

4 4. A manufacturer that provides data to an independent  
5 repair provider in compliance with this chapter is neither  
6 responsible nor liable to the owner, the independent repair  
7 provider, or another party for any action that the independent  
8 repair provider or another party takes while using or relying  
9 on the data.

10

EXPLANATION

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

13 This bill regulates practices by an original farm  
14 equipment manufacturer (manufacturer). For the purpose of  
15 providing services for agricultural equipment in the state, a  
16 manufacturer must, with fair and reasonable terms and costs,  
17 make available to an independent repair provider or owner of  
18 the manufacturer's equipment any documentation, parts, embedded  
19 software, embedded software for agricultural equipment,  
20 firmware, tools, or, with owner authorization, data that are  
21 intended for use with the equipment or any part, including  
22 updates to documentation, parts, embedded software, embedded  
23 software for agricultural equipment, firmware, tools, or, with  
24 owner authorization, data.

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House File 2764 - Introduced

HOUSE FILE 2764  
BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO HSB 768)

**A BILL FOR**

1 An Act relating to school district budgeting by modifying  
2 provisions relating to proposed property tax amounts.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 24.2A, subsection 2, paragraph b,  
2 subparagraph (3), Code 2026, is amended to read as follows:

3 (3) The combined amount of the proposed property tax dollars  
4 to be certified for all of the political subdivision's levies  
5 for the budget year and the proposed combined property tax rate  
6 per one thousand dollars for such levies. If the political  
7 subdivision is a school district and the state percent of  
8 growth and the categorical state percent of growth for the  
9 applicable school budget year have not been established by law  
10 prior to March 5, the proposed property tax dollar amount shall  
11 not exceed such property tax dollar amounts calculated using  
12 percents of growth equal to those applicable to the immediately  
13 preceding school budget year.

14 Sec. 2. Section 24.2A, subsection 4, paragraph a, Code 2026,  
15 is amended to read as follows:

16 a. Each political subdivision shall set a time and place  
17 for a public hearing on the political subdivision's proposed  
18 property tax amount for the budget year and the political  
19 subdivision's information included in the statements under  
20 subsection 2. The proposed property tax hearing shall be set  
21 on a date on or after March 20 of the budget year immediately  
22 preceding the budget year for which the tax is being proposed.  
23 At the hearing, the governing body of the political subdivision  
24 shall receive oral or written testimony from any resident or  
25 property owner of the political subdivision. This public  
26 hearing shall be separate from any other meeting of the  
27 governing body of the political subdivision, including any  
28 other meeting or public hearing relating to the political  
29 subdivision's budget, and other business of the political  
30 subdivision that is not related to the proposed property tax  
31 amounts and the information in the statements shall not be  
32 conducted at the public hearing. After all testimony has been  
33 received and considered, the governing body may decrease,  
34 but not increase, the proposed property tax amount to be  
35 included in the political subdivision's budget. However,

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1 if the political subdivision is a school district, due to  
2 the timing of enrollment determinations and enactment of  
3 legislation affecting school district budgets during the budget  
4 process, the school district may, subject to other limitations  
5 established by law, increase the proposed property tax amount  
6 to be included in the school district's budget.

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 Cities, counties, and school districts are prohibited from  
11 increasing applicable proposed property tax amounts following  
12 the hearing under Code section 24.2A as part of the budgeting  
13 process. This bill permits a school district, due to the  
14 timing of enrollment determinations and the enactment of school  
15 aid legislation, to increase the proposed property tax amount  
16 to be included in the school district's budget.

17 The bill also provides that if the political subdivision  
18 is a school district and the state percent of growth and  
19 the categorical state percent of growth for the applicable  
20 school budget year have not been established by law prior to  
21 March 5, the proposed property tax dollar amount under Code  
22 section 24.2A shall not exceed such property tax dollar amounts  
23 calculated using percents of growth equal to those applicable  
24 to the immediately preceding school budget year.

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House File 2765 - Introduced

HOUSE FILE 2765  
BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO HF 2595)

(SUCCESSOR TO HSB 731)

**A BILL FOR**

- 1 An Act providing for the regulation of mining, and making
- 2 penalties applicable.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 208.2, subsection 2, Code 2026, is  
2 amended to read as follows:

3 2. "*Affected land*" means the area of land from which  
4 overburden has been removed or upon which overburden has been  
5 deposited or land ~~which~~ that has otherwise been disturbed,  
6 changed, influenced, or altered in any way in the course  
7 of mining, including a known or reported subsidence, and  
8 processing and stockpile areas, but not including roads.

9 Sec. 2. Section 208.2, Code 2026, is amended by adding the  
10 following new subsection:

11 NEW SUBSECTION. 14A. a. "*Subsidence*" means the collapse,  
12 settling, or sinking of land that occurs at or above an  
13 underground mine located on public land or land located within  
14 a public right-of-way and is caused by mining activity.

15 b. "*Subsidence*" does not include any collapse, settling,  
16 or sinking of land that is naturally occurring or that results  
17 from geological, hydrological, seismic, environmental, or other  
18 causes not related to a mining activity.

19 Sec. 3. NEW SECTION. 208.9A Subsidence.

20 1. The operator of a mine site registered pursuant to  
21 section 208.9 shall notify the division within forty-eight  
22 hours of the discovery of the subsidence.

23 2. a. The operator shall submit an initial assessment of  
24 the subsidence described in subsection 1 to the division within  
25 fourteen days of the discovery.

26 b. The operator shall submit a subsidence repair plan to  
27 the division within a reasonable time period after the initial  
28 assessment has been received by the division. In consultation  
29 with the division the plan shall include, to the extent  
30 necessary, all of the following:

31 (1) A detailed description of the proposed methods and steps  
32 to address and repair the damage caused by the subsidence.

33 (2) A scaled and georeferenced map indicating the location  
34 of the subsidence.

35 (3) A proposed timeline outlining the expected key phases

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1 of the repair.

2 (4) A written approval by a licensed professional engineer  
3 of the plan and observations, and the completion of the repair.

4 Sec. 4. NEW SECTION. **208.24A Use of multiple or single**  
5 **bonds.**

6 Regardless of whether an operator posts a number of multiple  
7 bonds each for a single mine site or a single bond for multiple  
8 mine sites, the total amount of the multiple bonds combined or  
9 the single bond shall be applied only to cover the costs of  
10 completing the reclamation of land identified on the applicable  
11 bond forms or form for mine sites required to be registered  
12 pursuant to section 208.9.

13 EXPLANATION

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

16 GENERAL — REGULATIONS. This bill amends provisions in  
17 Code chapter 208 regulating the mining of minerals, including  
18 surface mining and underground mining, other than for coal,  
19 and provides requirements for the reclamation of lands at the  
20 mine site. The provisions are administered and enforced by the  
21 division of soil conservation and water quality (division),  
22 an administrative unit of the department of agriculture and  
23 land stewardship (Code chapter 159 and Code section 161A.4).  
24 Code chapter 208 regulates a person engaged in and controlling  
25 the mining operation (operator). This includes a requirement  
26 that the operator be issued a license (Code sections 208.7 and  
27 208.8) and register the mine site being operated (Code sections  
28 208.9 and 208.15). The registration must be accompanied by a  
29 bond or other security (Code sections 208.23, 208.24, 208.25,  
30 and 208.28). The bonding provisions include requirements  
31 for the posting of one bond covering multiple mine sites,  
32 and the cancellation or forfeiture of the bond. After the  
33 completion of mining operations, the operator must engage in  
34 the reclamation of the land disturbed by the mining operations,  
35 which may include grading, stabilizing, and revegetating the

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1 disturbed lands (Code section 208.17).

2       GENERAL — ENFORCEMENT AND PENALTIES. The division may  
3 enter onto a mine site to conduct an inspection at any time  
4 (Code section 208.26). The division may issue an order  
5 directing an operator to desist in an activity that constitutes  
6 a violation of Code chapter 208. An operator who violates  
7 such an order is subject to an administratively assessed civil  
8 penalty of up to \$5,000 per violation (Code section 208.10A).  
9 Alternatively, the division may notify the attorney general  
10 to institute a civil action in district court for injunctive  
11 relief and for the assessment of a civil penalty not to exceed  
12 \$10,000 per violation (Code section 208.10A).

13       BILL'S PROVISIONS — SUBSIDENCE. The bill provides for a  
14 condition that may result from a mining activity referred to  
15 as "subsidence", which is defined as the collapse, settling,  
16 or sinking of land that occurs at or above an underground  
17 mine located on public land or land located within a public  
18 right-of-way and is caused by a mining activity (amended Code  
19 section 208.2). The bill requires the operator to notify the  
20 division within 48 hours of the discovery of a subsidence. The  
21 operator must submit an initial assessment of the subsidence  
22 and a subsidence repair plan to the division, including a  
23 detailed description of the proposed methods and steps to  
24 address and repair the damage caused by the subsidence as  
25 approved by a licensed professional engineer.

26       BILL'S PROVISIONS — BONDING. The bill provides that  
27 regardless of whether an operator posts a number of multiple  
28 bonds each for a single mine site or a single bond for multiple  
29 mine sites, the total amount of the multiple bonds combined or  
30 the single bond shall be applied only to cover the costs of  
31 completing the reclamation of land identified on the applicable  
32 bond forms or form.

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House File 2766 - Introduced

HOUSE FILE 2766  
BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO HSB 756)

**A BILL FOR**

1 An Act relating to captive insurance companies and life captive  
2 reinsurance companies, and including civil penalties.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 432.1, Code 2026, is amended by adding  
2 the following new subsection:

3 NEW SUBSECTION. 7. *a.* A tax return filed under this  
4 section shall not be subject to inspection under chapter 22.  
5 It shall be unlawful for any present or former officer or  
6 employee of the state to willfully or recklessly publish any  
7 tax return filed under this section. A person who violates  
8 this paragraph shall be guilty of a serious misdemeanor and, in  
9 addition to any other penalty, shall be dismissed from state  
10 office or discharged from state employment.

11 *b.* This section shall not be construed to prohibit the  
12 department of revenue from turning over information and tax  
13 returns in the department of revenue's possession pursuant  
14 to this subsection to duly authorized officers of the United  
15 States, or tax officials of other states, pursuant to an  
16 agreement between the commissioner of insurance and any of the  
17 following:

18 (1) The secretary of the treasury of the United States, or  
19 the secretary's delegate.

20 (2) The commissioner of insurance of another state.

21 Sec. 2. Section 432.1A, Code 2026, is amended by adding the  
22 following new subsection:

23 NEW SUBSECTION. 9. *a.* A tax return filed under this  
24 section shall not be subject to inspection under chapter 22.  
25 It shall be unlawful for any present or former officer or  
26 employee of the state to willfully or recklessly publish any  
27 tax return filed under this section. A person who violates  
28 this paragraph shall be guilty of a serious misdemeanor and, in  
29 addition to any other penalty, shall be dismissed from state  
30 office or discharged from state employment.

31 *b.* This section shall not be construed to prohibit the  
32 department of revenue from turning over information and  
33 tax returns in the department's possession pursuant to this  
34 subsection to duly authorized officers of the United States, or  
35 tax officials of other states, pursuant to an agreement between

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1 the commissioner of insurance and any of the following:

2 (1) The secretary of the treasury of the United States, or  
3 the secretary's delegate.

4 (2) The commissioner of insurance of another state.

5 Sec. 3. Section 490.905, subsection 1, Code 2026, is amended  
6 to read as follows:

7 1. The secretary of state, upon a corporation complying with  
8 this section and upon the filing of articles of incorporation  
9 and upon receipt of the fees as provided in [this chapter](#),  
10 shall issue an acknowledgment of receipt of document as  
11 of the date of the filing of the articles of incorporation  
12 with the secretary of state. The acknowledgment of receipt  
13 of document shall state on its face that it is issued in  
14 accordance with [this section](#). The secretary of state shall  
15 then notify the appropriate officer of the state or country of  
16 the corporation's last domicile that the corporation is now a  
17 domestic corporation domiciled in this state. [This section](#)  
18 applies to life insurance companies, ~~and~~ to insurance companies  
19 doing business under [chapter 515](#), and to captive companies  
20 doing business under chapter 521J.

21 Sec. 4. Section 521J.1, unnumbered paragraph 1, Code 2026,  
22 is amended to read as follows:

23 As used in this ~~chapter~~ subchapter, unless the context  
24 otherwise requires:

25 Sec. 5. Section 521J.1, subsections 2, 6, 7, 8, and 9, Code  
26 2026, are amended to read as follows:

27 2. "*Alien captive company*" means a captive company formed  
28 under the laws of ~~an alien jurisdiction~~ any country except the  
29 United States that imposes statutory or regulatory standards in  
30 a form acceptable to the commissioner on companies transacting  
31 the business of insurance in such jurisdiction.

32 6. "*Business entity*" means a ~~corporation, a limited~~  
33 ~~liability company, or other legal entity formed by an~~  
34 ~~organizational document~~ legal entity permitted under Iowa law.  
35 "*Business entity*" does not include a sole proprietorship.

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1 7. "*Captive company*" means any pure captive company,  
2 protected cell captive company, special purpose captive  
3 company, or industrial insured captive company formed or  
4 authorized under this ~~chapter~~ subchapter. "*Captive company*"  
5 does not include a life captive reinsurance company as defined  
6 under section 521J.101.

7 8. "*Captive reinsurance company*" means a captive insurance  
8 company in this state, as authorized ~~by the commissioner by~~  
9 rule under this subchapter, that reinsures the risk ceded by  
10 any other insurer. "*Captive reinsurance company*" does not  
11 include a life captive reinsurance company as defined under  
12 section 521J.101.

13 9. "*Captive risk retention group*" means a captive insurance  
14 risk retention group formed under this ~~chapter~~ subchapter and  
15 that is subject to [chapter 515E](#).

16 Sec. 6. Section 521J.1, Code 2026, is amended by adding the  
17 following new subsection:

18 NEW SUBSECTION. 13A. "*Foreign captive company*" means a  
19 captive company formed and licensed under the laws of any  
20 jurisdiction within the United States except this state.

21 Sec. 7. Section 521J.1, subsection 22, Code 2026, is amended  
22 to read as follows:

23 22. "*Protected cell*" means a separate account established  
24 by a protected cell captive company formed or authorized under  
25 this ~~chapter~~ subchapter in which an identified pool of assets  
26 and liabilities are segregated and insulated, as provided in  
27 section 521J.17, from the remainder of the protected cell  
28 captive company's assets and liabilities in accordance with  
29 the terms of one or more participant contracts to fund the  
30 liability of the protected cell captive company with respect to  
31 the participants.

32 Sec. 8. Section 521J.1, subsection 24, paragraph b, Code  
33 2026, is amended to read as follows:

34 *b.* The company is formed or authorized under this ~~chapter~~  
35 subchapter.

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1 Sec. 9. Section 521J.1, subsection 31, Code 2026, is amended  
2 to read as follows:

3 31. "*Special purpose captive company*" means a captive  
4 company that is formed or authorized under this ~~chapter~~  
5 subchapter that does not meet the definition of any other type  
6 of captive company as defined in this ~~section~~ subchapter,  
7 or that is formed by, on behalf of, or for the benefit of a  
8 political subdivision ~~of this state~~. "Special purpose captive  
9 company" may include a reciprocal insurer. "Special purpose  
10 captive company" does not include a life captive reinsurance  
11 company as defined under section 521J.101.

12 Sec. 10. Section 521J.2, subsection 1, unnumbered paragraph  
13 1, Code 2026, is amended to read as follows:

14 If permitted by its organizational document, a captive  
15 company may apply to the commissioner for a certificate of  
16 authority to provide property insurance, casualty insurance,  
17 life insurance, disability income insurance, surety insurance,  
18 marine insurance, health insurance, ~~or~~ a group health plan, or  
19 the ability to accept or transfer risk by means of a parametric  
20 contract, with the following exceptions:

21 Sec. 11. Section 521J.2, subsection 2, Code 2026, is amended  
22 by adding the following new paragraph:

23 NEW PARAGRAPH. e. The captive company's organizational  
24 documents, and any subsequent amendments, have been filed and  
25 approved by the commissioner prior to being filed with the  
26 secretary of state.

27 Sec. 12. Section 521J.2, subsections 3, 4, and 5, Code 2026,  
28 are amended to read as follows:

29 3. a. Prior to receiving a certificate of authority, a  
30 captive company applicant shall do all of the following:

31 (1) File with the commissioner all of the following:

32 (a) A ~~certified~~ copy of the business entity's  
33 organizational document.

34 (b) A statement under oath of an officer of the business  
35 entity showing the business entity's financial condition.

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1 (c) Any other statement or document required by the  
2 commissioner ~~as established by rule.~~

3 (2) Submit a description of coverages, deductibles,  
4 coverage limits, rates, and any additional information  
5 requested by the commissioner to the commissioner for approval.

6 (3) Provide a statement to the commissioner that describes  
7 all of the following:

8 (a) The character, reputation, and financial standing of  
9 the organizers of the business entity.

10 (b) The character, reputation, financial responsibility,  
11 insurance experience, and business qualifications of all  
12 officers, directors, and managing members of the business  
13 entity.

14 (4) Provide any other information required by the  
15 commissioner ~~as established by rule.~~

16 *b.* If there is a subsequent material change in the  
17 information provided to the commissioner under paragraph  
18 "a", the captive company shall submit appropriate supporting  
19 documentation to the commissioner for approval. The captive  
20 company shall not offer any additional lines of insurance until  
21 on or after the date on which the commissioner approves the  
22 supporting documentation. The captive company shall inform the  
23 commissioner of any change in rates within thirty calendar days  
24 of the captive company's adoption of a change in rate.

25 *c.* In addition to the information required under paragraphs  
26 "a" and "b", each applicant captive company shall file with the  
27 commissioner evidence of all of the following:

28 (1) The amount and liquidity of the captive company's assets  
29 relative to the risks to be assumed by the captive company.

30 (2) The adequacy of the expertise, experience, and  
31 character of the persons who will manage the captive company.

32 (3) The overall soundness of the captive company's plan of  
33 operation.

34 (4) The adequacy of the loss prevention program of the  
35 captive company's parent, members, or industrial insureds, as

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1 applicable.

2 (5) Any other factors deemed relevant by the commissioner to  
3 ascertain if the proposed captive company will be able to meet  
4 the company's policy obligations.

5 d. In addition to the information required under paragraph  
6 "a", each applicant that is a protected cell captive company  
7 shall file with the commissioner all of the following:

8 (1) A business plan that demonstrates, at a level of detail  
9 deemed sufficient by the commissioner, how the applicant will  
10 account for the loss and expense experience of each protected  
11 cell, and how the applicant will report the loss and expense  
12 experience of each protected cell to the commissioner.

13 (2) A statement that acknowledges that all financial  
14 records of the protected cell captive company, including  
15 records pertaining to any protected cells, shall be made  
16 available upon request for inspection or examination by the  
17 commissioner or the commissioner's designated agent.

18 (3) A copy of each participant contract.

19 (4) Evidence that expenses will be allocated to each  
20 protected cell in a fair and equitable manner.

21 e. In addition to the requirements of paragraph "a", a  
22 captive company formed as a reciprocal insurer shall file with  
23 the commissioner a certified copy of the power of attorney of  
24 the reciprocal insurer's attorney-in-fact, a certified copy of  
25 the reciprocal insurer's subscribers' agreement, a statement  
26 under oath of the reciprocal insurer's attorney-in-fact that  
27 shows the reciprocal insurer's financial condition, and any  
28 other statements or documents required by the commissioner as  
29 ~~established by rule.~~

30 ~~f.~~ 4. All documents, reports, and information submitted  
31 pursuant to this ~~subsection~~ subchapter shall be confidential  
32 and shall not be made public without the advance written  
33 consent of the submitting company, with the following  
34 exceptions:

35 (1) a. The documents and information shall be discoverable

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1 by a party in a civil action or in a contested case to which  
2 the captive company that submitted the information is a party  
3 upon a showing by the party seeking to discover the information  
4 that the information sought is relevant to, and necessary for,  
5 the furtherance of the action or case; the information sought  
6 is unavailable from other nonconfidential sources; and that a  
7 subpoena issued by a judicial or an administrative officer has  
8 been submitted to the commissioner.

9 ~~(2)~~ b. The commissioner may, in the commissioner's  
10 discretion, disclose the documents and information to a public  
11 official having jurisdiction over the regulation of insurance  
12 in another state, or to a public official of the federal  
13 government, provided that the public official agrees in writing  
14 to maintain the confidentiality of the information, and that  
15 the laws of the state in which the public official serves  
16 require that the information remain confidential.

17 ~~4.~~ 5. a. Each captive company, each individual series  
18 of members of a limited liability company, and each protected  
19 cell shall pay a nonrefundable fee to the commissioner of  
20 two hundred dollars for the examination, investigation, and  
21 processing of its application for a certificate of authority.  
22 The commissioner shall be authorized to retain legal,  
23 financial, and examination services from outside experts as  
24 necessary for review of the application, the reasonable cost of  
25 which may be charged to the applicant.

26 b. Each captive insurance company, each individual series of  
27 members of a limited liability company, and each protected cell  
28 shall pay ~~an initial registration fee, and~~ an annual renewal  
29 registration fee, of three hundred dollars.

30 ~~5.~~ 6. If the commissioner is satisfied with the documents  
31 and statements that an applicant captive company has filed in  
32 compliance with this ~~chapter~~ subchapter, and the applicable  
33 provisions of Title XIII, subtitle 1, the commissioner may  
34 grant a certificate of authority to the captive company that  
35 permits the company to do the business of insurance in this

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1 state. The certificate of authority must be renewed annually  
2 and may be renewed if the applicant is in compliance with this  
3 ~~chapter~~ subchapter.

4 Sec. 13. Section 521J.4, subsection 1, paragraphs d and e,  
5 Code 2026, are amended to read as follows:

6 *d.* Is not less than ~~five~~ one hundred thousand dollars for  
7 a protected cell captive company. ~~If, however, the protected~~  
8 ~~cell captive company does not assume any risks, the risks~~  
9 ~~insured by the protected cells are homogenous, and there are~~  
10 ~~not more than ten cells, the commissioner may reduce the amount~~  
11 ~~to an amount not less than two hundred fifty thousand dollars.~~

12 *e.* Is not less than the applicable amount of capital and  
13 surplus required in paragraphs "a" through "d", as determined  
14 based upon the organizational form of the alien captive  
15 company, for a branch captive company. The minimum capital  
16 and surplus shall be jointly held by the commissioner and the  
17 branch captive company in a bank of the federal reserve system  
18 as approved by the commissioner ~~by rule~~.

19 Sec. 14. Section 521J.4, subsection 3, Code 2026, is amended  
20 to read as follows:

21 3. *a.* The capital and surplus required under subsection  
22 1 and subsection 2, if applicable, shall be in the form of  
23 cash, cash equivalent, marketable securities as approved by  
24 the commissioner, or an irrevocable letter of credit on a form  
25 as prescribed by the commissioner ~~by rule~~ and as issued by  
26 a bank chartered by the state of Iowa, a member bank of the  
27 federal reserve system, or a bank chartered by another state if  
28 approved by the commissioner.

29 *b.* If a captive company elects to satisfy any portion of the  
30 captive company's minimum capital and surplus requirements with  
31 marketable securities, the commissioner may require the captive  
32 company to file financial statements or other reports on a more  
33 frequent basis than otherwise required under this subchapter.  
34 The increased reporting frequency may be imposed to ensure the  
35 commissioner can adequately monitor the liquidity, valuation,

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1 and market risk associated with the marketable securities.

2 Sec. 15. Section 521J.5, subsection 1, Code 2026, is amended  
3 to read as follows:

4 1. A Subject to the commissioner's approval, a captive  
5 company ~~must~~ may be formed or organized as a business entity  
6 as provided under this ~~chapter~~ subchapter, or as a reciprocal  
7 insurer as provided under chapter 520.

8 Sec. 16. Section 521J.5, subsection 2, paragraph c, Code  
9 2026, is amended to read as follows:

10 c. Organized as a reciprocal insurer as permitted by the  
11 commissioner ~~by rule~~.

12 Sec. 17. Section 521J.5, subsection 5, paragraph c, Code  
13 2026, is amended to read as follows:

14 c. A reciprocal insurer shall have at least one member  
15 of the subscribers' advisory committee who is a resident  
16 of this state. ~~A captive risk retention group formed as a~~  
17 ~~reciprocal insurer shall have a minimum of five members of~~  
18 ~~the subscribers' advisory committee who are residents of this~~  
19 ~~state.~~

20 Sec. 18. Section 521J.5, subsections 6 and 7, Code 2026, are  
21 amended to read as follows:

22 6. a. A captive company formed as a corporation or another  
23 business entity shall have the privileges of, and shall be  
24 subject to, state laws governing corporations or other business  
25 entities, and the applicable provisions of this ~~chapter~~  
26 subchapter.

27 b. In the event of a conflict between a state law governing  
28 corporations or other business entities and this ~~chapter~~  
29 subchapter, this ~~chapter~~ subchapter shall take precedence.

30 7. a. A subscribers' agreement, or other organizational  
31 document of a captive company formed as a reciprocal insurer,  
32 shall authorize a quorum of a subscribers' advisory committee  
33 to consist of at least one-third of the number of members on  
34 the advisory committee. In addition to this subchapter, a  
35 captive company formed as a reciprocal insurer shall be subject

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1 to chapter 520, unless exempt by approval of the commissioner  
2 in the captive company's plan of operations. In the event  
3 of a conflict between chapter 520 and this subchapter, this  
4 subchapter shall take precedence.

5 *b.* In addition to this ~~chapter~~ subchapter, a captive risk  
6 retention group shall be subject to **chapter 515E**. In the event  
7 of a conflict between **chapter 515E** and this ~~chapter~~ subchapter,  
8 this ~~chapter~~ subchapter shall take precedence.

9 Sec. 19. Section 521J.5, subsection 8, Code 2026, is amended  
10 by striking the subsection.

11 Sec. 20. Section 521J.5, subsection 9, paragraph b, Code  
12 2026, is amended to read as follows:

13 *b.* A branch captive company established under this  
14 ~~chapter~~ subchapter to write, in this state, only insurance or  
15 reinsurance of the employee benefit business of the branch  
16 captive company's parent and affiliated companies shall be  
17 subject to the federal Employee Retirement Income Security Act  
18 of 1974, 29 U.S.C. §1001, et seq.

19 Sec. 21. Section 521J.6, subsection 2, Code 2026, is amended  
20 to read as follows:

21 2. The commissioner's approval of an ongoing plan for  
22 the payment of dividends or other distributions shall be  
23 conditioned upon retention, at the time of each payment, of  
24 capital and surplus in excess of the amounts specified by,  
25 or determined in accordance with, a formula approved by the  
26 commissioner ~~by rule~~.

27 Sec. 22. Section 521J.7, Code 2026, is amended to read as  
28 follows:

29 **521J.7 Reports.**

30 ~~1.~~ Unless otherwise directed by the commissioner in  
31 the first year of a captive company's licensure under this  
32 subchapter, the captive company shall be required to file an  
33 annual report with the commissioner that meets the following  
34 requirements:

35 ~~a.~~ 1. Except as provided in ~~paragraph "b"~~ subsection

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1 2, on or before April 1 of each year, each captive company  
2 and each captive risk retention group shall submit to the  
3 commissioner a report on the company's financial condition as  
4 of December 31 of the preceding year, as verified by oath of  
5 two of the company's or group's executive officers. The report  
6 shall be submitted in a form and manner as prescribed by the  
7 commissioner by rule.

8 ~~b.~~ 2. A captive company, other than a captive risk  
9 retention group, may apply to the commissioner to file the  
10 report required under ~~paragraph "a"~~ subsection 1 on a fiscal  
11 year-end basis. If the commissioner approves reporting on a  
12 fiscal year-end basis, the captive company shall comply with  
13 all of the following requirements:

14 ~~(1)~~ a. Subject to ~~subparagraph (2)~~ paragraph "b", the  
15 captive company's report shall be filed no later than ninety  
16 calendar days after the close of the company's fiscal year.

17 ~~(2)~~ b. Prior to April 1, the captive company shall file a  
18 report covering the immediately preceding calendar year with  
19 the commissioner to provide sufficient information to support  
20 the captive company's premium tax return under [section 432.1A](#).

21 ~~c.~~ 3. Each captive company shall use generally accepted  
22 accounting principles as used in the United States, unless  
23 the commissioner requires, approves, or accepts the use  
24 of United States statutory accounting principles or any  
25 other comprehensive accounting principles for the company's  
26 report. The commissioner may require, approve, or accept  
27 any appropriate or necessary modifications of United States  
28 statutory accounting principles or other comprehensive  
29 accounting principles based on the type of insurance and kinds  
30 of insurers that are included in a captive company's report.  
31 The report may include letters of credit that are established,  
32 issued, or confirmed by any of the following:

33 ~~(1)~~ a. A bank chartered in this state.

34 ~~(2)~~ b. A member of the federal reserve system.

35 ~~(3)~~ c. A bank chartered by another state, if approved by

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1 the commissioner.

2 ~~d.~~ 4. An actuarial opinion from a qualified actuary  
3 regarding the adequacy of the company's required reserves to  
4 make full provision for the company's liabilities, insured or  
5 reinsured, shall be included in the report. The qualified  
6 actuary shall submit a memorandum to the commissioner that  
7 details the qualified actuary's support for the actuarial  
8 opinion. The commissioner may require that additional  
9 information be submitted to supplement the actuarial opinion.

10 ~~e.~~ 5. All captive companies shall be audited annually by an  
11 independent certified public accountant and shall annually file  
12 the audited financial report with the commissioner on or before  
13 June 1, as a supplement to the annual report required under  
14 ~~section 521J.7, subsection 1~~ this section.

15 ~~f.~~ 6. A captive company may request an extension to file  
16 a report required by this section. A written request for an  
17 extension must be received by the commissioner not less than  
18 ten days before the filing due date, and the request must  
19 contain sufficient details to enable the commissioner to make  
20 an informed decision regarding the request. The commissioner  
21 may grant a thirty-day extension upon a determination by the  
22 commissioner that a captive company has good cause for the  
23 extension.

24 ~~g.~~ 7. A captive company may be required to file a report  
25 on the captive company's financial condition on a semiannual,  
26 quarterly, monthly, or other basis as determined by the  
27 commissioner.

28 ~~h.~~ 8. Captive companies shall file all reports required  
29 under this section in the form and manner prescribed by the  
30 commissioner by rule.

31 ~~2. All reports filed pursuant to this section shall be~~  
32 ~~considered confidential and shall not be a public record.~~

33 Sec. 23. Section 521J.8, subsection 1, paragraph a, Code  
34 2026, is amended to read as follows:

35 a. Except for captive risk retention groups as provided

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1 under paragraph "c", the commissioner may examine each captive  
2 company's compliance with this ~~chapter~~ subchapter, and may  
3 examine the affairs, transactions, accounts, records, and  
4 assets of each captive company as the commissioner deems  
5 necessary.

6 Sec. 24. Section 521J.8, subsection 5, Code 2026, is amended  
7 to read as follows:

8 5. The applicable provisions of chapter 507 shall apply to  
9 examinations conducted under this ~~chapter~~ subchapter.

10 Sec. 25. Section 521J.9, subsection 1, paragraphs h and i,  
11 Code 2026, are amended to read as follows:

12 *h.* Failure to submit or pay any fee under this ~~chapter~~  
13 subchapter.

14 *i.* Failure to submit to or pay the cost of any examination  
15 under this ~~chapter~~ subchapter.

16 Sec. 26. Section 521J.11, subsection 1, Code 2026, is  
17 amended to read as follows:

18 1. A merger between captive stock insurers, or a merger  
19 between captive mutual insurers, shall meet the requirements  
20 of chapter 521 and section 521J.5, as applicable. The  
21 commissioner may, at the commissioner's discretion, provide  
22 notice to the public of a proposed merger prior to the  
23 commissioner's approval or disapproval of a merger. Except  
24 as provided in this section, applicable provisions of chapter  
25 508B shall apply to a merger, consolidation, conversion,  
26 mutualization, or voluntary dissolution by a captive company.

27 Sec. 27. Section 521J.13, subsection 1, Code 2026, is  
28 amended to read as follows:

29 1. *a.* Industrial insured captive companies and captive  
30 risk retention groups shall comply with investment requirements  
31 as ~~established~~ approved by the commissioner ~~by rule~~. The  
32 commissioner may approve the use of alternative reliable  
33 methods of valuation and rating.

34 *b.* If a captive company's ~~admitted~~ annual report filed  
35 pursuant to section 521J.7 states total assets total of less

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1 than five million dollars, the commissioner may approve an  
2 investment of up to twenty percent of the captive company's  
3 admitted assets in rated credit instruments in any ~~one~~  
4 investment that meets the requirements established by the  
5 commissioner ~~by rule~~. For purposes of this subsection, total  
6 assets shall be based on the accounting basis approved by the  
7 commissioner, provided that all assets included in such total  
8 assets must be reasonably liquid, realizable, and available to  
9 support the obligations of the captive.

10 Sec. 28. Section 521J.14, subsection 3, Code 2026, is  
11 amended to read as follows:

12 3. Insurance by a captive company of any workers'  
13 compensation qualified self-insured plan of the captive  
14 company's parent and affiliates shall be deemed to be  
15 reinsurance under this ~~chapter~~ subchapter.

16 Sec. 29. Section 521J.17, subsection 2, unnumbered  
17 paragraph 1, Code 2026, is amended to read as follows:

18 A protected cell captive company formed or authorized  
19 under this ~~chapter~~ subchapter shall be subject to all of the  
20 following requirements:

21 Sec. 30. Section 521J.17, subsection 2, paragraph a,  
22 subparagraph (4), Code 2026, is amended to read as follows:

23 (4) Each protected cell shall be ~~incorporated~~. ~~An~~  
24 ~~incorporated protected cell may be organized and operated~~  
25 ~~in any form of business organization as authorized by the~~  
26 ~~commissioner by rule~~ formed as a business entity, provided the  
27 business entity is separate from the protected cell captive  
28 company of which the business entity is a part. Each protected  
29 cell of a protected cell captive company shall be treated as  
30 a captive insurance company under this ~~chapter~~ subchapter,  
31 except that the limit on maximum yearly aggregate taxes paid  
32 under [section 432.1A, subsection 4](#), shall not apply. Unless  
33 otherwise permitted by the organizational document of a  
34 protected cell captive company, each protected cell of the  
35 protected cell captive company must have the same directors,

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1 secretary, and registered office as the protected cell captive  
2 company.

3 Sec. 31. Section 521J.17, subsection 2, paragraph c, Code  
4 2026, is amended to read as follows:

5 c. The establishment of a protected cell shall create, with  
6 respect to the protected cell, a ~~legal person~~ business entity  
7 separate from the protected cell captive company. Amounts  
8 attributed to a protected cell under this ~~chapter~~ subchapter,  
9 including assets transferred to a protected cell account, shall  
10 be owned by the protected cell and the protected cell captive  
11 company shall not be a trustee, or hold itself out to be a  
12 trustee, with respect to the protected cell assets of that  
13 protected cell account.

14 Sec. 32. Section 521J.18, Code 2026, is amended to read as  
15 follows:

16 **521J.18 Sponsors — qualifications.**

17 A sponsor of a protected cell captive company may be  
18 any person approved by the commissioner, based on the  
19 commissioner's determination that the approval of such person  
20 as a sponsor is consistent with the purposes of this ~~chapter~~  
21 subchapter. In evaluating the qualifications of a proposed  
22 sponsor, the commissioner shall consider the type and structure  
23 of the proposed sponsor entity, the sponsor's experience in  
24 financial operations, the sponsor's financial stability, the  
25 sponsor's business reputation, and any other factors deemed  
26 relevant by the commissioner. A risk retention group shall not  
27 be a sponsor of a protected cell captive company.

28 Sec. 33. Section 521J.22, subsection 3, paragraph a,  
29 subparagraph (3), Code 2026, is amended to read as follows:

30 (3) The dormant captive company shall pay an annual one  
31 thousand dollar dormancy tax, due on or before March 1, if  
32 for any portion of the immediately preceding calendar year  
33 the captive company held a certificate of dormancy. Each  
34 series of members and each protected cell shall be considered  
35 separate for purposes of paying the annual dormancy tax under

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1 a certificate of dormancy. A dormant captive company is not  
2 otherwise liable for any annual renewal as provided in section  
3 521J.2, ~~subsection 4~~ subsection 5, paragraph "b".

4 Sec. 34. Section 521J.23, Code 2026, is amended to read as  
5 follows:

6 **521J.23 Workers' compensation — compliance with state and  
7 federal laws.**

8 1. This ~~chapter~~ subchapter shall not be construed to exempt  
9 a captive company, a captive company's parent, or a captive  
10 company's affiliated companies from compliance with applicable  
11 state and federal laws governing workers' compensation  
12 insurance.

13 2. This ~~chapter~~ subchapter shall not be construed to divest  
14 the division of workers' compensation of any jurisdiction, as  
15 authorized by law, over workers' compensation self-insurance  
16 plans.

17 Sec. 35. Section 521J.24, subsection 1, paragraph b, Code  
18 2026, is amended to read as follows:

19 *b.* All books, records, documents, accounts, vouchers, and  
20 agreements shall be kept in a manner that the commissioner can  
21 readily ascertain the captive company's financial condition,  
22 affairs, and operations; can readily verify the captive  
23 company's financial statements; and can confirm the captive  
24 company's compliance with this ~~chapter~~ subchapter.

25 Sec. 36. Section 521J.26, unnumbered paragraph 1, Code  
26 2026, is amended to read as follows:

27 The commissioner ~~shall~~ may adopt rules pursuant to chapter  
28 17A to implement and administer this ~~chapter~~ subchapter.

29 Sec. 37. NEW SECTION. **521J.27 Redomestication — premium  
30 tax year waiver.**

31 1. For taxes due pursuant to section 432.1A, a foreign or  
32 alien captive company organized under this subchapter that  
33 redomesticates into the state shall only be liable for taxes on  
34 premiums paid to the captive company after redomestication.

35 2. A foreign or alien captive company that redomesticates

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1 under this subchapter shall report to the commissioner all  
2 premium taxes annually due under section 432.1A, and may elect  
3 to forgo payment of the premium taxes in either the calendar  
4 year in which the foreign or alien captive company first  
5 domesticates into the state, or the immediately succeeding  
6 calendar year. A foreign or alien captive company that makes  
7 such election that subsequently surrenders the foreign or  
8 alien captive company's license or redomesticates to another  
9 jurisdiction within five years from the date of redomestication  
10 into the state shall immediately pay to the commissioner a tax  
11 in an amount equal to the foregone premium tax plus ten percent  
12 per annum from the date the foregone premium tax would have  
13 originally been due.

14 3. This section shall not apply to tax years beginning on or  
15 after January 1, 2030.

16 Sec. 38. NEW SECTION. 521J.101 Definitions.

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

19 1. "*Affiliated company*" means the same as defined in section  
20 521J.1.

21 2. "*Business entity*" means the same as defined in section  
22 521J.1.

23 3. "*Ceding insurer*" means an affiliated company of a life  
24 captive reinsurance company that cedes risk to the life captive  
25 reinsurance company pursuant to a reinsurance contract.

26 4. "*Commissioner*" means the commissioner of insurance.

27 5. "*Dormant life captive reinsurance company*" means a life  
28 captive reinsurance company that has ceased transacting the  
29 business of insurance, including but not limited to ceasing  
30 issuance of insurance policies, and does not have any remaining  
31 liabilities associated with the life captive reinsurance  
32 company's insurance business transactions or insurance policies  
33 prior to the filing of an application for a certificate of  
34 dormancy.

35 6. a. "*Insurance securitization*" or "*securitization*" means

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1 a transaction or a group of related transactions, including  
2 but not limited to capital market offerings, that are effected  
3 through related risk transfer instruments and facilitation  
4 of administrative agreements, in which any of the following  
5 proceeds from the transaction or group of related transactions  
6 are used to fund a life captive reinsurance company's

7 obligations under a reinsurance contract with a ceding insurer:

8 (1) Proceeds obtained by a life captive reinsurance  
9 company, directly or indirectly, through the issuance of  
10 securities by the life captive reinsurance company or any other  
11 person.

12 (2) Proceeds provided through one or more letter of credit  
13 or other assets for the benefit of the life captive reinsurance  
14 company, and which the commissioner authorizes the life captive  
15 reinsurance company to treat as admitted assets for purposes of  
16 the life captive reinsurance company's annual statement.

17 b. *"Insurance securitization"* or *"securitization"* does not  
18 include the issuance of a letter of credit to satisfy all or  
19 part of the life captive reinsurance company's capital and  
20 surplus requirements under this subchapter.

21 7. *"Letter of credit"* means a clean, irrevocable,  
22 unconditional letter of credit, issued or confirmed by a  
23 qualified United States financial institution, as defined in  
24 section 521B.104, subsection 1.

25 8. *"Life captive reinsurance company"* means a captive  
26 insurance company in this state that is authorized under and  
27 meets the requirements of this subchapter, and that reinsures  
28 the risk ceded by a life insurance company.

29 9. *"NAIC"* means the national association of insurance  
30 commissioners.

31 10. *"Organizational document"* means the same as defined in  
32 section 521J.1.

33 11. *"Organizing company"* means a life insurance company or  
34 an affiliated company that organizes a life captive reinsurance  
35 company.

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1 12. "Parent" means a person that owns an organizing  
2 company, either directly or indirectly through one or more  
3 intermediaries.

4 13. "Person" means an individual, corporation, limited  
5 liability company, business trust, estate, trust, partnership  
6 or association, joint stock company, unincorporated  
7 organization, or any other legal entity, or combination of the  
8 foregoing acting in concert. "Person" does not include a joint  
9 venture partnership exclusively engaged in owning, managing,  
10 leasing, or developing real or tangible personal property.

11 14. "Qualified actuary" means the same as defined in section  
12 521J.1.

13 15. "Risk" means a risk associated with life insurance  
14 policies and contracts written by a ceding life insurance  
15 company or assumed by a ceding life insurance company from  
16 an affiliated company, which were written by the affiliated  
17 company and for which the ceding life insurance company holds  
18 direct statutory reserves as required by section 508.36.

19 16. "Risk-based capital instructions" means instructions  
20 included in a risk-based capital report as adopted and amended  
21 by the NAIC.

22 17. "Security" means the same as defined in section 502.102.  
23 "Security" also includes any form of debt obligation, surplus  
24 note, derivative, or other financial instrument that the  
25 commissioner designates as a "security" for purposes of this  
26 subchapter.

27 18. "Surplus note" means an unsecured subordinate debt  
28 obligation possessing characteristics consistent with the NAIC  
29 statutory accounting principles pursuant to the most recently  
30 published NAIC accounting practices and procedures manual.

31 Sec. 39. NEW SECTION. 521J.102 Certificate of authority.

32 1. A life captive reinsurance company issued a certificate  
33 of authority shall only reinsure the risks of a ceding insurer  
34 and shall not otherwise engage in the business of insurance. A  
35 life captive reinsurance company may purchase retrocession to

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1 cede the risks assumed under a reinsurance contract, subject to  
2 prior approval of the commissioner.

3 2. A life captive reinsurance company shall not write any  
4 insurance business unless the life captive reinsurance company  
5 complies with all of the following:

6 a. The life captive reinsurance company obtains a  
7 certificate of authority from the commissioner.

8 b. The life captive reinsurance company maintains its  
9 principal place of business in the state.

10 c. The life captive reinsurance company's board of directors  
11 holds at least one annual meeting in the state.

12 d. At least one member of the board of directors of the life  
13 captive reinsurance company is a resident of the state.

14 e. The life captive reinsurance company designates a  
15 registered agent to accept service of process, files the name  
16 and contact information and any subsequent changes regarding  
17 the registered agent with the commissioner, and agrees that if  
18 the registered agent cannot be found with reasonable diligence,  
19 the commissioner may act as an agent of the life captive  
20 reinsurance company with respect to any action or proceeding,  
21 and the commissioner may be served pursuant to section 505.30.

22 f. The life captive reinsurance company has filed a copy  
23 of the life captive reinsurance company's articles and bylaws,  
24 including any subsequent amendment to the articles or bylaws,  
25 with the commissioner and with the secretary of state, and the  
26 articles and bylaws have been approved by the commissioner and  
27 the secretary of state.

28 3. a. Prior to receiving a certificate of authority, a life  
29 captive reinsurance company shall do all of the following:

30 (1) File with the commissioner all of the following:

31 (a) A copy of the life captive reinsurance company's plan  
32 of operation.

33 (b) An affidavit from the life captive reinsurance  
34 company's president, vice president, treasurer, or chief  
35 financial officer that includes all of the following:

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1 (i) A statement that the proposed organization and  
2 operation of the life captive reinsurance company complies with  
3 this section.

4 (ii) The life captive reinsurance company's investment  
5 policy reflects and accounts for the liquidity of assets and  
6 the reasonable preservation, administration, and management  
7 of assets with respect to the risks associated with the  
8 reinsurance contract between the life captive reinsurance  
9 company and the parent or ceding insurer.

10 (c) A statement under oath by an officer of the life  
11 captive reinsurance company that attests to the life captive  
12 reinsurance company's financial condition.

13 (d) Documentation that provides evidence of the amount  
14 and liquidity of the life captive reinsurance company's  
15 assets relative to the risks to be assumed by the life captive  
16 reinsurance company.

17 (e) Documentation that provides evidence related to the  
18 overall soundness of the life captive reinsurance company's  
19 plan of operation.

20 (f) A certification from an actuarial officer of a ceding  
21 insurer that complies with section 521J.104.

22 (g) A description of coverages, deductibles, coverage  
23 limits, rates, and any additional information requested by the  
24 commissioner.

25 (h) A copy of each reinsurance contract and each arrangement  
26 that secures the life captive reinsurance company's obligations  
27 under the reinsurance contract between the life captive  
28 reinsurance company and the parent or ceding insurer, including  
29 but not limited to any agreements or other documentation to  
30 implement such reinsurance contract or arrangement.

31 (i) A legal opinion, in a form and manner approved by  
32 the commissioner, that the offer and sale of life captive  
33 reinsurance company securities comply with all applicable  
34 registration requirements or applicable exemptions or  
35 exceptions to such requirements under state and federal

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1 securities laws. The legal opinion shall not be required  
2 as part of the life captive reinsurance company's initial  
3 application for a certificate of authority if the life captive  
4 reinsurance company includes a statement in the company's  
5 plan of operation that the legal opinion will be submitted  
6 to the commissioner prior to the offer or sale of a captive  
7 reinsurance security.

8 (j) An opinion of a qualified actuary, approved by the  
9 commissioner, confirming that the methodology and assumptions  
10 to set and discount reserves sufficiently provide for the risk  
11 assumed by the life captive reinsurance company, including  
12 significant stress tests on key assumptions.

13 (k) A biographical affidavit for each officer and each  
14 director of the life captive reinsurance company prepared on  
15 the most recent template for biographical affidavits prescribed  
16 by the NAIC.

17 (2) Provide the commissioner with any other statement or  
18 document requested by the commissioner to evaluate the life  
19 captive reinsurance company's application for a certificate of  
20 authority.

21 (3) Pay a nonrefundable fee of two thousand five hundred  
22 dollars to the commissioner for the examination, investigation,  
23 and processing of the life captive reinsurance company's  
24 application for a certificate of authority.

25 *b.* The commissioner shall be authorized to retain legal,  
26 financial, and examination services from outside experts as  
27 necessary for review of the application, the reasonable cost of  
28 which may be charged to the applicant.

29 *c.* If there is a subsequent material change in the  
30 information provided to the commissioner under paragraph  
31 "a", the life captive reinsurance company shall inform the  
32 commissioner within thirty calendar days of the date of the  
33 material change and shall submit appropriate documentation as  
34 requested by the commissioner for approval. The life captive  
35 reinsurance company shall not write any insurance business

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1 until on or after the date on which the commissioner approves  
2 the supporting documentation.

3 4. All documents and information submitted pursuant to this  
4 subchapter shall be confidential and shall not be made public  
5 without the advance written consent of the submitting life  
6 captive reinsurance company, with the following exceptions:

7 a. The documents and information shall be discoverable by  
8 a party in a civil action or in a contested case to which the  
9 life captive reinsurance company that submitted the information  
10 is a party upon a showing by the party seeking to discover  
11 the information that the information sought is relevant to,  
12 and necessary for, the furtherance of the action or case; the  
13 information sought is unavailable from other nonconfidential  
14 sources; and that a subpoena issued by a judicial or an  
15 administrative officer has been submitted to the commissioner.

16 b. The commissioner may, in the commissioner's discretion,  
17 disclose the documents and information to a public official  
18 having jurisdiction over the regulation of insurance in another  
19 state, or to a public official of the federal government,  
20 provided that the public official agrees in writing to maintain  
21 the confidentiality of the information, and that the laws of  
22 the state in which the public official serves require that the  
23 information remain confidential.

24 5. a. If an application filed by a life captive reinsurance  
25 company is complete, the commissioner may issue to the life  
26 captive reinsurance company a certificate of authority upon a  
27 finding of all of the following:

28 (1) The life captive reinsurance company's proposed plan of  
29 operation provides for a viable operation and is not hazardous  
30 to any ceding insurer.

31 (2) The terms of any reinsurance contract and related  
32 transactions of the life captive reinsurance company comply  
33 with this subchapter and the insurance laws and rules of this  
34 state.

35 b. In conjunction with the issuance of the certificate

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1 of authority to a life captive reinsurance company, the  
2 commissioner may issue an order regarding any terms and  
3 conditions relating to the organization, licensing, and  
4 operation of the life captive reinsurance company that the  
5 commissioner deems appropriate and that are not inconsistent  
6 with this subchapter.

7 6. A certificate of authority shall be valid for a period  
8 of one year beginning on the date of initial issuance and  
9 the certificate must be renewed annually. A certificate of  
10 authority may be renewed if the applicant is in compliance with  
11 the requirements of this subchapter and has paid an annual  
12 renewal registration fee at the time of renewal in the amount  
13 of two thousand five hundred dollars.

14 Sec. 40. NEW SECTION. 521J.103 Life captive reinsurance  
15 companies — names.

16 A life captive reinsurance company shall not adopt a name  
17 that is the same, deceptively similar, or likely to be confused  
18 with or mistaken for any other existing business name already  
19 registered in this state.

20 Sec. 41. NEW SECTION. 521J.104 Actuarial officer —  
21 certification.

22 On the date a life captive reinsurance company files an  
23 application for a certificate of authority under section  
24 521J.102, and by March 15 of each succeeding year that a life  
25 captive reinsurance company is in operation and is ceded new  
26 business from a ceding insurer, a qualified actuary of each  
27 ceding insurer shall file with the commissioner a certification  
28 that the ceding insurer's transactions with the life captive  
29 reinsurance company are not used to gain an unfair advantage  
30 if pricing of policies and contracts reinsured by the life  
31 captive reinsurance company reflect, at the time the policies  
32 and contracts were issued, a reasonable long-term estimate of  
33 the cost to the ceding insurer of an alternative third-party  
34 transaction and utilize current pricing assumptions. The  
35 ceding insurer shall have an ongoing responsibility to maintain

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1 documentation detailing the process by which the qualified  
2 actuary arrived at the conclusions in the certification in  
3 preparation for an examination conducted pursuant to section  
4 521J.110.

5 Sec. 42. NEW SECTION. 521J.105 **Minimum capital and surplus**  
6 **requirements.**

7 1. The commissioner shall not issue a certificate of  
8 authority to a life captive reinsurance company unless the life  
9 captive reinsurance company possesses and maintains unimpaired  
10 paid-in capital and surplus that is not less than five million  
11 dollars. The commissioner may require additional capital  
12 and surplus based upon the type, volume, and nature of the  
13 reinsurance business transacted by the life captive reinsurance  
14 company. Minimum capital and surplus shall be in the form of  
15 cash or other securities that are investment-grade at the time  
16 of acquisition and are acceptable to the commissioner.

17 2. Except as otherwise provided in this section, chapter  
18 521E shall apply to a life captive reinsurance company.

19 Sec. 43. NEW SECTION. 521J.106 **Plan of operation.**

20 A life captive reinsurance company must have a plan of  
21 operation approved by the life captive reinsurance company's  
22 board of directors, and, prior to assuming risks under a  
23 reinsurance contract, shall submit the plan of operation to the  
24 commissioner for approval. The commissioner may approve the  
25 plan of operation upon finding that the plan of operation meets  
26 the requirements of this section, and may require amendments to  
27 the plan of operation as necessary to satisfy the requirements  
28 of this section. Any change in the life captive reinsurance  
29 company's plan of operation shall require prior approval of  
30 the commissioner. The plan of operation must include, at a  
31 minimum, all of the following:

32 1. A complete description of all reinsurance transactions,  
33 reinsurance security arrangements, securitizations, and any  
34 other material transactions or arrangements in which the life  
35 captive reinsurance company engages.

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1 2. The source and form of the life captive reinsurance  
2 company's capital and surplus minimums as required under  
3 521J.105.

4 3. The life captive reinsurance company's policy on  
5 investments.

6 4. Pro forma balance sheets and income statements  
7 illustrating one or more adverse case scenarios, as determined  
8 under criteria established by the commissioner, for the  
9 performance of the life captive reinsurance company under all  
10 reinsurance contracts.

11 5. Risk-based capital requirements, that, at a minimum,  
12 require the life captive reinsurance company to maintain  
13 risk-based capital equal to the product of two and one-half and  
14 the number determined under the life risk-based capital formula  
15 in accordance with the risk-based capital instructions.

16 6. The life captive reinsurance company's procedures for  
17 notice and reporting of material transactions.

18 7. The life captive reinsurance company's policies for  
19 payments of dividends and other distributions to the organizing  
20 company.

21 8. Copies of all contracts between the life captive  
22 reinsurance company and affiliated companies.

23 **Sec. 44. NEW SECTION. 521J.107 Life captive reinsurance**  
24 **companies — formation.**

25 1. A life insurance company or an affiliated company may  
26 organize a life captive reinsurance company pursuant to this  
27 subchapter. A life captive reinsurance company must be formed  
28 as a corporation and may only reinsure risks of the organizing  
29 company, and may access alternative forms of financing.

30 2. An organizing company shall maintain a minimum of ten  
31 percent voting interest and ten percent equity ownership in the  
32 life captive reinsurance company unless otherwise approved by  
33 the commissioner.

34 3. A life captive reinsurance company's organizational  
35 documents must limit the life captive reinsurance company's

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1 authority to transact the business of reinsurance to only  
2 reinsure the risks of a ceding insurer.

3 4. An organizing company may invest funds from its surplus  
4 in a life captive reinsurance company organized pursuant to  
5 this subchapter.

6 5. An organizing company's officers and directors may serve  
7 as officers and directors of a life captive reinsurance company  
8 organized pursuant to subsection 1.

9 6. A life captive reinsurance company organized under this  
10 subchapter shall be deemed to be licensed to transact the  
11 business of reinsurance for the purposes of section 521B.102,  
12 subsection 1, but shall only reinsure risks of the organizing  
13 company and affiliated companies.

14 7. A life captive reinsurance company may, upon approval of  
15 the commissioner, purchase reinsurance to cede the reinsurance  
16 risks assumed by the life captive reinsurance company.

17 8. Admitted assets of a life captive reinsurance company  
18 shall include assets approved by the commissioner which shall  
19 be deemed to be, and reported as, admitted assets of the life  
20 captive reinsurance company.

21 **Sec. 45. NEW SECTION. 521J.108 Dividends and distributions.**

22 1. A life captive reinsurance company shall not pay a  
23 dividend out of, or other distribution with respect to, the  
24 minimum capital or surplus required under section 521J.105  
25 without the prior written approval of the commissioner.

26 2. The commissioner's approval of an ongoing plan for  
27 the payment of dividends or other distributions shall be  
28 conditioned upon retention, at the time of each payment, of  
29 capital and surplus in excess of the amounts specified by,  
30 or determined in accordance with, a formula approved by the  
31 commissioner.

32 **Sec. 46. NEW SECTION. 521J.109 Reports and notifications.**

33 1. A life captive reinsurance company shall provide the  
34 commissioner with a copy of documentation of an insurance  
35 securitization no later than forty-five calendar days before

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1 the closing on the transaction for the securitization.

2 2. In the event of a material change in the financial  
3 condition or management of a life captive reinsurance company,  
4 the company shall notify the commissioner in writing within two  
5 business days of the material change.

6 3. A life captive reinsurance company shall notify the  
7 commissioner within five business days of becoming aware of a  
8 material event affecting the life captive reinsurance company's  
9 parent, organizing company, or controlling entity that has not  
10 previously been disclosed to the commissioner.

11 4. If a life captive reinsurance company's parent,  
12 organizing company, or controlling entity is subject to group  
13 supervision in another jurisdiction, the commissioner may  
14 request participation in supervisory colleges or coordination  
15 calls with the lead regulator of that jurisdiction. The life  
16 captive reinsurance company shall facilitate the commissioner's  
17 participation to the extent permitted by law.

18 5. A life captive reinsurance company shall immediately  
19 notify the commissioner of an action by a ceding insurer or any  
20 other person to foreclose on, or otherwise take possession of,  
21 collateral provided by the life captive reinsurance company to  
22 secure an obligation of the life captive reinsurance company.

23 6. A life captive reinsurance company shall not be required  
24 to file any report, notice, or other document with the NAIC  
25 unless required by the commissioner.

26 7. At the commissioner's request, a life captive  
27 reinsurance company shall provide to the commissioner a copy  
28 of any financial or risk-related filings submitted by the  
29 company's parent, affiliate, organizing company, or controlling  
30 entity to the life captive reinsurance company's domiciliary  
31 insurance regulator. Upon request by the commissioner, such  
32 filings shall be provided to the commissioner within ten  
33 business days of the submission to the organizing company's  
34 domestic regulator.

35 8. A life captive reinsurance company shall file with the

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1 commissioner all of the following:

2 *a.* On or before March 1 of each year, for the immediately  
3 preceding calendar year, all of the following:

4 (1) A report of the company's risk-based capital level as  
5 of the end of the immediately preceding calendar year that  
6 contains the information required by the risk-based capital  
7 instructions.

8 (2) A supplemental compensation exhibit that discloses the  
9 total annual compensation of the company's officers, directors,  
10 and key employees. The supplemental exhibit must follow the  
11 format and instructions adopted by the NAIC for life insurance  
12 company filings.

13 *b.* (1) On or before March 1 of each year, for the  
14 immediately preceding calendar year, an actuarial opinion from  
15 the company's actuary on reserves for all risks assumed by the  
16 life captive reinsurance company pursuant to the company's  
17 reinsurance contracts and may discount the life captive  
18 reinsurance company's reserves in accordance with the actuarial  
19 opinion subject to approval by the commissioner. The company's  
20 actuary shall submit a memorandum to the commissioner that  
21 details the actuary's support for the actuarial opinion. The  
22 commissioner may require additional information to be submitted  
23 to supplement the actuarial opinion.

24 (2) Biennially on April 1, for the immediately preceding  
25 calendar year, an opinion by an independent qualified actuary  
26 concerning the methods and assumptions used to set reserves.  
27 The independent qualified actuary must be deemed acceptable by  
28 the commissioner prior to filing the opinion.

29 *c.* Completed quarterly and annual financial statement blanks  
30 as are required by the NAIC for traditional life insurance  
31 companies, including any supplements or interrogatories  
32 required by the NAIC, in accordance with the NAIC statutory  
33 accounting principles. The commissioner may require, approve,  
34 or accept any appropriate or necessary modifications of the  
35 NAIC statutory accounting principles based on the type of

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1 insurance and kind of insurers included in the life captive  
2 reinsurance company's report. The quarterly filings shall be  
3 filed with the commissioner on or before May 15 for the first  
4 quarter, August 15 for the second quarter, and November 15 for  
5 the third quarter for the current calendar year. The annual  
6 statement shall be filed with the commissioner on or before  
7 March 1 of each year for the immediately preceding calendar  
8 year.

9 *d.* On or before April 1 of each year, all of the following:

10 (1) For the immediately preceding calendar year, a written  
11 management's discussion and analysis of the company's financial  
12 condition and results of operations.

13 (2) For the immediately preceding tax year, a report  
14 providing sufficient information to support the company's  
15 premium tax return submitted pursuant to section 432.1A.

16 *e.* On or before June 1 of each year, for the immediately  
17 preceding calendar year, a report of the company's financial  
18 condition audited by an independent certified public  
19 accountant. The report shall be presented in accordance with  
20 the NAIC statutory accounting principles.

21 *f.* On or before August 1 of each year, a management  
22 report on internal control over financial reporting with the  
23 commissioner that describes the life captive reinsurance  
24 company's internal control structure over financial reporting  
25 and identifies any material weaknesses as of the end of the  
26 preceding calendar year.

27 9. Not less than ten business days prior to a filing due  
28 date, a life captive reinsurance company may submit a written  
29 request for an extension to file a report required under  
30 subsection 8. The request must contain sufficient details to  
31 enable the commissioner to make an informed decision about  
32 the request. The commissioner may grant an extension upon a  
33 determination that the life captive reinsurance company has  
34 good cause for the extension.

35 Sec. 47. NEW SECTION. 521J.110 **Examinations.**

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1 1. a. The commissioner may examine each life captive  
2 reinsurance company's compliance with this subchapter, and  
3 may examine the affairs, transactions, accounts, records,  
4 and assets of each life captive reinsurance company as the  
5 commissioner deems necessary, but not less frequently than  
6 every five calendar years.

7 b. The commissioner shall, upon the completion of an  
8 examination under paragraph "a", or at such regular intervals  
9 prior to completion of an examination as the commissioner  
10 determines, prepare an account of the costs incurred in  
11 performing and preparing the report of the examination which  
12 shall be charged to and paid by the life captive reinsurance  
13 company examined. If the life captive reinsurance company  
14 fails or refuses to pay the charges, the charges may be  
15 recovered in an action brought in the name of the state.

16 2. This section shall apply to all business written by a  
17 life captive reinsurance company.

18 3. The applicable provisions of chapter 507 shall apply to  
19 examinations conducted under this subchapter.

20 Sec. 48. NEW SECTION. 521J.111 **Suspension or revocation.**

21 1. A life captive reinsurance company's certificate of  
22 authority to conduct the business of insurance in this state  
23 may be suspended or revoked by the commissioner for any of the  
24 following reasons:

25 a. Insolvency or impairment of capital or surplus.

26 b. Failure to meet and maintain the minimum capital and  
27 surplus requirements under section 521J.105.

28 c. Refusal or failure to submit an annual report pursuant to  
29 section 521J.109, or to submit a report or statement required  
30 by law or by lawful order of the commissioner.

31 d. Failure to comply with the life captive reinsurance  
32 company's own charter, bylaws, or other organizational  
33 document.

34 e. Failure to submit to an examination under section  
35 521J.110.

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1 *f.* Use of methods that render the life captive reinsurance  
2 company's operation detrimental, or the company's condition  
3 unsound, with respect to the company's policyholders or to the  
4 public.

5 *g.* Failure to pay tax on premiums as required under section  
6 432.1A.

7 *h.* Failure to submit any fee required under this subchapter.

8 *i.* Failure to pay the cost of an examination under section  
9 521J.110.

10 *j.* Failure to comply with the laws of this state.

11 2. *a.* If the commissioner finds upon examination, hearing,  
12 or other review that a life captive reinsurance company has  
13 committed an act specified in subsection 1, the commissioner  
14 may suspend or revoke the life captive reinsurance company's  
15 certificate of authority.

16 *b.* If the commissioner does not revoke a life captive  
17 reinsurance company's certificate of authority during a  
18 suspension imposed under paragraph "a", the life captive  
19 reinsurance company's certificate of authority may be  
20 reinstated if the commissioner finds that the cause of the  
21 suspension has been rectified.

22 Sec. 49. NEW SECTION. 521J.112 **Mergers.**

23 1. A merger between life captive reinsurance companies must  
24 meet the requirements of chapter 521 and section 521J.107,  
25 as applicable. The commissioner may, at the commissioner's  
26 discretion, provide notice to the public of a proposed merger  
27 prior to the commissioner's approval or disapproval of the  
28 merger.

29 2. A plan for a merger must be fair and equitable to  
30 the shareholders of the life captive reinsurance companies  
31 and shall provide for the purchase of the shares of any  
32 nonconsenting shareholder of a life captive reinsurance  
33 company.

34 Sec. 50. NEW SECTION. 521J.113 **Investments.**

35 1. A life captive reinsurance company's investment program

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1 shall take into account the safety of the company's assets,  
2 investment yield and return, stability in the value of the  
3 investment, and liquidity necessary to meet the company's  
4 expected business needs and investment diversification.  
5 The assets of a life captive reinsurance company shall be  
6 preserved and administered by or on behalf of the life captive  
7 reinsurance company to satisfy the liabilities and obligations  
8 of the life captive reinsurance company incident to the  
9 reinsurance contract between the life captive reinsurance  
10 company and the parent or ceding insurer, any insurance  
11 securitizations, and other related agreements. For the  
12 purposes of this section, assets do not include letters of  
13 credit and guaranties of a parent.

14 2. At the discretion of the commissioner, a life captive  
15 reinsurance company shall either comply with section 511.8  
16 or invest the life captive reinsurance company's assets in  
17 cash and securities that are investment-grade at the time of  
18 acquisition, provided that a life captive reinsurance company  
19 may invest up to ten percent of the life captive reinsurance  
20 company's assets in securities or other investments that are  
21 not investment-grade at the time of acquisition, not to include  
22 any of the following:

23 a. Securities rated 5 or higher by the NAIC securities  
24 valuation office at the time of acquisition.

25 b. Asset-based or mortgage-backed securities rated 3 or  
26 higher by the NAIC securities valuation office at the time of  
27 acquisition.

28 c. Convertible bonds.

29 d. Preferred or common stock.

30 e. Private equity or hedge funds.

31 3. a. A life captive reinsurance company securitization  
32 shall include a disclosure that all or part of the proceeds  
33 of such insurance securitization will be used to fund the  
34 life captive reinsurance company's obligations to the ceding  
35 insurer.

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1     *b.* For purposes of this subsection, “*life captive*  
2 *reinsurance company securitization*” means the security-offering  
3 memorandum or other document issued to prospective investors  
4 regarding the offer and sale of a surplus note or other  
5 security.

6     4. A life captive reinsurance company’s admitted assets  
7 must include proceeds from a securitization, premium and  
8 other amounts payable by a ceding insurer to the life captive  
9 reinsurance company, letters of credit, guaranties of a parent,  
10 and any other assets approved by the commissioner, which  
11 shall be deemed to be, and reported as, admitted assets of  
12 the life captive reinsurance company. The commissioner may  
13 reduce the amount of admitted assets previously approved by  
14 the commissioner, other than assets already covered by the  
15 most recent NAIC accounting practices and procedures manual  
16 of the NAIC, if the commissioner determines that the value of  
17 those assets has decreased. A minimum of thirty calendar days  
18 prior to reducing the amount of admitted assets previously  
19 approved, the commissioner shall notify the life captive  
20 reinsurance company of the reduction and provide the life  
21 captive reinsurance company an opportunity to remedy the issues  
22 identified by the commissioner.

23     5. A life captive reinsurance company shall not make a loan  
24 to or an investment in any person, other than as permitted  
25 in the life captive reinsurance company’s plan of operation,  
26 without prior written approval of the commissioner, and any  
27 such loan or investment must be evidenced by documentation  
28 approved by the commissioner. A life captive reinsurance  
29 company shall not loan minimum capital and surplus funds.

30     6. An organizing company shall report to the commissioner  
31 the company’s ownership in the life captive reinsurance company  
32 and value the ownership equal to the audited statutory surplus  
33 of the life captive reinsurance company.

34     Sec. 51. NEW SECTION. **521J.114 Permitted reinsurance.**

35     1. A life captive reinsurance company may reinsure,

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1 pursuant to a reinsurance contract, only the risks of a ceding  
2 insurer.

3 2. Unless otherwise approved in advance by the  
4 commissioner, a life captive reinsurance company shall not  
5 assume or retain exposure to reinsurance losses for the life  
6 captive reinsurance company's own account that are not funded  
7 by any of the following:

8 a. Proceeds from a securitization.

9 b. Premium and other amounts payable by a ceding insurer to  
10 the life captive reinsurance company pursuant to a reinsurance  
11 contract.

12 c. Letters of credit.

13 d. Guaranties of a parent.

14 e. A return on investment of proceeds from either a  
15 securitization or a premium, and other amounts payable by the  
16 ceding insurer to the life captive reinsurance company pursuant  
17 to the reinsurance contract.

18 3. A life captive reinsurance company may cede risks assumed  
19 through a reinsurance contract to one or more reinsurers  
20 through the purchase of retrocession, subject to prior approval  
21 of the commissioner.

22 4. A life captive reinsurance company may enter into  
23 contracts and conduct other commercial activities related  
24 or incidental to and necessary to fulfill the purposes of  
25 a reinsurance contract, an insurance securitization, and  
26 this subchapter. Such contracts and commercial activities  
27 must be included in the life captive reinsurance company's  
28 plan of operation or otherwise be approved in advance by the  
29 commissioner, and may include but are not limited to any of the  
30 following:

31 a. Entering into reinsurance contracts or issuing life  
32 captive reinsurance company securities, and complying with the  
33 terms of the contracts and securities.

34 b. Entering into guaranty trust, guaranteed investment  
35 contract, swap, or other derivative, tax, administration,

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1 services reimbursement, or fiscal agent transactions.

2 c. Complying with trust indenture, reinsurance, or  
3 retrocession.

4 5. A reinsurance contract shall not contain a provision for  
5 payment by the life captive reinsurance company in discharge of  
6 the life captive reinsurance company's obligations to a person  
7 other than the ceding insurer or a receiver of the ceding  
8 insurer, except upon prior approval of the commissioner.

9 Sec. 52. NEW SECTION. 521J.115 **Rating organizations.**

10 A life captive reinsurance company shall not be required to  
11 join a rating organization.

12 Sec. 53. NEW SECTION. 521J.116 **Compulsory organizations.**

13 A life captive reinsurance company shall not join or  
14 contribute financially to a plan, pool, association, or  
15 guaranty or insolvency fund in this state.

16 Sec. 54. NEW SECTION. 521J.117 **Dormant life captive  
17 reinsurance companies.**

18 1. A life captive reinsurance company that is domiciled  
19 in this state and complies with this section may apply to the  
20 commissioner for a certificate of dormancy. A certificate  
21 of dormancy shall be valid for five years from the date of  
22 issuance and may not be renewed.

23 2. a. A life captive reinsurance company that has been  
24 issued a certificate of dormancy shall comply with all of the  
25 following:

26 (1) The dormant life captive reinsurance company shall  
27 possess and maintain unimpaired, paid-in capital and surplus of  
28 not less than twenty-five thousand dollars.

29 (2) A dormant life captive reinsurance company shall  
30 annually submit to the commissioner, within ninety calendar  
31 days of the end of the dormant life captive reinsurance  
32 company's fiscal year, a report on the dormant life captive  
33 reinsurance company's financial condition, verified under  
34 oath by two of the dormant life captive reinsurance company's  
35 executive officers, in the form and manner established by the

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1 commissioner by rule.

2 (3) If, for any portion of the immediately preceding  
3 calendar year, the life captive reinsurance company held a  
4 certificate of dormancy, the dormant life captive reinsurance  
5 company shall pay an annual one thousand dollar dormancy tax,  
6 due on or before March 1.

7 b. From the date a certificate of dormancy is issued through  
8 the date the certificate expires, a dormant life captive  
9 reinsurance company that has been issued the certificate shall  
10 not be subject to section 432.1A.

11 3. At the discretion of the commissioner, a dormant life  
12 captive reinsurance company may be subject to an annual  
13 examination.

14 4. Prior to a dormant life captive reinsurance company  
15 issuing an insurance policy, the company must apply to  
16 the commissioner for approval to surrender the company's  
17 certificate of dormancy and to resume conducting the business  
18 of insurance.

19 5. The commissioner shall revoke a dormant life captive  
20 reinsurance company's certificate of dormancy if the company  
21 violates this section.

22 Sec. 55. NEW SECTION. 521J.118 **Books and records.**

23 1. a. Unless otherwise approved by the commissioner, a  
24 life captive reinsurance company shall maintain the company's  
25 original books, records, documents, accounts, vouchers,  
26 and agreements in this state and make them available for  
27 examination and inspection by the commissioner as requested by  
28 the commissioner. The life captive reinsurance company may  
29 store and reproduce the books, records, documents, accounts,  
30 vouchers, and agreements electronically.

31 b. All books, records, documents, accounts, vouchers, and  
32 agreements shall be kept in a manner that the commissioner  
33 can readily ascertain the life captive reinsurance company's  
34 financial condition, affairs, and operations; can readily  
35 verify the life captive reinsurance company's financial

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1 statements; and can confirm the life captive reinsurance  
2 company's compliance with this subchapter.

3 2. Unless otherwise approved by the commissioner, all  
4 books, records, documents, accounts, vouchers, and agreements  
5 maintained by a life captive reinsurance company under  
6 subsection 1 shall remain available in the state until the  
7 commissioner approves destruction or other disposition of the  
8 books, records, documents, accounts, vouchers, and agreements.

9 Sec. 56. NEW SECTION. 521J.119 **Material transactions.**

10 1. A life captive reinsurance company shall not take any  
11 of the following actions unless the company provides the  
12 commissioner at least thirty calendar days' prior written  
13 notice and the commissioner expressly approves the action:  
14 a. Dissolve the life captive reinsurance company.  
15 b. Sell, exchange, lease, mortgage, assign, pledge, or  
16 otherwise transfer or grant a security interest in over thirty  
17 percent of the assets of the life captive reinsurance company.  
18 c. Incur material indebtedness.  
19 d. Make a material loan or other material extension of  
20 credit.  
21 e. Make a material payment out of capital and surplus other  
22 than dividends or distributions paid in accordance with this  
23 subchapter.  
24 f. Conduct a merger or consolidation to which the life  
25 captive reinsurance company is a constituent party.  
26 g. Transfer to or redomesticate in a different jurisdiction.  
27 h. Terminate all or a part of the life captive reinsurance  
28 company's business.

29 2. A life captive reinsurance company shall submit to the  
30 commissioner periodic written requests for authorization prior  
31 to making payments of interest on, and repayments of principal  
32 of, surplus notes and other debt obligations issued by a life  
33 captive reinsurance company. The commissioner shall not  
34 approve a payment or repayment if the commissioner determines  
35 that the payment or repayment would jeopardize the ability of

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1 the life captive reinsurance company or any other person to  
2 fulfill the company's or person's obligations.

3 Sec. 57. NEW SECTION. 521J.120 **Securities.**

4 A life captive reinsurance company security shall not  
5 be subject to regulation as an insurance or reinsurance  
6 contract. An investor in, or holder of, the security shall  
7 not be considered to transact in the business of insurance  
8 in the state solely based on such interest in the security.  
9 An underwriter's placement agents, selling agents, partners,  
10 commissioners, officers, members, managers, employees,  
11 agents, representatives, and advisors involved in an insurance  
12 securitization by a life captive reinsurance company shall  
13 not be considered insurance producers or brokers, or to be  
14 conducting business as an insurance company, as a reinsurance  
15 company, or as an insurance agency, brokerage, intermediary,  
16 advisory, or consulting business, solely based on underwriting  
17 activities in connection with securitization.

18 Sec. 58. NEW SECTION. 521J.121 **Rules.**

19 The commissioner may adopt rules pursuant to chapter 17A to  
20 implement and administer this subchapter.

21 Sec. 59. CODE EDITOR DIRECTIVE. The Code editor is  
22 directed to designate sections 521J.1 through 521J.27, as  
23 enacted and amended by this Act, as subchapter I of chapter  
24 521J entitled "Captive Insurance Companies", and to designate  
25 sections 521J.101 through 521J.121, as enacted by this Act,  
26 as subchapter II of chapter 521J entitled "Life Captive  
27 Reinsurance Companies".

28 EXPLANATION

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

31 This bill relates to captive insurance companies (captive  
32 companies) and life captive reinsurance companies (LCRCs).

33 Under the bill, a tax return on gross premiums filed by an  
34 insurance company or a captive company shall not be subject  
35 to inspection under Code chapter 22, and it shall be unlawful

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1 for any present or former officer or employee of the state to  
2 willfully or recklessly publish such tax return. A person who  
3 violates the bill shall be guilty of a serious misdemeanor and,  
4 in addition to any other penalty, shall be dismissed from state  
5 office or discharged from state employment. The bill does not  
6 prohibit the department of revenue (DOR) from turning over  
7 information and tax returns in the DOR's possession to duly  
8 authorized officers of the United States, or tax officials of  
9 other states, pursuant to an agreement between the commissioner  
10 of insurance (commissioner) and either the secretary of the  
11 treasury of the United States or the secretary's delegate, or  
12 the commissioner of another state.

13 Under current law, Code section 409.905 (foreign insurance  
14 companies becoming domestic) applies to life insurance  
15 companies, and to insurance companies doing business under Code  
16 chapter 515. Under the bill, Code section 409.905 also applies  
17 to captive companies.

18 The bill amends the definitions of "alien captive company",  
19 "business entity", "captive company", "captive reinsurance  
20 company", "captive risk retention group", and "special purpose  
21 captive company" under Code chapter 521J (captive companies).  
22 The term "foreign captive company" is defined in the bill.

23 Under current law, if permitted by its organizational  
24 document, a captive company may apply to the commissioner for  
25 a certificate of authority to provide property insurance,  
26 casualty insurance, life insurance, disability income  
27 insurance, surety insurance, marine insurance, health  
28 insurance, or a group health plan. Under the bill, a captive  
29 company may also apply for a certificate of authority to  
30 have the ability to accept or transfer risks by means of a  
31 parametric contract.

32 A captive company shall not write any insurance business  
33 unless the captive company's organizational documents, and any  
34 subsequent amendments, have been filed and approved by the  
35 commissioner prior to being filed with the secretary of state.

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1 Prior to receiving a certificate of authority, current  
2 law requires a captive company to file with the commissioner  
3 a certified copy of the business entity's organizational  
4 document. The bill eliminates the requirement that the copy  
5 be certified.

6 The bill eliminates the requirements under current law  
7 of Code sections 521J.2(3)(a)(1)(c), 521J.2(3)(a)(4),  
8 521J.2(3)(e), 521J.4(1)(e), 521J.4(3), 521J.5(2)(c), 521J.6(2),  
9 521J.13(1), and 521J.13(1)(b) that requirements of the  
10 commissioner be established by rule.

11 Under current law, all documents and information submitted  
12 by a captive company prior to receiving a certificate of  
13 authority shall be confidential and shall not be made public  
14 without the advance written consent of the submitting company.  
15 The bill includes reports as confidential information.

16 Current law requires that each captive company, individual  
17 series of members of a limited liability company, and protected  
18 cell pay an initial registration fee, and an annual renewal  
19 registration fee, of \$300. The bill requires each captive  
20 company, individual series of members of a limited liability  
21 company, and protected cell pay an annual renewal registration  
22 fee of \$300.

23 Under current law, the commissioner shall not issue a  
24 certificate of authority to a captive company unless the  
25 captive company possesses and maintains unimpaired paid-in  
26 capital and surplus of no less than \$500,000 for a protected  
27 cell captive company. If, however, the protected cell captive  
28 company does not assume any risks, the risks insured by the  
29 protected cells are homogenous, and there are not more than 10  
30 cells, the commissioner may reduce the amount to an amount not  
31 less than \$250. Under the bill, the commissioner shall not  
32 issue a certificate of authority to a captive company unless  
33 the captive company possesses and maintains unimpaired paid-in  
34 capital and surplus of no less than \$100,000 for a protected  
35 cell captive company.

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1 Under current law, the minimum capital and surplus  
2 requirements for a captive company shall be in the form of  
3 cash, cash equivalent, or an irrevocable letter of credit.  
4 Under the bill, the minimum capital and surplus requirements  
5 may also be in the form of marketable securities approved by  
6 the commissioner. If the captive company elects to satisfy  
7 the minimum requirements with marketable securities, the  
8 commissioner may require the captive company to file financial  
9 statements or other reports on a more frequent basis than  
10 otherwise required. The increased reporting frequency may  
11 be imposed to ensure the commissioner can adequately monitor  
12 the liquidity, valuation, and market risk associated with the  
13 marketable securities.

14 Current law requires a captive company be formed or  
15 organized as a business entity under Code chapter 521J. Under  
16 the bill, subject to the commissioner's approval, a captive  
17 company may also be formed as a reciprocal insurer under Code  
18 chapter 520.

19 The bill eliminates the requirement under current law that  
20 a captive risk retention group formed as a reciprocal insurer  
21 have a minimum of five members of the subscribers' advisory  
22 committee who are residents of this state. Under the bill,  
23 a captive company formed as a reciprocal insurer shall be  
24 subject to Code chapter 520 (reciprocal or interinsurance  
25 contracts), unless exempt by approval of the commissioner in  
26 the captive company's plan of operation. The bill eliminates  
27 the requirement under current law that applicable provisions  
28 of Code chapter 508B (conversion from mutual company to  
29 stock company) apply to a merger, consolidation, conversion,  
30 mutualization, or voluntary dissolution by a captive company.

31 Under current law, a captive company shall file an annual  
32 report with the commissioner that meets the requirements of  
33 current law. Under the bill, a captive company does not have  
34 to file the annual report if directed by the commissioner in  
35 the first year of a captive company's licensure.

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1 The bill eliminates the requirement under current law that  
2 all reports filed pursuant to Code section 521J.7 (reports) be  
3 considered confidential and not a public record.

4 Under the bill, applicable provisions of Code chapter 508B  
5 apply to a merger, consolidation, conversion, mutualization,  
6 or voluntary dissolution by a captive company unless provided  
7 otherwise.

8 Under current law, if a captive company's admitted assets  
9 total less than \$5 million, the commissioner may approve  
10 an investment of up to 20 percent of the captive company's  
11 admitted assets in rated credit instruments in any investment.  
12 Instead of admitted assets, the bill relies on the total assets  
13 disclosed in a captive company's annual report. Total assets  
14 under the bill shall be based on the accounting basis approved  
15 by the commissioner, provided that all assets included must be  
16 reasonably liquid, realizable, and available to support the  
17 obligations of the captive company.

18 Current law requires that each protected cell captive  
19 company formed or authorized by Code chapter 521J be  
20 incorporated, and an incorporated protected cell may be  
21 organized and operated in any form of business organization as  
22 authorized by the commissioner by rule. The bill requires that  
23 each protected cell captive company be formed as a business  
24 entity, provided the business entity is separate from the  
25 protected cell captive company of which the business entity is  
26 a part.

27 Under current law, the commissioner shall adopt rules to  
28 implement and administer Code chapter 521J. Under the bill,  
29 the commissioner may adopt rules.

30 For taxes due pursuant to Code section 432.1A (tax on  
31 premiums — captive companies), a foreign or alien captive  
32 company that redomesticates into the state shall only be  
33 liable for taxes on premiums paid to the captive company after  
34 redomestication and shall report to the commissioner all  
35 premium taxes due. In either the captive company's first or

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1 second year of operation after domesticating into the state,  
2 the company may elect to forego payment of the premium taxes.  
3 If the company that makes such election subsequently surrenders  
4 the company's license or redomesticates to another jurisdiction  
5 within five years, the company shall immediately pay to the  
6 commissioner a tax in an amount equal to the foregone premium  
7 tax plus 10 percent per annum from the date the foregone  
8 premium tax would have been originally due.

9 The bill makes conforming changes to Code sections  
10 521J.1(u1), 521J.1(22), 521J.1(24)(b), 521J.5(6), 521J.5(7)(b),  
11 521J.5(9)(b), 521J.8(1)(a), 521J.8(5), 521J.9(1)(h) and (i),  
12 521J.14(3), 521J.17(2), 521J.17(2)(a)(4), 521J.17(2)(c),  
13 521J.18, 521J.22(3)(a)(3), 521J.23, 521J.24(1)(b), and 521J.26.

14 An LCRC issued a certificate of authority shall only  
15 reinsure the risks of a ceding insurer, shall not otherwise  
16 engage in the business of insurance, and may purchase  
17 retrocession to cede the risks assumed under a reinsurance  
18 contract. An LCRC shall not write any insurance business  
19 unless the LCRC complies with the requirements of the bill.  
20 All documents and information submitted by an LCRC for purposes  
21 of an application for a certificate of authority shall be  
22 confidential and shall not be made public without the advance  
23 written consent of the submitting LCRC, unless an exception  
24 detailed in the bill applies. If the LCRC's application is  
25 complete, the commissioner may issue a certificate of authority  
26 to the LCRC upon a finding that the LCRC's proposed plan of  
27 operation provides for a viable operation, is not hazardous to  
28 a ceding insurer, and the terms of any reinsurance contract and  
29 related transactions of the LCRC comply with the requirements  
30 of the bill and all applicable insurance laws and rules of the  
31 state. In conjunction with the issuance of the certificate of  
32 authority, the commissioner may issue an order regarding any  
33 terms and conditions regarding the organization, licensing, and  
34 operation of the LCRC that the commissioner deems appropriate.  
35 "Ceding insurer" and "life captive reinsurance company" are

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1 defined by the bill.

2 An LCRC shall not adopt a name that is the same, deceptively  
3 similar, or likely to be confused with or mistaken for any  
4 other existing business name already registered in the state.

5 On the date an LCRC files an application for a certificate  
6 of authority, and by March 15 of each succeeding year that an  
7 LCRC is in operation and is ceded new business, a qualified  
8 actuary shall file with the commissioner a certification that  
9 the ceding insurer's transactions with the LCRC are not used to  
10 gain an unfair advantage if pricing of policies and contracts  
11 reinsured by the LCRC reflect, at the time the policies and  
12 contracts were issued, a reasonable long-term estimate of  
13 the cost to the ceding insurer of an alternative third-party  
14 transaction and utilize current pricing assumptions. The  
15 ceding insurer shall maintain documentation detailing  
16 the process by which the qualified actuary arrived at the  
17 conclusions in preparation for an examination.

18 The commissioner shall not issue a certificate of authority  
19 unless an LCRC possesses and maintains unimpaired paid-in  
20 capital and surplus that is not less than \$5 million, and the  
21 commissioner may require additional capital and surplus based  
22 upon the reinsurance business transacted by the LCRC. Minimum  
23 capital and surplus shall be in the form of cash or other  
24 securities that are investment-grade at the time of acquisition  
25 and are acceptable to the commissioner. Except as otherwise  
26 provided, Code chapter 521E (risk-based capital requirements  
27 for insurers) shall apply to an LCRC.

28 An LCRC must have a plan of operation approved by its  
29 board of directors, and, prior to assuming risks under a  
30 reinsurance contract, shall submit the plan of operation to  
31 the commissioner for approval. The commissioner may approve  
32 the plan of operation upon finding that the plan meets the  
33 requirements of the bill, and may require amendments to the  
34 plan as necessary. Any change in the LCRC's plan of operation  
35 shall require prior approval of the commissioner. The plan of

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1 operation must include all of the information detailed in the  
2 bill.

3 An LCRC or an affiliated company may organize an LCRC  
4 pursuant to the bill, and an LCRC must be formed as a  
5 corporation, may only reinsure risks of the organizing company,  
6 and may access alternative forms of financing. An organizing  
7 company shall maintain a minimum of 10 percent voting interest  
8 and 10 percent equity ownership in the LCRC unless otherwise  
9 approved by the commissioner. An LCRC's organizational  
10 documents shall limit the company's authority to transact the  
11 business of reinsurance to only reinsure the risks of a ceding  
12 insurer. An organizing company may invest funds from its  
13 surplus in an LCRC, and the organizing company's officers and  
14 directors may serve as officers and directors of an LCRC. An  
15 LCRC shall be deemed to be licensed to transact the business of  
16 reinsurance. An LCRC may, upon approval of the commissioner,  
17 purchase reinsurance. Admitted assets of an LCRC include  
18 assets approved by the commissioner which shall be deemed to  
19 be, and reported as, admitted assets of the LCRC.

20 An LCRC shall not pay a dividend out of, or other  
21 distribution with respect to, the minimum capital or surplus  
22 without the prior written approval of the commissioner. The  
23 commissioner's approval of an ongoing plan for the payment  
24 of dividends or other distributions shall be conditioned  
25 upon retention, at the time of each payment, of capital and  
26 surplus in excess of the amounts specified by, or determined in  
27 accordance with, a formula approved by the commissioner.

28 The bill details the reports and notifications by an LCRC  
29 required to be filed with the commissioner.

30 The commissioner may examine each LCRC's compliance with  
31 the bill, and may examine the affairs, transactions, accounts,  
32 records, and assets of each LCRC as necessary, but not less  
33 frequently than every five years. Upon the completion of an  
34 examination, or at regular intervals, the commissioner shall  
35 prepare an account of the costs incurred in performing and

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1 preparing the report of the examination which shall be charged  
2 to and paid by the LCRC examined. If the LCRC fails or refuses  
3 to pay, the charges may be recovered in an action brought in  
4 the name of the state. Examination requirements shall apply to  
5 all business written by an LCRC, and applicable provisions of  
6 Code chapter 507 (examination of insurance companies) apply to  
7 such examinations.

8 An LCRC's certificate of authority may be suspended or  
9 revoked by the commissioner for any of the reasons described  
10 in the bill. If the commissioner does not revoke an LCRC's  
11 certificate of authority during a suspension, the LCRC's  
12 certificate of authority may be reinstated if the commissioner  
13 finds that the cause of the suspension has been rectified.

14 A merger between LCRCs must meet the requirements of Code  
15 chapter 521 (consolidation, merger, and reinsurance) and Code  
16 section 521J.107, as applicable. The commissioner may provide  
17 notice to the public of a proposed merger prior to approving or  
18 disapproving of a merger. A plan for a merger shall be fair and  
19 equitable to the shareholders and provide for the purchase of  
20 the shares of any nonconsenting shareholder.

21 An LCRC's investment program shall account for the safety of  
22 the company's assets, investment yield and return, stability  
23 in the value of the investment, and liquidity necessary to  
24 meet the company's expected business needs and investment  
25 diversification. The assets of an LCRC shall be preserved  
26 and administered to satisfy the liabilities and obligations  
27 of the LCRC incident to the reinsurance contract, any  
28 insurance securitizations, and other related agreements. At  
29 the discretion of the commissioner, an LCRC shall either  
30 comply with Code section 511.8 or invest its assets in cash  
31 and securities that are investment-grade at the time of  
32 acquisition, provided that an LCRC may invest up to 10 percent  
33 of its assets in securities or other investments that are not  
34 investment-grade except for any of the assets detailed in  
35 the bill. An LCRC securitization shall include a disclosure

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1 that all or part of the proceeds of the securitization will  
2 be used to fund the LCRC's obligations to the ceding insurer.  
3 The commissioner may reduce the amount of admitted assets  
4 previously approved if it is determined that the value of those  
5 assets has decreased. A minimum of 30 days prior to reducing  
6 the amount of admitted assets, the commissioner shall notify  
7 the LCRC and provide an opportunity to remedy the issues. An  
8 LCRC shall not make a loan to or an investment in any person,  
9 other than as permitted in the plan of operation, without  
10 prior written approval of the commissioner and evidenced by  
11 documentation approved by the commissioner. An LCRC shall not  
12 loan minimum capital and surplus funds. An organizing company  
13 shall report its ownership in the LCRC and value the ownership  
14 equal to the audited statutory surplus.

15 An LCRC shall not assume or retain exposure to reinsurance  
16 losses for the LCRC's own account that are funded as detailed  
17 in the bill. An LCRC may cede risks assumed through a  
18 reinsurance contract to reinsurers through the purchase of  
19 retrocession, subject to prior approval of the commissioner.

20 An LCRC may enter into contracts and conduct other  
21 commercial activities related or incidental to and necessary to  
22 fulfill the purposes of a reinsurance contract, an insurance  
23 securitization, and the bill. Such contracts and commercial  
24 activities must be included in the LCRC's plan of operation  
25 or otherwise be approved in advance by the commissioner and  
26 may include the contracts and activities detailed in the bill.  
27 Unless approved by the commissioner, a reinsurance contract  
28 shall not contain a provision for payment by the LCRC in  
29 discharge of its obligations to a person other than the ceding  
30 insurer or a receiver of the ceding insurer.

31 An LCRC shall not be required to join a rating organization  
32 and shall not join or contribute financially to any plan, pool,  
33 association, or guaranty or insolvency fund in this state.

34 An LCRC domiciled in the state may apply to the commissioner  
35 for a certificate of dormancy, which shall be valid for five

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1 years and may not be renewed. An LCRC issued a certificate of  
2 dormancy shall comply with the requirements of the bill and  
3 shall not be subject to Code section 432.1A. At the discretion  
4 of the commissioner, a dormant LCRC may be subject to an  
5 annual examination. A dormant LCRC must apply for approval  
6 to surrender a certificate of dormancy and resume conducting  
7 business prior to issuing an insurance policy.

8 Unless otherwise approved, an LCRC shall maintain the  
9 original books, records, documents, accounts, vouchers, and  
10 agreements in this state, make them available for examination  
11 and inspection by the commissioner upon request, and keep them  
12 in the state until the commissioner approves destruction or  
13 other disposition of the books, records, documents, accounts,  
14 vouchers, and agreements. The LCRC may store and reproduce the  
15 books, records, documents, accounts, vouchers, and agreements  
16 electronically but shall also be kept in a manner that the  
17 commissioner can readily ascertain the LCRC's financial  
18 condition, affairs, and operations; can readily verify the  
19 LCRC's financial statements; and can confirm the LCRC's  
20 compliance with the bill.

21 An LCRC shall not take any of the actions detailed in the  
22 bill unless the company provides the commissioner at least  
23 30 days prior written notice and the commissioner expressly  
24 approves the action. An LCRC shall submit to the commissioner  
25 requests for authorization prior to making payments of interest  
26 on, and repayments of principal of, surplus notes and other  
27 debt obligations issued by an LCRC. The commissioner shall  
28 not approve the payment or repayment if it would jeopardize  
29 the ability of the LCRC or another person to fulfill their  
30 obligations.

31 An LCRC security shall not be subject to regulation as  
32 an insurance or reinsurance contract. An investor in, or  
33 holder of, the security shall not be considered to transact  
34 in the business of insurance solely based on such interest.  
35 An underwriter's placement agents, selling agents, partners,

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1 commissioners, officers, members, managers, employees,  
2 agents, representatives, and advisors involved in an insurance  
3 securitization shall not be considered to be insurance  
4 producers or brokers or to be conducting business as an  
5 insurance company, a reinsurance company, or an insurance  
6 agency, brokerage, intermediary, advisory, or consulting  
7 business, solely by virtue of their underwriting activities in  
8 connection with a securitization.  
9 The commissioner may adopt rules to implement and administer  
10 the bill.

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House File 2767 - Introduced

HOUSE FILE 2767  
BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO HF 2444)

**A BILL FOR**

1 An Act providing for the sale and distribution of certain  
2 food, limiting civil liability, providing for fees,  
3 making penalties applicable, and including effective date  
4 provisions.

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

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DIVISION I

FARM-TO-TABLE EVENT

1  
2  
3 Section 1. Section 137F.1, subsection 6, Code 2026, is  
4 amended to read as follows:

5 6. *“Event”* means a any of the following:

6 a. A significant occurrence or happening sponsored by  
7 a civic, business, governmental, community, or veterans  
8 organization and may include an athletic contest.

9 b. An occurrence or happening associated with a  
10 farm-to-table event.

11 Sec. 2. Section 137F.1, Code 2026, is amended by adding the  
12 following new subsection:

13 NEW SUBSECTION. 6A. “Farm-to-table event” means a temporary  
14 food establishment in which an event is located on real estate  
15 classified as agricultural property for property tax purposes,  
16 if all of the following apply:

17 a. The person conducting the event holds a legal interest  
18 in the agricultural property.

19 b. The event includes a meal prepared on the Iowa farm or  
20 off site and transported to the farm by a food establishment  
21 operating as a caterer.

22 c. (1) The event is conducted outdoors or within a  
23 structure located on the Iowa farm.

24 (2) If the event is conducted in a structure, all of the  
25 following apply:

26 (a) The structure is not being actively used to maintain a  
27 farm animal as defined in section 673A.3.

28 (b) The structure is maintained in a clean condition.

29 d. At least fifty percent of the entire farm-to-table  
30 meal, including entrees, drinks, side dishes, and desserts,  
31 is derived from an agricultural product produced by persons  
32 participating in the choose Iowa promotional program as  
33 provided in chapter 187.

34 DIVISION II

35 COTTAGE FOOD

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1     Sec. 3. NEW SECTION. 137F.21 Cottage food — sale at a food  
2 establishment — requirements.

3     1. A food establishment shall not offer for sale or sell a  
4 cottage food unless all of the following apply:

5     a. The cottage food producer or an employee of the cottage  
6 food producer delivers or distributes the cottage food directly  
7 to the consumer.

8     b. The food establishment does not intermingle the cottage  
9 food with food that is not cottage food.

10    c. The food establishment does not store the cottage  
11 food with other food on the same shelf or as part of the same  
12 display.

13    d. The cottage food is packaged.

14    e. The cottage food is affixed or labeled with the  
15 information required under section 137F.20.

16    f. The food establishment posts a conspicuous notice at the  
17 location where the cottage food is offered for sale or sold.  
18 The notice must state the following:

19                                    "COTTAGE FOOD

20     This product was produced at a residential property that is  
21 exempt from state licensing and inspection. See the available  
22 information provided on the packaged label."

23    2. Notwithstanding subsection 1, a temporary food  
24 establishment may provide a cottage food that is produced on  
25 the farm to consumers during a farm-to-table event.

26                                    DIVISION III

27                    DISTRIBUTION OF RAW MILK AND ASSOCIATED PRODUCTS

28     Sec. 4. Section 137D.2A, Code 2026, is amended to read as  
29 follows:

30     137D.2A Raw milk — associated products.

31     1. A home food processing establishment shall not  
32 market, advertise for sale, offer for sale, sell or otherwise  
33 distribute, or use raw milk, or a manufactured raw milk product  
34 or raw milk dairy product, as provided in [chapter 195](#).

35     2. Notwithstanding subsection 1, a home food processing

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1 establishment may market, advertise for sale, offer for sale,  
2 or sell or otherwise distribute raw milk, or a manufactured  
3 raw milk product or a raw milk dairy product, if all of the  
4 following apply:

5 a. The home food processing establishment is operating under  
6 a license issued pursuant to section 137D.2.

7 b. The home food processing establishment is located on  
8 the premises of a raw milk dairy farm where the raw milk is  
9 produced, processed, marketed, or distributed as described in  
10 chapter 195; or the raw milk is manufactured, marketed, or  
11 distributed as a raw milk product or raw milk dairy product as  
12 described in chapter 195.

13 c. The raw milk producer operating the raw milk dairy farm  
14 acts in compliance with the requirements in chapter 195.

15 d. The raw milk, or the raw milk product or raw milk dairy  
16 product, meets the requirements of chapter 195, including  
17 requirements for distribution as provided in section 195.8.

18 Sec. 5. Section 137F.8B, Code 2026, is amended to read as  
19 follows:

20 **137F.8B Raw milk — associated products.**

21 1. A food establishment or farmers market shall not  
22 market, advertise for sale, offer for sale, sell or otherwise  
23 distribute, or use raw milk, or a manufactured raw milk product  
24 or a raw milk dairy product, regardless of whether the food  
25 establishment or farmers market is regulated by the department  
26 under [this chapter](#) or another chapter, another state agency,  
27 or a municipality.

28 2. Notwithstanding subsection 1, a food establishment  
29 that sells or otherwise distributes food for off-premises  
30 consumption may market, advertise for sale, offer for sale,  
31 or sell or otherwise distribute raw milk, or a manufactured  
32 raw milk product or a raw milk dairy product, if all of the  
33 following apply:

34 a. The food establishment is operating under a license  
35 issued pursuant to section 137F.4.

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1 b. The food establishment is located on the premises of a  
2 raw milk dairy farm where the raw milk is produced, processed,  
3 marketed, or distributed as described in chapter 195; or the  
4 raw milk is manufactured, marketed, or distributed as a raw  
5 milk product or raw milk dairy product as described in chapter  
6 195.

7 c. The raw milk producer operating the raw milk dairy farm  
8 acts in compliance with the requirements in chapter 195.

9 d. The raw milk, or the raw milk product or raw milk dairy  
10 product, meets the requirements of chapter 195, including  
11 requirements for distribution as provided in section 195.8.

12 Sec. 6. Section 195.1, Code 2026, is amended by adding the  
13 following new subsection:

14 NEW SUBSECTION. 3A. "*Inherent risk*" means any of the  
15 following:

16 a. The potential presence of a naturally occurring harmful  
17 bacterium or other pathogen that, if present in raw milk,  
18 could, when consumed by an individual, directly cause the  
19 individual to suffer injury, illness, or death, notwithstanding  
20 that the raw milk was produced, processed, kept for storage,  
21 marketed, or distributed in compliance with this chapter.

22 b. The potential presence of a naturally occurring harmful  
23 bacterium or other pathogen that, if present in a raw milk  
24 product or raw milk dairy product, could, when consumed by an  
25 individual, directly cause the individual to suffer injury,  
26 illness, or death, notwithstanding that the raw milk product  
27 or raw milk dairy product was manufactured, kept for storage,  
28 marketed, or distributed in compliance with this chapter.

29 Sec. 7. Section 195.6, subsection 3, Code 2026, is amended  
30 to read as follows:

31 3. a. Each twelve-month period, a licensed veterinarian  
32 must examine each dairy animal maintained at the raw milk  
33 producer's raw milk dairy to determine the dairy animal's  
34 health status. The examination must at least include a blood  
35 test for common diseases afflicting the type of dairy animal

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1 being examined.

2 b. An examination of a dairy animal conducted by a licensed  
3 veterinarian under paragraph "a" shall not be construed to apply  
4 to the quality or safety of any raw milk product, or raw milk  
5 dairy product, manufactured at the raw milk dairy.

6 Sec. 8. Section 195.8, subsection 1, paragraph c, Code 2026,  
7 is amended to read as follows:

8 c. (1) The Except as provided in subparagraph (2), the raw  
9 milk producer shall distribute the raw milk directly to the  
10 individual at the raw milk dairy or to a location specified by  
11 the individual. However, a

12 (2) A person shall not deliver the raw milk to a place  
13 of business where food or food items are distributed on  
14 a retail basis, including but not limited to a home food  
15 processing establishment regulated under chapter 137D or a  
16 food establishment or farmers market regulated under chapter  
17 137F. However, this subparagraph does not prevent any of the  
18 following:

19 (a) A producer from distributing raw milk at a home food  
20 processing establishment located on the premises of the  
21 producer's raw milk dairy as provided in section 137D.2A.

22 (b) A producer from distributing raw milk at a food  
23 establishment located on the premises of the producer's raw  
24 milk dairy as provided in section 137F.8B.

25 (3) The raw milk shall only be used for consumption by the  
26 individual, members of the individual's household, and the  
27 individual's nonpaying guests or nonpaying employees.

28 Sec. 9. Section 195.8, subsection 2, paragraph c, Code 2026,  
29 is amended to read as follows:

30 c. (1) The Except as provided in subparagraph (2), the raw  
31 milk producer shall distribute the raw milk product or raw milk  
32 dairy product directly to the individual at the raw milk dairy  
33 or to a location specified by the individual. However, a

34 (2) A person shall not deliver the raw milk product, or  
35 raw milk dairy product, to a place of business where food or

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1 a food item is distributed on a retail basis, including but  
2 not limited to a home food processing establishment regulated  
3 under [chapter 137D](#) or a food establishment or farmers market  
4 regulated under [chapter 137F](#). However, this subparagraph does  
5 not prevent any of the following:

6 (a) A producer from distributing a raw milk product, or a  
7 raw milk dairy product, at a home food processing establishment  
8 located on the premises of the producer's raw milk dairy as  
9 provided in section 137D.2A.

10 (b) A producer from distributing a raw milk product, or  
11 a raw milk dairy product, at a food establishment located on  
12 the premises of the producer's raw milk dairy as provided in  
13 section 137F.8B.

14 (3) The raw milk product or raw milk dairy product shall  
15 only be used for consumption by the individual, members of the  
16 individual's household, or the individual's nonpaying guests  
17 or nonpaying employees.

18 Sec. 10. Section 195.9, Code 2026, is amended to read as  
19 follows:

20 **195.9 Labeling containers holding raw milk or associated**  
21 **products.**

22 1. A raw milk producer who distributes raw milk, or a  
23 manufactured raw milk product or raw milk dairy product, shall  
24 label the container holding the raw milk, or the manufactured  
25 raw milk product or raw milk dairy product. The label shall  
26 be permanently affixed to the container. The words on the  
27 label shall be printed using upper case letters in at least  
28 twelve point boldface type. If the container includes a main  
29 informational or advertising panel, the label shall be included  
30 as part of the panel.

31 2. ~~a~~ For a container holding raw milk, or a raw milk  
32 product or raw dairy product, the label shall state the  
33 following:

34 Notice to Consumers Warning  
35 This container holds raw milk, or an associated product,

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1 including a raw milk product or a raw milk dairy product, that  
2 is not subject to state inspection or other public health  
3 regulations that require pasteurization and grading. The raw  
4 milk or associated product may contain a harmful bacterium  
5 or other pathogen. Under Iowa Code section 195.9A, you are  
6 assuming liability for any inherent risk associated with  
7 consuming the raw milk or associated product.

8 ~~b. For a container holding a raw milk product or raw milk~~  
9 ~~dairy product, the label shall state the following:~~

10 ~~Notice to Consumers~~

11 ~~This container holds a raw milk product or raw milk dairy~~  
12 ~~product that is not subject to state inspection or other public~~  
13 ~~health regulations that require pasteurization and grading.~~

14 3. A raw milk producer who distributes raw milk, or a raw  
15 milk producer who manufactures a raw milk product or raw milk  
16 dairy product, shall post a notice described in subsection 2  
17 on the premises of the milk producer's raw milk dairy. The  
18 raw milk producer shall post the notice at each point of  
19 distribution, including but not limited to any food processing  
20 establishment or food establishment located on the premises  
21 of the raw milk dairy as provided in this chapter and section  
22 137D.2A or 137F.8B.

23 Sec. 11. NEW SECTION. 195.9A Civil liability.

24 1. a. Except as provided in paragraph "b", a person who  
25 produces, processes, keeps for storage, markets, or distributes  
26 raw milk originating at a raw milk producer's raw milk dairy  
27 is not liable for an injury, illness, or death suffered by  
28 an individual that was directly caused by the individual  
29 consuming the raw milk and thereby assuming the inherent risk  
30 of consuming raw milk.

31 b. Paragraph "a" does not apply if any of the following  
32 apply:

33 (1) The raw milk was not produced, processed, kept for  
34 storage, marketed, or distributed in compliance with this  
35 chapter.

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1 (2) A person described in paragraph "a" acted, or omitted  
2 to act, in a manner that constituted gross negligence,  
3 recklessness, willful or wanton misconduct, or intentional  
4 wrongdoing.

5 2. a. Except as provided in paragraph "b", a person who  
6 manufactures, keeps for storage, markets, or distributes a raw  
7 milk product or a raw milk dairy product originating at the raw  
8 milk producer's raw milk dairy is not liable for an injury,  
9 illness, or death suffered by an individual that was directly  
10 caused by the individual consuming the raw milk and thereby  
11 assuming the inherent risk of consuming a raw milk product or  
12 raw milk dairy product.

13 b. Paragraph "a" does not apply if any of the following  
14 apply:

15 (1) The raw milk product or raw milk dairy product was not  
16 manufactured, kept for storage, marketed, or distributed in  
17 compliance with this chapter.

18 (2) A person described in paragraph "a" acted, or omitted  
19 to act, in a manner that constituted gross negligence,  
20 recklessness, willful or wanton misconduct, or intentional  
21 wrongdoing.

22 DIVISION IV

23 RULEMAKING AND EFFECTIVE DATE

24 Sec. 12. EMERGENCY RULES. The department of inspections,  
25 appeals, and licensing shall adopt emergency rules under  
26 section 17A.4, subsection 3, and section 17A.5, subsection 2,  
27 paragraph "b", to implement the provisions of this Act within  
28 one hundred eighty days of the effective date of this Act and  
29 shall submit such rules to the administrative rules coordinator  
30 and the administrative code editor pursuant to section 17A.5,  
31 subsection 1, within the same period. The rules shall be  
32 effective immediately upon filing unless a later date is  
33 specified in the rules. Any rules adopted in accordance with  
34 this section shall also be published as a notice of intended  
35 action as provided in section 17A.4.

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1 safety food. A person who violates the Code chapter is subject  
2 to a civil penalty of \$100 per violation (Code section 137D.3).  
3 A home food processing establishment operating in violation of  
4 the Code chapter may be enjoined from further operation (Code  
5 section 137D.4).

6 TEMPORARY FOOD ESTABLISHMENTS AND EVENTS — BACKGROUND. A  
7 temporary food establishment is defined as a food establishment  
8 that operates for not more than 14 consecutive days in  
9 conjunction with a single event (Code section 137F.1). “Event”  
10 is defined as a significant occurrence or happening that is  
11 (1) sponsored by a civic, business, governmental, community,  
12 or veterans organization, or (2) an athletic contest (Code  
13 section 137F.1). A person conducting an event must obtain a  
14 license from the appropriate regulatory authority (Code section  
15 137F.5). The license fee for a temporary food establishment  
16 for a single event is \$50 (Code section 137F.6).

17 FARM-TO-TABLE EVENTS — BILL’S PROVISIONS. This bill  
18 includes a farm-to-table event as a new form of event regulated  
19 as a temporary food establishment (amended Code section  
20 137F.1). A farm-to-table event must be located on real estate  
21 classified as agricultural property for property tax purposes  
22 (see 701 IAC 102). The person conducting the event must hold a  
23 legal interest in the agricultural property. The event must  
24 (1) include a meal prepared on the Iowa farm or off site and  
25 transported to the farm by a food establishment operating as a  
26 caterer, and (2) be conducted outdoors or within a structure  
27 located on the Iowa farm. Finally, at least 50 percent of the  
28 meal must be derived from an agricultural product produced by  
29 persons participating in the choose Iowa promotional program as  
30 provided in Code chapter 187.

31 COTTAGE FOODS — BACKGROUND. A cottage food is a food  
32 produced at a private residence that is not a time/temperature  
33 control for safety food (Code section 137F.1). A cottage  
34 food is exempt from all licensing, permitting, inspection,  
35 packaging, and labeling laws of the state if the food is sold

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1 and delivered by the producer directly to the consumer or  
2 delivered by mail or by an agent of the producer (Code section  
3 137F.20). Cottage food sold in such manner must be affixed  
4 or labeled with information to identify the name and contact  
5 information of the person preparing the food, the common name  
6 of the food, the ingredients, a disclaimer, and, if the food is  
7 home-processed and home-canned pickles, vegetables, or fruits,  
8 the date that the food was processed and canned.

9 COTTAGE FOODS — BILL'S PROVISIONS. The bill provides that  
10 a food establishment such as a grocery store cannot offer  
11 for sale or sell a cottage food unless certain conditions  
12 are satisfied (new Code section 137F.22). The cottage food  
13 producer or producer's employee must distribute the cottage  
14 food directly to the consumer. The food establishment cannot  
15 intermingle the cottage food with food that is not cottage  
16 food. The food establishment cannot store the cottage food  
17 with other food on the same shelf or as part of the same  
18 display. The cottage food must be packaged and labeled.  
19 Finally, the food establishment must post a conspicuous  
20 notice at the location where the cottage food is offered  
21 for sale or sold stating that the cottage food was produced  
22 at a residential property exempt from state licensing and  
23 inspection. The bill also provides that a farm-to-table event  
24 may serve cottage food that is produced on the farm as part of  
25 a farm-to-table event.

26 RAW MILK AND ASSOCIATED PRODUCTS — BACKGROUND. Under Code  
27 chapter 195, a milk producer may elect to produce, process,  
28 market, or distribute raw milk, or to use the raw milk to  
29 manufacture, market, or distribute a raw milk product or raw  
30 milk dairy product (raw milk or associated product) (Code  
31 chapter 190). In order to make this election, the raw milk  
32 producer must comply with a number of requirements relating to  
33 the health of the dairy herd. A licensed veterinarian must,  
34 each 12-month period, examine each dairy animal maintained at a  
35 raw milk dairy to determine the dairy animal's health status

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1 (Code section 195.6). Other requirements apply to labeling and  
2 distribution (Code sections 195.8 and 195.9). A label must  
3 be affixed to a container holding raw milk or an associated  
4 product notifying consumers that its contents are not subject  
5 to state inspection or other public health regulations that  
6 require pasteurization and grading. Generally, raw milk or  
7 its associated products must be distributed directly to an  
8 individual customer at the raw milk dairy or to a location  
9 specified by the customer. However, a person cannot deliver  
10 the raw milk or associated product to a place of business where  
11 food or food items are distributed on a retail basis, including  
12 but not limited to a home food processing establishment, food  
13 establishment, or farmers market.

14 RAW MILK AND ASSOCIATED PRODUCTS — BILL'S PROVISIONS — RAW  
15 MILK DAIRY THAT IS A HOME FOOD PROCESSING ESTABLISHMENT OR FOOD  
16 ESTABLISHMENT. The bill in part applies to a (1) home food  
17 processing establishment, or (2) food establishment that sells  
18 or otherwise distributes food for off-premises consumption.  
19 Specifically, the bill provides that such an establishment may  
20 market, advertise for sale, offer for sale, sell, or otherwise  
21 distribute raw milk, or an associated product, on the premises  
22 of the raw milk dairy where the raw milk was produced and  
23 processed or the associated product was manufactured (amended  
24 Code sections 137D.2A, 137F.8B, and 195.8).

25 RAW MILK AND ASSOCIATED PRODUCTS — BILL'S PROVISIONS —  
26 VETERINARIAN'S EXAMINATION OF DAIRY ANIMALS — LIABILITY. The  
27 bill provides that an examination of a dairy animal conducted  
28 by a licensed veterinarian is not to be construed to apply to  
29 the quality or safety of any raw milk product, or raw milk  
30 dairy product, manufactured at the raw milk dairy (amended Code  
31 section 195.6).

32 RAW MILK AND ASSOCIATED PRODUCTS — BILL'S PROVISIONS  
33 — TERM "INHERENT RISK" — NOTICE AND LIABILITY. The bill  
34 defines the term "inherent risk" as the potential presence of a  
35 naturally occurring harmful bacterium or other pathogen that,

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1 if present in raw milk, or an associated product, could, when  
2 consumed by an individual, directly cause the individual to  
3 suffer injury, illness, or death (amended Code section 195.1).  
4 The bill revises the notice provision by adding that a consumer  
5 assumes any inherent risk associated with consuming raw milk or  
6 an associated product (amended Code section 195.9). The bill  
7 applies to a person who produces, processes, keeps for storage,  
8 markets, or distributes raw milk originating at a raw milk  
9 producer's raw milk dairy and to a person who manufactures,  
10 keeps for storage, markets, or distributes an associated  
11 product originating at the raw milk dairy (new Code section  
12 195.9A). In each case, the person is not civilly liable for an  
13 injury, illness, or death suffered by an individual that was  
14 directly caused by the individual consuming the raw milk or  
15 associated product who thereby has assumed the inherent risk.  
16 Several exceptions apply: (1) the raw milk or associated  
17 product was not produced and processed, or manufactured, kept  
18 for storage, marketed, or distributed in compliance with Code  
19 chapter 195; or (2) the person acted, or omitted to act, in a  
20 manner that constituted gross negligence, recklessness, willful  
21 or wanton misconduct, or intentional wrongdoing.

22 EMERGENCY RULES. DIAL must adopt rules to implement the bill  
23 on an emergency basis, which rules are to take effect within  
24 180 days of the effective date of the bill.

25 EFFECTIVE DATE. The bill takes effect upon enactment.

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House Study Bill 775 - Introduced

HOUSE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
APPROPRIATIONS BILL BY  
CHAIRPERSON MOHR)

**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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DIVISION I

FY 2026-2027 APPROPRIATIONS

Section 1. DEPARTMENT OF JUSTICE.

1. There is appropriated from the general fund of the state to the department of justice for the fiscal year beginning July 1, 2026, and ending June 30, 2027, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

a. For the general office of attorney general for salaries, support, maintenance, and miscellaneous purposes, including the prosecuting attorneys training program, matching funds for federal violence against women grant programs, victim assistance grants, the office of drug control policy prosecuting attorney program, and odometer fraud enforcement, and for not more than the following full-time equivalent positions:

.....	\$ 10,919,246
.....	FTEs 234.00

As a condition of receiving the appropriation provided in this lettered paragraph, the department of justice shall maintain a record of the estimated time incurred representing each agency or department.

The general office of attorney general may temporarily exceed and draw more than the amount appropriated in this lettered paragraph and incur a negative cash balance as long as there are receivables equal to or greater than the negative balances and the amount appropriated in this lettered paragraph is not exceeded at the close of the fiscal year.

b. For victim assistance grants:

.....	\$ 5,176,593
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Of the moneys appropriated in this lettered paragraph, \$150,000 is allocated to provide grants to care providers providing services to victims of human trafficking. The remaining moneys appropriated in this lettered paragraph are allocated to provide grants to care providers providing

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1 services to all other victims of violent crime.

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

21 The department of justice shall transfer at least \$150,000  
22 from the victim compensation fund established in section 915.94  
23 to the victim assistance grant program established in section  
24 13.31.

25 Notwithstanding section 8.33, moneys appropriated in this  
26 lettered paragraph 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.

30 c. For legal services for persons in poverty grants as  
31 provided in section 13.34:

32 ..... \$ 2,634,601

33 d. To improve the department of justice's cybersecurity and  
34 technology infrastructure:

35 ..... \$ 202,060

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1     2. a. The department of justice, in submitting budget  
2 estimates for the fiscal year beginning July 1, 2027, pursuant  
3 to section 8.23, shall include a report of funding from sources  
4 other than amounts appropriated directly from the general fund  
5 of the state to the department of justice or to the office of  
6 consumer advocate. These funding sources must include but  
7 are not limited to reimbursements from other state agencies,  
8 commissions, boards, or similar entities, and reimbursements  
9 from special funds or internal accounts within the department  
10 of justice. The department of justice shall also report actual  
11 reimbursements for the fiscal year beginning July 1, 2025,  
12 and actual and expected reimbursements for the fiscal year  
13 beginning July 1, 2026.

14     b. The department of justice shall include the report  
15 required under paragraph "a", as well as information regarding  
16 any revisions occurring as a result of reimbursements actually  
17 received or expected at a later date, in a report to the  
18 general assembly. The department of justice shall submit the  
19 report on or before January 15, 2027.

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

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

32     4. Notwithstanding sections 553.19 and 714.16C, for the  
33 fiscal year beginning July 1, 2026, and ending June 30, 2027,  
34 any moneys not otherwise appropriated from the antitrust fund  
35 created in section 553.19 and the consumer education and

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1 litigation fund created in section 714.16C are appropriated to  
2 the department of justice for salaries, support, maintenance,  
3 and miscellaneous purposes necessary to perform the duties  
4 described in section 13.2.

5 Sec. 2. OFFICE OF CONSUMER ADVOCATE. There is appropriated  
6 from the commerce revolving fund created in section 546.12 to  
7 the office of consumer advocate of the department of justice  
8 for the fiscal year beginning July 1, 2026, and ending June 30,  
9 2027, the following amount, or so much thereof as is necessary,  
10 to be used for the purposes designated:

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

14 ..... \$ 3,784,047  
15 ..... FTEs 18.00

16 The office of consumer advocate shall include in its charges  
17 assessed or revenues generated an amount sufficient to cover  
18 the amount stated in its appropriation and any state-assessed  
19 indirect costs determined by the department of administrative  
20 services.

21 Sec. 3. DEPARTMENT OF CORRECTIONS — FACILITIES.

22 1. There is appropriated from the general fund of the state  
23 to the department of corrections for the fiscal year beginning  
24 July 1, 2026, and ending June 30, 2027, the following amounts,  
25 or so much thereof as is necessary, to be used for the purposes  
26 designated:

27 a. For the operation of the Fort Madison correctional  
28 facility, including salaries, support, maintenance, and  
29 miscellaneous purposes:

30 ..... \$ 46,724,722

31 b. For the operation of the Anamosa correctional facility,  
32 including salaries, support, maintenance, and miscellaneous  
33 purposes:

34 ..... \$ 40,255,974

35 c. For the operation of the Oakdale correctional facility,

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1 including salaries, support, maintenance, and miscellaneous  
2 purposes:  
3 ..... \$ 59,344,020  
4 d. For the Oakdale correctional facility for  
5 department-wide institutional pharmaceuticals and miscellaneous  
6 purposes:  
7 ..... \$ 10,175,417  
8 e. For the operation of the Newton correctional facility,  
9 including salaries, support, maintenance, and miscellaneous  
10 purposes:  
11 ..... \$ 32,509,092  
12 f. For the operation of the Mount Pleasant correctional  
13 facility, including salaries, support, maintenance, and  
14 miscellaneous purposes:  
15 ..... \$ 30,619,297  
16 g. For the operation of the Rockwell City correctional  
17 facility, including salaries, support, maintenance, and  
18 miscellaneous purposes:  
19 ..... \$ 11,916,579  
20 h. For the operation of the Clarinda correctional facility,  
21 including salaries, support, maintenance, and miscellaneous  
22 purposes:  
23 ..... \$ 29,678,380  
24 Moneys received by the department of corrections as  
25 reimbursement for services provided to the Clarinda youth  
26 corporation are appropriated to the department and shall be  
27 used for the purpose of operating the Clarinda correctional  
28 facility.  
29 i. For the operation of the Mitchellville correctional  
30 facility, including salaries, support, maintenance, and  
31 miscellaneous purposes:  
32 ..... \$ 26,350,539  
33 j. For the operation of the Fort Dodge correctional  
34 facility, including salaries, support, maintenance, and  
35 miscellaneous purposes:

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1 ..... \$ 34,467,251  
2 k. For reimbursement of counties for temporary confinement  
3 of prisoners, as provided in sections 901.7, 904.908, and  
4 906.17, and for offenders confined pursuant to section 904.513:  
5 ..... \$ 1,345,319  
6 1. For federal prison reimbursement, reimbursements for  
7 out-of-state placements, and miscellaneous contracts:  
8 ..... \$ 234,411  
9 2. The department of corrections shall use moneys  
10 appropriated in subsection 1 to continue to contract for the  
11 services of a Muslim imam and a Native American spiritual  
12 leader.  
13 Sec. 4. DEPARTMENT OF CORRECTIONS — ADMINISTRATION. There  
14 is appropriated from the general fund of the state to the  
15 department of corrections for the fiscal year beginning July  
16 1, 2026, and ending June 30, 2027, the following amounts, or  
17 so much thereof as is necessary, to be used for the purposes  
18 designated:  
19 1. For general administration, including salaries and the  
20 adjustment of salaries throughout the department, support,  
21 maintenance, employment of an education director to administer  
22 a centralized education program for the correctional system,  
23 and miscellaneous purposes:  
24 ..... \$ 9,650,695  
25 a. It is the intent of the general assembly that each  
26 lease negotiated by the department of corrections with a  
27 private corporation for the purpose of providing private  
28 industry employment of inmates in a correctional institution  
29 shall prohibit the private corporation from utilizing inmate  
30 labor for partisan political purposes for any person seeking  
31 election to public office in this state and that a violation  
32 of this requirement shall result in a termination of the lease  
33 agreement.  
34 b. It is the intent of the general assembly that as a  
35 condition of receiving the appropriation provided in this

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1 subsection the department of corrections shall not enter into  
2 a lease or contractual agreement pursuant to section 904.809  
3 with a private corporation for the use of building space for  
4 the purpose of providing inmate employment without providing  
5 that the terms of the lease or contract establish safeguards to  
6 restrict, to the greatest extent feasible, access by inmates  
7 working for the private corporation to personal identifying  
8 information of citizens.

9 2. For educational programs for inmates at state penal  
10 institutions:

11 ..... \$ 3,108,109

12 a. To maximize the funding for educational programs,  
13 the department shall establish guidelines and procedures to  
14 prioritize the availability of educational and vocational  
15 training for inmates based upon the goal of facilitating an  
16 inmate's successful release from the correctional institution.

17 b. The director of the department of corrections may  
18 transfer moneys from Iowa prison industries and the canteen  
19 operating funds established pursuant to section 904.310, for  
20 use in educational programs for inmates.

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

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

28 ..... \$ 2,000,000

29 4. For offender mental health and substance abuse  
30 treatment:

31 ..... \$ 28,065

32 5. For department-wide duties, including operations, costs,  
33 and miscellaneous purposes:

34 ..... \$ 5,500,000

35 Sec. 5. DEPARTMENT OF CORRECTIONS — JUDICIAL DISTRICT

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1 DEPARTMENTS OF CORRECTIONAL SERVICES.

2 1. There is appropriated from the general fund of the state  
3 to the department of corrections for the fiscal year beginning  
4 July 1, 2026, and ending June 30, 2027, the following amounts,  
5 or so much thereof as is necessary, to be used for salaries,  
6 support, maintenance, and miscellaneous purposes:

7 a. For the first judicial district department of  
8 correctional services:

9 ..... \$ 17,395,981

10 It is the intent of the general assembly that the first  
11 judicial district department of correctional services maintains  
12 the drug courts operated by the district department.

13 b. For the second judicial district department of  
14 correctional services:

15 ..... \$ 14,105,725

16 It is the intent of the general assembly that the second  
17 judicial district department of correctional services maintains  
18 two drug courts to be operated by the district department.

19 c. For the third judicial district department of  
20 correctional services:

21 ..... \$ 8,915,376

22 d. For the fourth judicial district department of  
23 correctional services:

24 ..... \$ 6,563,898

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

28 ..... \$ 25,194,813

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

32 f. For the sixth judicial district department of  
33 correctional services:

34 ..... \$ 17,554,811

35 It is the intent of the general assembly that the sixth

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1 judicial district department of correctional services maintains  
2 the drug court operated by the district department.

3 g. For the seventh judicial district department of  
4 correctional services:

5 ..... \$ 11,003,457

6 It is the intent of the general assembly that the seventh  
7 judicial district department of correctional services maintains  
8 the drug court operated by the district department.

9 h. For the eighth judicial district department of  
10 correctional services:

11 ..... \$ 10,259,926

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

19 3. Each judicial district department of correctional  
20 services shall provide alternatives to prison consistent with  
21 chapter 901B. The alternatives to prison must ensure public  
22 safety while providing maximum rehabilitation to the offender.  
23 A judicial district department of correctional services may  
24 also establish a day program.

25 4. The office of drug control policy of the department  
26 of public safety shall consider federal grants made to the  
27 department of corrections for the benefit of each of the eight  
28 judicial district departments of correctional services as local  
29 government grants, as defined pursuant to federal regulations.

30 5. The department of corrections shall continue to contract  
31 with a judicial district department of correctional services  
32 to provide for the rental of electronic monitoring equipment  
33 available statewide.

34 6. The public safety assessment shall not be utilized in  
35 pretrial hearings when determining whether to detain or release

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1 a defendant before trial until such time the use of the public  
2 safety assessment has been specifically authorized by the  
3 general assembly.

4     Sec. 6. DEPARTMENT OF CORRECTIONS — REALLOCATION OF  
5 APPROPRIATIONS. Notwithstanding section 8.39, within the  
6 moneys appropriated in this division of this Act to the  
7 department of corrections, the department may reallocate the  
8 moneys appropriated and allocated as necessary to best fulfill  
9 the needs of the correctional institutions, administration  
10 of the department, and the judicial district departments of  
11 correctional services. However, in addition to complying with  
12 the requirements of section 904.116 and providing notice to  
13 the legislative services agency, the department of corrections  
14 shall also provide notice to the department of management,  
15 prior to the effective date of the revision or reallocation of  
16 an appropriation made pursuant to this section. The department  
17 of corrections shall not reallocate an appropriation or  
18 allocation for the purpose of eliminating any program.

19     Sec. 7. DEPARTMENT OF CORRECTIONS — INTENT. The department  
20 of corrections, in cooperation with townships, the Iowa  
21 cemetery associations, and other nonprofit or governmental  
22 entities, may use inmate labor during the fiscal year beginning  
23 July 1, 2026, to restore or preserve rural cemeteries and  
24 historical landmarks. The department, in cooperation with the  
25 counties, may also use inmate labor to clean up roads, major  
26 water sources, and other water sources around the state.

27     Sec. 8. STATE AGENCY PURCHASES FROM PRISON INDUSTRIES.  
28     1. As used in this section, unless the context otherwise  
29 requires, "state agency" means the government of the state  
30 of Iowa, including but not limited to all executive branch  
31 departments, agencies, boards, bureaus, and commissions, the  
32 judicial branch, the general assembly and all legislative  
33 agencies, institutions within the purview of the state board of  
34 regents, and any corporation whose primary function is to act  
35 as an instrumentality of the state.

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1     2. State agencies are encouraged to purchase products from  
2 Iowa state industries, as defined in section 904.802, when  
3 purchases are required and the products are available from  
4 Iowa state industries. State agencies shall obtain bids from  
5 Iowa state industries for purchases of office furniture during  
6 the fiscal year beginning July 1, 2026, exceeding \$5,000 or  
7 in accordance with applicable administrative rules related to  
8 purchases for the agency.

9     Sec. 9. IOWA LAW ENFORCEMENT ACADEMY.

10    1. There is appropriated from the general fund of the  
11 state to the Iowa law enforcement academy for the fiscal year  
12 beginning July 1, 2026, and ending June 30, 2027, the following  
13 amount, or so much thereof as is necessary, to be used for the  
14 purposes designated:

15    a. For salaries, support, maintenance, and miscellaneous  
16 purposes, including jailer training and technical assistance,  
17 and for not more than the following full-time equivalent  
18 positions:

19 .....	\$	2,919,407
20 .....	FTEs	31.00

21    b. The Iowa law enforcement academy may temporarily exceed  
22 and draw more than the amount appropriated in this subsection  
23 and incur a negative cash balance as long as there are  
24 receivables equal to or greater than the negative balance and  
25 the amount appropriated in this subsection is not exceeded at  
26 the close of the fiscal year.

27    2. The Iowa law enforcement academy may select at least  
28 five automobiles of the department of public safety, division  
29 of state patrol, prior to turning over the automobiles to  
30 the department of administrative services to be disposed  
31 of by public auction, and the Iowa law enforcement academy  
32 may exchange any automobile owned by the academy for each  
33 automobile selected if the selected automobile is used in  
34 training law enforcement officers at the academy. However, any  
35 automobile exchanged by the academy must be substituted for

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1 the selected vehicle of the department of public safety and  
2 sold by public auction with the receipts being deposited in the  
3 depreciation fund maintained pursuant to section 8A.365 to the  
4 credit of the department of public safety, division of state  
5 patrol.

6 3. The Iowa law enforcement academy shall provide training  
7 for domestic abuse and human trafficking-related issues  
8 throughout the state. The academy shall offer the training at  
9 no cost to the attendees and the training shall not replace any  
10 existing domestic abuse or human trafficking training offered  
11 by the academy.

12 Sec. 10. STATE PUBLIC DEFENDER.

13 1. There is appropriated from the general fund of the state  
14 to the office of the state public defender of the department  
15 of inspections, appeals, and licensing for the fiscal year  
16 beginning July 1, 2026, and ending June 30, 2027, the following  
17 amounts, or so much thereof as is necessary, to be used for the  
18 purposes designated:

19 a. For salaries, support, maintenance, and miscellaneous  
20 purposes, and for not more than the following full-time  
21 equivalent positions:

22 ..... \$ 38,627,894  
23 ..... FTEs 276.00

24 b. For payments on behalf of eligible adults and juveniles  
25 from the indigent defense fund, in accordance with section  
26 815.11:

27 ..... \$ 42,351,374

28 2. Moneys received by the office of the state public  
29 defender pursuant to Tit. IV-E of the federal Social Security  
30 Act remaining unencumbered and unobligated at the end of the  
31 fiscal year shall not revert but shall be transferred to the  
32 Tit. IV-E juvenile justice improvement fund created in 2022  
33 Iowa Acts, chapter 1146, section 11, subsection 3, to remain  
34 available for expenditure by the office of the state public  
35 defender in succeeding fiscal years for the purposes allowed by

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1 Tit. IV-E of the federal Social Security Act.

2 Sec. 11. BOARD OF PAROLE. There is appropriated from the  
3 general fund of the state to the board of parole for the fiscal  
4 year beginning July 1, 2026, and ending June 30, 2027, the  
5 following amount, or so much thereof as is necessary, to be  
6 used for the purposes designated:

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

10 .....	\$	1,545,114
11 .....	FTEs	10.60

12 Sec. 12. DEPARTMENT OF PUBLIC DEFENSE.

13 1. There is appropriated from the general fund of the  
14 state to the department of public defense, for the fiscal year  
15 beginning July 1, 2026, and ending June 30, 2027, the following  
16 amount, or so much thereof as is necessary, to be used for the  
17 purposes designated:

18 For salaries, support, maintenance, and miscellaneous  
19 purposes, and for not more than the following full-time  
20 equivalent positions:

21 .....	\$	7,646,037
22 .....	FTEs	242.00

23 2. The department of public defense may temporarily exceed  
24 and draw more than the amount appropriated in this section and  
25 incur a negative cash balance as long as there are receivables  
26 of federal funds equal to or greater than the negative balance  
27 and the amount appropriated in this section is not exceeded at  
28 the close of the fiscal year.

29 Sec. 13. DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY  
30 MANAGEMENT.

31 1. There is appropriated from the general fund of the state  
32 to the department of homeland security and emergency management  
33 for the fiscal year beginning July 1, 2026, and ending June 30,  
34 2027, the following amount, or so much thereof as is necessary,  
35 to be used for the purposes designated:

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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 ..... \$ 2,396,138  
5 ..... FTEs 25.44

6 2. The department of homeland security and emergency  
7 management may temporarily exceed and draw more than the amount  
8 appropriated in this section and incur a negative cash balance  
9 as long as there are receivables of federal funds equal to or  
10 greater than the negative balance and the amount appropriated  
11 in this section is not exceeded at the close of the fiscal  
12 year.

13 Sec. 14. DEPARTMENT OF PUBLIC SAFETY. There is appropriated  
14 from the general fund of the state to the department of public  
15 safety for the fiscal year beginning July 1, 2026, and ending  
16 June 30, 2027, the following amounts, or so much thereof as is  
17 necessary, to be used for the purposes designated:

18 1. For administrative functions, including salaries and the  
19 adjustment of salaries throughout the department, the criminal  
20 justice information system, and for not more than the following  
21 full-time equivalent positions:

22 ..... \$ 7,095,906  
23 ..... FTEs 33.00

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

32 ..... \$ 23,282,804  
33 ..... FTEs 184.00

34 3. For the criminalistics laboratory fund created in  
35 section 691.9:

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1 ..... \$ 650,000

2 Notwithstanding section 8.33, moneys appropriated in this  
3 subsection that remain unencumbered or unobligated at the close  
4 of the fiscal year shall not revert but shall remain available  
5 for expenditure for the purposes designated until the close of  
6 the succeeding fiscal year.

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

15 ..... \$ 10,496,573

16 ..... FTEs 71.00

17 The division of narcotics enforcement is authorized an  
18 additional 1.00 full-time equivalent position pursuant to  
19 this lettered paragraph that is in excess of the number of  
20 full-time equivalent positions authorized for the previous  
21 fiscal year only if the division of narcotics enforcement  
22 receives sufficient federal moneys to maintain employment  
23 for the additional full-time equivalent position during the  
24 current fiscal year. The division of narcotics enforcement  
25 shall only employ the additional full-time equivalent position  
26 in succeeding fiscal years if sufficient federal moneys are  
27 received during each of those succeeding fiscal years.

28 b. For the division of narcotics enforcement for undercover  
29 purchases:

30 ..... \$ 209,042

31 5. For the division of state fire marshal, for fire  
32 protection services as provided through the state fire service  
33 and emergency response council as created in the department,  
34 and for the state's contribution to the peace officers'  
35 retirement, accident, and disability system provided in chapter

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1 97A in the amount of the state's normal contribution rate,  
2 as defined in section 97A.8, multiplied by the salaries for  
3 which the moneys are appropriated, and for not more than the  
4 following full-time equivalent positions:

5 ..... \$ 3,635,378  
6 ..... FTEs 21.00

7 6. For the division of state patrol, for salaries, support,  
8 maintenance, workers' compensation costs, and miscellaneous  
9 purposes, including the state's contribution to the peace  
10 officers' retirement, accident, and disability system provided  
11 in chapter 97A in the amount of the state's normal contribution  
12 rate, as defined in section 97A.8, multiplied by the salaries  
13 for which the moneys are appropriated, and for not more than  
14 the following full-time equivalent positions:

15 ..... \$ 94,251,941  
16 ..... FTEs 613.00

17 It is the intent of the general assembly that members of the  
18 state patrol be assigned to patrol the highways and roads in  
19 lieu of assignments for inspecting school buses for the school  
20 districts.

21 7. For deposit in the sick leave benefits fund established  
22 in section 80.42 for all departmental employees eligible to  
23 receive benefits for accrued sick leave under the collective  
24 bargaining agreement:

25 ..... \$ 279,517

26 8. For costs associated with the training and equipment  
27 needs of volunteer fire fighters:

28 ..... \$ 1,075,520

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

34 9. For the public safety interoperable and broadband  
35 communications fund established in section 80.44:

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1 ..... \$ 115,661  
2 10. For the office to combat human trafficking established  
3 in section 80.45, including salaries, support, maintenance, and  
4 miscellaneous purposes:  
5 ..... \$ 200,742  
6 11. For department-wide duties, including operations,  
7 costs, and miscellaneous purposes:  
8 ..... \$ 3,430,000  
9 12. For the office of drug control policy, for salaries,  
10 support, maintenance, and miscellaneous purposes, including  
11 statewide coordination of the drug abuse resistance education  
12 (D.A.R.E.) programs or other similar programs, and for not more  
13 than the following full-time equivalent positions:  
14 ..... \$ 249,219  
15 ..... FTEs 4.00

16 Notwithstanding section 8.39, the department of public  
17 safety may reallocate moneys appropriated in this section  
18 as necessary to best fulfill the needs provided for in the  
19 appropriation. However, the department shall not reallocate  
20 moneys appropriated to the department in this section unless  
21 notice of the reallocation is given to the legislative services  
22 agency and the department of management prior to the effective  
23 date of the reallocation. The notice must include information  
24 regarding the rationale for reallocating the moneys. The  
25 department shall not reallocate moneys appropriated in this  
26 section for the purpose of eliminating any program.

27 Sec. 15. DEPARTMENT OF PUBLIC SAFETY — GAMING ENFORCEMENT.

28 1. There is appropriated from the gaming enforcement  
29 revolving fund created in section 80.43 to the department of  
30 public safety for the fiscal year beginning July 1, 2026, and  
31 ending June 30, 2027, the following amount, or so much thereof  
32 as is necessary, to be used for the purposes designated:

33 For any direct support costs for agents and officers of  
34 the division of criminal investigation's excursion gambling  
35 boat, gambling structure, and racetrack enclosure enforcement

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

4 ..... \$ 13,084,081  
5 ..... FTEs 68.00

6 2. For each additional license to conduct gambling games on  
7 an excursion gambling boat, gambling structure, or racetrack  
8 enclosure issued during the fiscal year beginning July 1, 2026,  
9 there is appropriated from the gaming enforcement revolving  
10 fund to the department of public safety for the fiscal year  
11 beginning July 1, 2026, and ending June 30, 2027, an additional  
12 amount of not more than \$300,000 to be used for full-time  
13 equivalent positions.

14 3. The department of public safety, with the approval of the  
15 department of management, may employ no more than three special  
16 agents for each additional riverboat or gambling structure  
17 regulated after July 1, 2026, and three special agents for  
18 each racing facility which becomes operational during the  
19 fiscal year which begins July 1, 2026. Positions authorized  
20 in this subsection are in addition to the full-time equivalent  
21 positions otherwise authorized in this section.

22 Sec. 16. DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY  
23 MANAGEMENT. There is appropriated from the 911 emergency  
24 communications fund created in section 34A.7A to the department  
25 of homeland security and emergency management for the fiscal  
26 year beginning July 1, 2026, and ending June 30, 2027, the  
27 following amount, or so much thereof as is necessary, to be  
28 used for the purposes designated:

29 For implementation, support, and maintenance of the  
30 functions of the administrator and program manager under  
31 chapter 34A and to employ the auditor of the state to perform  
32 an annual audit of the 911 emergency communications fund:  
33 ..... \$ 300,000

34 Sec. 17. DEPARTMENT OF JUSTICE — CONSUMER EDUCATION AND  
35 LITIGATION — FARM MEDIATION AND PROSECUTIONS, APPEALS, AND

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1 CLAIMS. Notwithstanding section 714.16C, there is appropriated  
2 from the consumer education and litigation fund to the  
3 department of justice for the fiscal year beginning July 1,  
4 2026, and ending June 30, 2027, the following amounts, or so  
5 much thereof as is necessary, to be used for the purposes  
6 designated:

7 1. For farm mediation services as specified in section  
8 13.13, subsection 2:  
9 ..... \$ 300,000

10 2. For salaries, support, maintenance, and miscellaneous  
11 purposes for criminal prosecutions, criminal appeals, and  
12 performing duties pursuant to chapter 669:  
13 ..... \$ 2,000,000

14 DIVISION II

15 INDIGENT DEFENSE AND REPRESENTATION

16 Sec. 18. Section 815.7, subsection 10, Code 2026, is amended  
17 to read as follows:

18 10. For appointments made on or after July 1, 2025, through  
19 June 30, 2026, the reasonable compensation shall be calculated  
20 on the basis of eighty-eight dollars per hour for class "A"  
21 felonies, eighty-three dollars per hour for class "B" felonies,  
22 and seventy-eight dollars per hour for all other cases.

23 Sec. 19. Section 815.7, Code 2026, is amended by adding the  
24 following new subsection:

25 NEW SUBSECTION. 10A. For appointments made on or after  
26 July 1, 2026, the reasonable compensation shall be calculated  
27 on the basis of ninety-three dollars per hour for class "A"  
28 felonies, eighty-eight dollars per hour for class "B" felonies,  
29 and eighty-three dollars per hour for all other cases.

30 EXPLANATION

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

33 This bill relates to and makes appropriations to the justice  
34 system.

35 FY 2026-2027 APPROPRIATIONS. The bill makes appropriations

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1 for FY 2026-2027 from the general fund of the state to the  
2 departments of justice, corrections, public defense, public  
3 safety, and homeland security and emergency management, and  
4 the Iowa law enforcement academy, office of the state public  
5 defender, and board of parole.

6 The bill also appropriates moneys for FY 2026-2027 from the  
7 commerce revolving fund to the office of consumer advocate  
8 of the department of justice; from the gaming enforcement  
9 revolving fund to the department of public safety; from the 911  
10 emergency communications fund to the department of homeland  
11 security and emergency management; and from the consumer  
12 education and litigation fund to the department of justice for  
13 farm mediation services and for criminal prosecutions, criminal  
14 appeals, and performing certain duties.

15 INDIGENT DEFENSE AND REPRESENTATION. The bill increases  
16 the hourly rate for court-appointed counsel by \$5 per hour and  
17 provides that for appointments made on or after July 1, 2026,  
18 compensation is calculated on the basis of \$93 per hour for  
19 class "A" felonies, \$88 per hour for class "B" felonies, and  
20 \$83 per hour for all other cases.

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House Study Bill 776 - Introduced

HOUSE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
APPROPRIATIONS BILL BY  
CHAIRPERSON MOHR)

A BILL FOR

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

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1 Section 1. JUDICIAL BRANCH.

2 1. There is appropriated from the general fund of the state  
3 to the judicial branch for the fiscal year beginning July 1,  
4 2026, and ending June 30, 2027, the following amounts, or so  
5 much thereof as is necessary, to be used for the purposes  
6 designated:

7 a. For salaries of supreme court justices, appellate court  
8 judges, district court judges, district associate judges,  
9 associate juvenile judges, associate probate judges, judicial  
10 magistrates and staff, state court administrator, clerk of  
11 the supreme court, district court administrators, clerks of  
12 the district court, juvenile court officers, board of law  
13 examiners, board of examiners of shorthand reporters, and  
14 commission on judicial qualifications; receipt and disbursement  
15 of child support payments; reimbursement of the auditor  
16 of state for expenses incurred in completing audits of the  
17 offices of the clerks of the district court during the fiscal  
18 year beginning July 1, 2026; and maintenance, equipment, and  
19 miscellaneous purposes:

20 ..... \$203,691,378

21 b. For deposit in the revolving fund created pursuant to  
22 section 602.1302, subsection 3, for jury and witness fees,  
23 mileage, costs related to summoning jurors, costs and fees for  
24 interpreters and translators, and reimbursement of attorney  
25 fees paid by the state public defender:

26 ..... \$ 3,600,000

27 c. For payment of expenses for court-ordered services  
28 provided to juveniles who are under the supervision of juvenile  
29 court services, which expenses are a charge upon the state  
30 pursuant to [section 232.141, subsection 4](#):

31 ..... \$ 3,290,000

32 (1) Of the moneys appropriated in this lettered paragraph,  
33 no more than \$1,556,000 is allocated to provide school-based  
34 supervision of children under [chapter 232](#), of which no more  
35 than \$25,000 may be used for purposes of training.

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1 (2) Notwithstanding [section 232.141](#) or any other provision  
2 of law to the contrary, the moneys appropriated in this  
3 lettered paragraph shall be distributed to the judicial  
4 districts as determined by the state court administrator. The  
5 state court administrator shall make the determination of the  
6 distribution amounts within thirty days of the date on which  
7 the annual census data is released.

8 (3) Notwithstanding [chapter 232](#) or any other provision of  
9 law to the contrary, a district or juvenile court shall not  
10 order any service which is a charge upon the state pursuant  
11 to [section 232.141](#) if there are insufficient court-ordered  
12 services moneys available in the district court distribution  
13 amounts to pay for the service. The chief juvenile court  
14 officer shall encourage use of the moneys appropriated in this  
15 lettered paragraph such that there are sufficient moneys to pay  
16 for all court-ordered services during the entire fiscal year.  
17 The chief juvenile court officer shall attempt to anticipate  
18 potential surpluses and shortfalls in the distribution amounts  
19 and shall cooperatively request the state court administrator  
20 to transfer moneys between the judicial districts' distribution  
21 amounts as prudent.

22 (4) Notwithstanding any provision of law to the contrary,  
23 a district or juvenile court shall not order a county to pay  
24 for any service provided to a juvenile pursuant to an order  
25 entered under [chapter 232](#) which is a charge upon the state  
26 under [section 232.141, subsection 4](#).

27 (5) Of the moneys appropriated in this lettered paragraph,  
28 no more than \$83,000 may be used by the judicial branch  
29 for administration of the requirements under this lettered  
30 paragraph.

31 (6) Of the moneys appropriated in this lettered paragraph,  
32 an amount not to exceed the actual cost of the annual  
33 membership fee is allocated to the judicial branch to support  
34 the interstate commission for juveniles in accordance with  
35 the interstate compact for juveniles as provided in section

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1 232.173.

2 (7) Notwithstanding [section 8.33](#), moneys appropriated in  
3 this lettered paragraph that remain unencumbered or unobligated  
4 at the close of the fiscal year shall not revert but shall  
5 remain available for expenditure for the purposes designated  
6 until the close of the fiscal year that begins July 1, 2029.

7 d. For juvenile delinquent graduated sanctions services  
8 pursuant to [section 232.192](#):

9 ..... \$ 12,253,000

10 (1) Any state moneys saved as a result of efforts by  
11 juvenile court services to earn a federal fund match pursuant  
12 to Tit. IV-E of the federal Family First Prevention Services  
13 Act of 2018, Pub. L. No. 115-123, for juvenile court services  
14 administration is appropriated to the judicial branch for  
15 purposes of this lettered paragraph.

16 (2) Notwithstanding [section 8.33](#), moneys appropriated in  
17 this lettered paragraph that remain unencumbered or unobligated  
18 at the close of the fiscal year shall not revert but shall  
19 remain available for expenditure for the purposes designated  
20 until the close of the fiscal year that begins July 1, 2029.

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

27 3. The judicial branch shall submit monthly financial  
28 statements to the legislative services agency and the  
29 department of management containing all appropriated accounts  
30 in the same manner as provided in the monthly financial status  
31 reports and personal services usage reports of the department  
32 of administrative services. The monthly financial statements  
33 must include a comparison of the dollars and percentage  
34 spent of budgeted versus actual revenues and expenditures on  
35 a cumulative basis for full-time equivalent positions and

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1 dollars.

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

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

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

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

29 8. The judicial branch shall provide a report to the general  
30 assembly and department of management by January 1, 2027,  
31 concerning the amounts received and expended from the court  
32 technology and modernization fund created in section 602.8108,  
33 subsection 7, during the fiscal year beginning July 1, 2025,  
34 and ending June 30, 2026, and the plans for expenditures from  
35 the fund during the fiscal year beginning July 1, 2026, and

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1 ending June 30, 2027.

2     Sec. 2. CIVIL TRIALS — LOCATION. Notwithstanding any  
3 provision to the contrary, for the fiscal year beginning July  
4 1, 2026, and ending June 30, 2027, if all parties in a case  
5 agree, a civil trial including a jury trial may take place in a  
6 county contiguous to the county with proper jurisdiction, even  
7 if the contiguous county is located in an adjacent judicial  
8 district or judicial election district. If the trial is moved  
9 pursuant to this section, court personnel shall treat the case  
10 as if a change of venue occurred.

11     Sec. 3. TRAVEL REIMBURSEMENT. Notwithstanding section  
12 602.1509, for the fiscal year beginning July 1, 2026, and  
13 ending June 30, 2027, a judicial officer may waive travel  
14 reimbursement for any travel outside the judicial officer's  
15 county of residence to conduct official judicial business.

16     Sec. 4. JUDICIAL OFFICER — UNPAID LEAVE. Notwithstanding  
17 the annual salary rates for judicial officers established by  
18 2025 Iowa Acts, chapter 158, section 6, for the fiscal year  
19 beginning July 1, 2026, and ending June 30, 2027, the supreme  
20 court may by order place all judicial officers on unpaid leave  
21 status on any day employees of the judicial branch are placed  
22 on temporary layoff status. The biweekly pay of the judicial  
23 officers shall be reduced accordingly for the pay period in  
24 which the unpaid leave date occurred in the same manner as  
25 for noncontract employees of the judicial branch. Through  
26 the course of the fiscal year, the judicial branch may use an  
27 amount equal to the aggregate amount of salary reductions due  
28 to the judicial officer unpaid leave days for any purpose other  
29 than for judicial salaries.

30     Sec. 5. IOWA COMMUNICATIONS NETWORK. It is the intent  
31 of the general assembly that the judicial branch utilize  
32 the Iowa communications network or other secure electronic  
33 communications in lieu of traveling for the fiscal year  
34 beginning July 1, 2026, and ending June 30, 2027.

35

EXPLANATION

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

3       This bill relates to and makes appropriations to the  
4       judicial branch.

5       The bill appropriates moneys from the general fund  
6       of the state for FY 2026-2027 to the judicial branch for  
7       salaries, receipt and disbursement of child support payments,  
8       reimbursement of the auditor of state, maintenance, equipment,  
9       miscellaneous purposes, deposit in the revolving fund created  
10      pursuant to Code section 602.1302(3) for certain purposes,  
11      payment of court-ordered juvenile services, and juvenile  
12      delinquent graduated sanctions services.

13      The bill provides that a civil trial including a jury trial  
14      may take place in a county contiguous to the county with proper  
15      jurisdiction if all the parties in a case agree. If a trial  
16      is moved to another county that is located in another judicial  
17      district or judicial election district, the judicial officers  
18      serving the judicial district or judicial election district  
19      receiving the case shall preside over the case.

20      The bill permits a judicial officer to waive travel  
21      reimbursement for any travel outside the judicial officer's  
22      county of residence to conduct official business.

23      The bill allows a judicial officer to be placed on unpaid  
24      leave on any day a court employee is required to furlough.  
25      The bill provides that if a judicial officer is placed on  
26      unpaid leave, the salary of the judicial officer shall be  
27      reduced accordingly for the pay period in which the unpaid  
28      leave occurred. The bill provides that the judicial branch  
29      may use an amount equal to the aggregate amount of the salary  
30      reductions due to judicial officer unpaid leave for any purpose  
31      other than judicial salaries.

32      The bill states legislative intent that the judicial  
33      branch utilize the Iowa communications network or other secure  
34      electronic communications in lieu of traveling.

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House Study Bill 777 - Introduced

HOUSE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
APPROPRIATIONS BILL BY  
CHAIRPERSON MOHR)

A BILL FOR

1 An Act relating to and making appropriations to the department  
2 of veterans affairs and the department of health and  
3 human services, including aging and disability services,  
4 behavioral health, public health, and community access  
5 and eligibility; the medical assistance program, state  
6 supplementary assistance, Hawki, and other health-related  
7 programs; family well-being and protection; state-operated  
8 specialty care; administration and compliance; transfers,  
9 cash flow, and nonreversions; report on nonreversion  
10 of moneys; more options for maternal support program;  
11 reimbursement rates review; mental diseases exclusion  
12 waiver; community health centers reimbursement; full-time  
13 equivalent dashboard; comprehensive family support program;  
14 federal community mental health services block grant; child  
15 welfare and juvenile justice decategorization; commitment  
16 or hospitalization of certain persons with substance abuse  
17 disorders or mental illness; behavioral health expenditure  
18 report; and opioid settlement fund; and including effective  
19 date and retroactive applicability provisions.

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



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1 services for the fiscal year beginning July 1, 2026, and ending  
2 June 30, 2027, the following amount, or so much thereof as is  
3 necessary, to be used for the purposes designated:

4 For aging programs for the department of health and human  
5 services and area agencies on aging to provide citizens of  
6 Iowa who are 60 years of age and older with case management;  
7 for Iowa's aging and disabilities resource centers; for the  
8 return to community program; for the purposes of chapter 231E;  
9 to administer the prevention of elder abuse, neglect, and  
10 exploitation program pursuant to section 231.56A, in accordance  
11 with the requirements of the federal Older Americans Act of  
12 1965, 42 U.S.C. §3001 et seq., as amended; for the operation  
13 of the dependent adult abuse services program pursuant to  
14 chapter 235B; for matching funding for programs to enable  
15 persons with severe physical or mental disabilities to function  
16 more independently; for costs associated with centers for  
17 independent living; and for other services which may include  
18 but are not limited to adult day care, respite care, chore,  
19 information and assistance, and material aid; for information  
20 and options counseling for persons with disabilities; and  
21 for salaries, support, administration, maintenance, and  
22 miscellaneous purposes, and for not more than the following  
23 full-time equivalent positions:

24 .....	\$ 19,379,531
25 .....	FTEs 88.00

26 1. Moneys appropriated in this section may be used to  
27 supplement federal moneys received under federal regulations.  
28 To receive moneys appropriated in this section, a local area  
29 agency on aging shall match the moneys with moneys from other  
30 sources according to rules adopted by the department. Moneys  
31 appropriated in this section may be used for services not  
32 specifically enumerated in this section only if approved by the  
33 department as part of an area agency on aging's area plan.

34 2. Of the moneys appropriated in this section, \$949,282  
35 is allocated to be used for the comprehensive family support

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1 program created in section 231.80 as enacted under this Act.

2 3. Of the moneys appropriated in this section, \$33,632  
3 is allocated to be used to build community capacity through  
4 the coordination and provision of training opportunities in  
5 accordance with the consent decree of Conner v. Branstad, No.  
6 4-86-CV-30871 (S.D. Iowa, July 15, 1994).

7 DIVISION III

8 BEHAVIORAL HEALTH — FY 2026-2027

9 Sec. 3. DEPARTMENT OF HEALTH AND HUMAN SERVICES —

10 BEHAVIORAL HEALTH. There is appropriated from the general fund  
11 of the state to the department of health and human services for  
12 the fiscal year beginning July 1, 2026, and ending June 30,  
13 2027, the following amount, or so much thereof as is necessary,  
14 to be used for the purposes designated:

15 For behavioral health prevention, education, early  
16 intervention, treatment, recovery support, and crisis  
17 services in order to support statewide access to treatment for  
18 behavioral health conditions; stabilization and mitigation of  
19 behavioral health crises; and recovery for individuals and  
20 families impacted by behavioral health conditions. Activities  
21 shall align with accepted best practice guidance standards for  
22 behavioral health including those published by the centers for  
23 disease control and prevention of the United States department  
24 of health and human services, and the substance abuse and  
25 mental health services administration of the United States  
26 department of health and human services, for health promotion;  
27 universal, selective, and indicated prevention; treatment; and  
28 recovery services and supports; and shall include a 24-hour  
29 helpline, public information resources, professional training,  
30 youth prevention, program evaluation, and efforts at the state  
31 and local levels, and for not more than the following full-time  
32 equivalent positions:

33 ..... \$ 23,127,121  
34 ..... FTEs 71.00

35 1. Of the moneys appropriated in this section, \$300,000

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1 is allocated to support the work of the children's behavioral  
2 health system including evidence-based behavioral health  
3 prevention, treatment, and recovery services and supports for  
4 children and their families.

5 2. Of the moneys appropriated in this section, \$950,000  
6 is allocated for an integrated substance use disorder managed  
7 care system. The department shall maintain the level of mental  
8 health and substance use disorder treatment services provided  
9 by the managed care contractors, and shall take the steps  
10 necessary to continue the federal waivers as needed to maintain  
11 the level of services.

12 Sec. 4. DEPARTMENT OF HEALTH AND HUMAN SERVICES — SPORTS  
13 WAGERING RECEIPTS FUND. There is appropriated from the  
14 sports wagering receipts fund created in section 8.57I, to the  
15 department of health and human services for the fiscal year  
16 beginning July 1, 2026, and ending June 30, 2027, the following  
17 amount, or so much thereof as is necessary, to be used for  
18 behavioral health prevention, education, early intervention,  
19 treatment, recovery support, and crisis services in order to  
20 support statewide access to treatment for behavioral health  
21 conditions; stabilization and mitigation of behavioral health  
22 crises; and recovery for individuals and families impacted by  
23 behavioral health conditions:

24 ..... \$ 1,750,000

25 DIVISION IV

26 PUBLIC HEALTH — FY 2026-2027

27 Sec. 5. DEPARTMENT OF HEALTH AND HUMAN SERVICES — PUBLIC  
28 HEALTH. There is appropriated from the general fund of the  
29 state to the department of health and human services for the  
30 fiscal year beginning July 1, 2026, and ending June 30, 2027,  
31 the following amount, or so much thereof as is necessary, to be  
32 used for the purposes designated:

33 For programs that support health promotion, protect the  
34 health and safety of the public, conduct disease surveillance  
35 and investigation to reduce the incidence of morbidity and

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1 mortality, serve individuals with chronic conditions including  
2 but not limited to cancer, support the Iowa donor registry as  
3 specified in section 142C.18, and strengthen the health care  
4 delivery system and workforce to improve health outcomes for  
5 all Iowans, and for not more than the following full-time  
6 equivalent positions:

7 ..... \$ 22,024,369  
8 ..... FTEs 348.60

9 1. Of the moneys appropriated in this section, \$95,000 is  
10 allocated for a child vision screening program implemented  
11 through the university of Iowa hospitals and clinics in  
12 collaboration with early childhood Iowa areas. The program  
13 shall submit a report to the department regarding the use  
14 of funds allocated under this subsection. The report shall  
15 include the objectives and results for the program year  
16 including the target population and how the funds allocated  
17 assisted the program in meeting the objectives; the number,  
18 age, and location within the state of individuals served;  
19 the type of services provided to the individuals served; the  
20 distribution of moneys based on the services provided; and the  
21 continuing needs of the program.

22 2. Of the moneys appropriated in this section, \$96,000 shall  
23 be used for a grant to a nationally affiliated volunteer eye  
24 organization that has an established program for children and  
25 adults and that is solely dedicated to preserving sight and  
26 preventing blindness through education, nationally certified  
27 vision screening and training, and community and patient  
28 service programs. The contractor shall submit a report to the  
29 general assembly regarding the use of funds allocated under  
30 this subsection. The report shall include the objectives and  
31 results for the program year including the target population  
32 and how the funds allocated assisted the program in meeting the  
33 objectives; the number, age, grade level if appropriate, and  
34 location within the state of individuals served; the type of  
35 services provided to the individuals served; the distribution

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1 of moneys based on the services provided; and the continuing  
2 needs of the program.

3 3. Of the moneys appropriated in this section, the following  
4 amounts are allocated to the department of health and human  
5 services to be used as follows to support the goals of  
6 increased access, health system integration, and engagement:

7 a. \$600,000 for distribution to a nonprofit organization  
8 that established the first statewide drug donation repository  
9 for continuation of the pharmaceutical infrastructure for  
10 safety net providers established as described in 2007 Iowa  
11 Acts, chapter 218, section 108, and for the prescription drug  
12 donation repository program established in chapter 135M.  
13 Moneys under this paragraph shall be distributed in their  
14 entirety on July 1, 2026, for the purpose specified.

15 b. \$374,000 for distribution to free clinics, as defined in  
16 section 135.24, and a nonprofit organization that facilitates  
17 the initiation, operation, and collaboration of free clinics  
18 for necessary infrastructure, statewide coordination, provider  
19 recruitment, service delivery, and provision of assistance to  
20 patients in securing a medical home inclusive of oral health  
21 care. Of the moneys allocated, \$40,000 shall be used to lower  
22 fees associated with using an electronic prescribing system.  
23 Moneys under this paragraph shall be distributed in their  
24 entirety on July 1, 2026, for the purpose specified.

25 c. \$25,000 for distribution to an organization that raises  
26 awareness about issues related to rural health clinics for  
27 necessary infrastructure and service delivery transformation.  
28 Moneys under this paragraph shall be distributed in their  
29 entirety on July 1, 2026, for the purpose specified.

30 4. Of the moneys appropriated in this section, \$600,000  
31 is allocated for rural psychiatric residencies for residents  
32 selected on or before June 30, 2026.

33 5. Of the moneys appropriated in this section, \$20,000 is  
34 allocated to make radon test kits available, free of charge,  
35 to homeowners and renters in the state. The department shall

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1 provide a link on the department's internet site for homeowners  
2 and renters in the state to order radon test kits.

3 6. Of the moneys appropriated in this section, \$2,300,000 is  
4 allocated for awarding grants for medical residency programs in  
5 the state that meet the following criteria:

6 a. The medical residency program is not sponsored by the  
7 university of Iowa hospitals and clinics.

8 b. The medical residency program is not related to the  
9 practice of family medicine.

10 7. The university of Iowa hospitals and clinics under  
11 the control of the state board of regents shall not receive  
12 indirect costs from the moneys appropriated in this section.  
13 The university of Iowa hospitals and clinics billings to the  
14 department shall be, at a minimum, on a quarterly basis.

15 DIVISION V

16 COMMUNITY ACCESS AND ELIGIBILITY — CHILD SUPPORT SERVICES —  
17 TANF — FY 2026-2027

18 Sec. 6. DEPARTMENT OF HEALTH AND HUMAN SERVICES — COMMUNITY  
19 ACCESS AND ELIGIBILITY. There is appropriated from the  
20 general fund of the state to the department of health and human  
21 services for the fiscal year beginning July 1, 2026, and ending  
22 June 30, 2027, the following amount, or so much thereof as is  
23 necessary, to be used for the purposes designated:

24 To be used for salaries, support, maintenance, and  
25 miscellaneous purposes and for family investment program (FIP)  
26 assistance in accordance with chapter 239B, and for other costs  
27 associated with providing needs-based benefits or assistance  
28 including but not limited to maternal and child health, oral  
29 health, obesity prevention, the promoting independence and  
30 self-sufficiency through employment, job opportunities and the  
31 basic skills (PROMISE JOBS) program, supplemental nutrition  
32 assistance program (SNAP) employment and training, the FIP  
33 diversion program, family planning, rent reimbursement,  
34 and eligibility determinations for medical assistance, food  
35 assistance, and the children's health insurance program, and

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1 for not more than the following full-time equivalent positions:  
2 ..... \$ 74,610,079  
3 ..... FTEs 870.40

4 1. Of the child support collections assigned under FIP,  
5 the federal share of the child support collections shall be  
6 credited to the child support services appropriation made in  
7 this division of this Act. Of the remainder of the child  
8 support collections assigned under FIP, a portion shall be  
9 credited to community access and eligibility, and the remaining  
10 moneys may be used to increase recoveries, to sustain cash flow  
11 in the collection services center refund account as provided in  
12 section 252B.13A, or for technology needs. If child support  
13 collections assigned under FIP are greater than estimated or  
14 are otherwise determined not to be required for maintenance of  
15 efforts, the state share of either amount is appropriated to  
16 the department for child support services as described in this  
17 division of this Act, or may be transferred to or retained in  
18 the collection services center refund account.

19 2. Of the moneys appropriated in this section, \$3,075,000 is  
20 allocated for continuation of the department's initiative to  
21 provide for adequate developmental surveillance and screening  
22 during a child's first five years. The moneys shall first be  
23 used to fully fund the current participating counties to ensure  
24 that those counties are fully operational, with the remaining  
25 moneys to be used for expanding participation to additional  
26 counties. Full implementation and expansion shall include  
27 enhancing the scope of the initiative through collaboration  
28 with child health specialty clinics to promote the use of  
29 developmental surveillance and screening to support healthy  
30 child development through early identification and response to  
31 biomedical and social determinants of healthy development by  
32 providing practitioner consultation and continuous improvement  
33 through training and education, particularly for children  
34 with behavioral conditions and needs. The department shall  
35 also collaborate with the Medicaid program and child health

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1 specialty clinics to assist in coordinating the activities  
2 of the first five initiative into the establishment of  
3 patient-centered medical homes developed to improve health  
4 quality and population health while reducing health care costs.  
5 To the maximum extent possible, moneys allocated in this  
6 subsection shall be utilized as matching moneys for Medicaid  
7 program reimbursement.

8 3. Of the moneys appropriated in this section, \$1,145,102 is  
9 allocated to the Iowa commission on volunteer service created  
10 in section 15H.2 for programs and grants.

11 4. Of the moneys appropriated in this section, \$127,500  
12 is allocated to the Iowa food bank association, as defined  
13 in section 190B.201, to operate a supplemental nutrition  
14 assistance program hotline.

15 5. The university of Iowa hospitals and clinics under  
16 the control of the state board of regents shall not receive  
17 indirect costs from the moneys appropriated in this section.  
18 The university of Iowa hospitals and clinics billings to the  
19 department shall be, at a minimum, on a quarterly basis.

20 Sec. 7. DEPARTMENT OF HEALTH AND HUMAN SERVICES — CHILD  
21 SUPPORT SERVICES. There is appropriated from the general fund  
22 of the state to the department of health and human services for  
23 the fiscal year beginning July 1, 2026, and ending June 30,  
24 2027, the following amount, or so much thereof as is necessary,  
25 to be used for the purposes designated:

26 For child support services, including salaries, support,  
27 maintenance, and miscellaneous purposes, and for not more than  
28 the following full-time equivalent positions:

29 ..... \$ 15,644,114  
30 ..... FTEs 464.00

31 1. Federal access and visitation grant moneys shall be used  
32 for services designed to increase compliance with the child  
33 access provisions of court orders, including but not limited to  
34 neutral visitation sites and mediation services.

35 2. Moneys appropriated in this section may be used

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1 throughout the fiscal year in the manner necessary for  
2 cash flow management. For cash flow management under this  
3 subsection, the department may temporarily draw more than the  
4 amount appropriated provided the amount appropriated is not  
5 exceeded at the close of the fiscal year.

6 Sec. 8. DEPARTMENT OF HEALTH AND HUMAN SERVICES —  
7 TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK GRANT. There is  
8 appropriated from the special fund created in section 8.41 to  
9 the department of health and human services for the fiscal year  
10 beginning July 1, 2026, and ending June 30, 2027, from moneys  
11 received under the federal temporary assistance for needy  
12 families (TANF) block grant pursuant to the federal Personal  
13 Responsibility and Work Opportunity Reconciliation Act of 1996,  
14 Pub. L. No. 104-193, and successor legislation, including TANF  
15 block grant moneys received in any prior fiscal year that  
16 were deposited in the special fund and remain unencumbered  
17 or unobligated on June 30, 2026, the following amounts, or  
18 so much thereof as is necessary, to be used for the purposes  
19 designated:

- 20 1. For community access and eligibility:  
21 ..... \$ 12,566,312  
22 2. For community access and eligibility to provide  
23 pregnancy prevention grants on the condition that family  
24 planning services are funded:  
25 ..... \$ 1,913,203

26 Pregnancy prevention grants shall be awarded to programs  
27 in existence on or before July 1, 2026, if the programs have  
28 demonstrated positive outcomes. Grants shall be awarded  
29 to pregnancy prevention programs developed after July 1,  
30 2026, if the programs are based on existing models that have  
31 demonstrated positive outcomes. Grants must comply with the  
32 requirements provided in 1997 Iowa Acts, chapter 208, section  
33 14, subsections 1 and 2, including the requirement that a  
34 program awarded a grant must emphasize sexual abstinence.  
35 Priority in awarding grants shall be given to programs

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1 that serve areas of the state which demonstrate the highest  
2 percentage of unplanned pregnancies of females of childbearing  
3 age within the geographic area to be served by the grant.

4 3. To meet one of the four purposes of TANF as specified  
5 in 45 C.F.R. §260.20, including by modernizing the program  
6 to promote economic mobility and self-sufficiency, ensuring  
7 that families are able to overcome benefit cliffs, encouraging  
8 healthy families, and streamlining service delivery to reduce  
9 duplication:

10 ..... \$ 25,000,000

11 4. For early intervention and supports for child abuse  
12 prevention and the family development and self-sufficiency  
13 (FaDSS) grant program in accordance with section 216A.107:

14 ..... \$ 3,013,980

15 5. For accountability, compliance, program integrity,  
16 technology needs, and other resources necessary to meet  
17 federal and state reporting, tracking, and case management  
18 requirements, and other departmental needs:

19 ..... \$ 3,533,647

20 6. For state child care assistance:

21 ..... \$ 42,281,826

22 7. For child protective services:

23 ..... \$ 67,249,100

24 a. Of the moneys appropriated in this subsection,  
25 \$1,658,000 shall be allocated for child protection centers  
26 located in Iowa pursuant to the child protection center grant  
27 program under section 135.118. The grant amounts under the  
28 program shall be equalized so that each center receives a  
29 uniform base amount of \$245,000, and the remaining moneys  
30 are awarded through a funding formula based upon the volume  
31 of children served by a center. To increase access to child  
32 protection center services for children in rural areas, the  
33 funding formula for awarding the remaining moneys shall provide  
34 for awarding an enhanced amount to eligible grantees to develop  
35 and maintain satellite centers in underserved regions of the

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1 state.

2 b. Of the moneys appropriated in this subsection, up to  
3 \$227,000 shall be used for the public purpose of continuing a  
4 grant to a nonprofit human services organization that provides  
5 services to individuals and families in multiple locations in  
6 southwest Iowa and Nebraska, for support of a project providing  
7 immediate, sensitive support and forensic interviews, medical  
8 exams, needs assessments, and referrals for victims of child  
9 abuse and their nonoffending family members.

10

DIVISION VI

11 MEDICAL ASSISTANCE PROGRAM — STATE SUPPLEMENTARY ASSISTANCE —  
12 HEALTHY AND WELL KIDS IN IOWA PROGRAM AND OTHER HEALTH-RELATED  
13 PROGRAMS — FY 2026-2027

14 Sec. 9. DEPARTMENT OF HEALTH AND HUMAN SERVICES — MEDICAL  
15 ASSISTANCE PROGRAM, STATE SUPPLEMENTARY ASSISTANCE, AND HEALTHY  
16 AND WELL KIDS IN IOWA PROGRAM. There is appropriated from the  
17 general fund of the state to the department of health and human  
18 services for the fiscal year beginning July 1, 2026, and ending  
19 June 30, 2027, the following amount, or so much thereof as is  
20 necessary, to be used for the purposes designated:

21 For medical assistance program reimbursement and associated  
22 costs as specifically provided in the reimbursement  
23 methodologies in effect on June 30, 2026, except as otherwise  
24 expressly authorized by law, consistent with options under  
25 federal law and regulations, and contingent upon receipt of  
26 approval from the office of the governor of reimbursement for  
27 each abortion performed under the medical assistance program;  
28 for the state supplementary assistance program; for the health  
29 insurance premium payment program; and for maintenance of  
30 the healthy and well kids in Iowa (Hawki) program pursuant  
31 to chapter 514I, including supplemental dental services,  
32 for receipt of federal financial participation under Tit.  
33 XXI of the federal Social Security Act, which creates the  
34 children's health insurance program; and for other specified  
35 health-related programs:

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1 ..... \$ 1,995,889,295

2 1. Of the moneys appropriated in this section,  
3 \$1,930,142,662 is allocated for medical assistance program  
4 reimbursement and associated costs. Of the moneys allocated  
5 in this subsection, \$3,383,880 shall be used for program  
6 administration, outreach, and enrollment activities of the  
7 state family planning services program pursuant to section  
8 217.41B, and of this amount, the department may use \$200,000  
9 for administrative expenses.

10 2. Iowans support reducing the number of abortions  
11 performed in our state. Moneys appropriated under this section  
12 shall not be used for abortions, unless otherwise authorized  
13 under this section.

14 3. The provisions of this section relating to abortions  
15 shall also apply to the Iowa health and wellness plan created  
16 pursuant to [chapter 249N](#).

17 4. Of the moneys appropriated in this section, \$4,479,762 is  
18 allocated for the state supplementary assistance program.

19 5. Of the moneys appropriated in this section, \$61,266,871  
20 is allocated for maintenance of the Hawki program pursuant  
21 to [chapter 514I](#), including supplemental dental services, for  
22 receipt of federal financial participation under Tit. XXI of  
23 the federal Social Security Act, which creates the children's  
24 health insurance program.

25 Sec. 10. DEPARTMENT OF HEALTH AND HUMAN SERVICES — HEALTH  
26 PROGRAM OPERATIONS. There is appropriated from the general  
27 fund of the state to the department of health and human  
28 services for the fiscal year beginning July 1, 2026, and ending  
29 June 30, 2027, the following amount, or so much thereof as is  
30 necessary, to be used for the purposes designated:

31 For health program operations and the autism support program  
32 under section 225D.2, and for not more than the following  
33 full-time equivalent positions:

34 ..... \$ 41,129,136

35 ..... FTEs 82.00

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1 1. The department of inspections, appeals, and licensing  
2 shall provide all state matching moneys for survey and  
3 certification activities performed by the department of  
4 inspections, appeals, and licensing. The department of health  
5 and human services shall be solely responsible for distributing  
6 the federal matching moneys for such activities.

7 2. Of the moneys appropriated in this section, a sufficient  
8 amount is allocated for the administration of the health  
9 insurance premium payment program, including salaries, support,  
10 maintenance, and miscellaneous purposes.

11 3. Of the moneys appropriated in this section, \$750,000 is  
12 allocated for a nonprofit organization that provides access  
13 to emergency poison information and treatment. Pursuant to  
14 the directive under 2014 Iowa Acts, chapter 1140, section  
15 102, the federal matching moneys available to the nonprofit  
16 organization from the department under the federal Children's  
17 Health Insurance Program Reauthorization Act of 2009 shall be  
18 subject to the federal administrative cap rule of 10 percent  
19 applicable to moneys provided under Tit. XXI of the federal  
20 Social Security Act, and shall be included in the department's  
21 calculations of the cap.

22 4. Unless otherwise provided by law, if a contract for  
23 services provided under this section initially entered into  
24 during the fiscal year beginning July 1, 2026, and ending  
25 June 30, 2027, provides for an annual increase of the cost of  
26 services provided under the contract, the annual increase shall  
27 not exceed the amount by which the consumer price index for  
28 all urban consumers increased during the immediately preceding  
29 calendar year. This subsection does not affect a contract  
30 entered into on or before June 30, 2026, that is for a term of  
31 more than one year.

32 Sec. 11. DEPARTMENT OF HEALTH AND HUMAN SERVICES —  
33 PHARMACEUTICAL SETTLEMENT ACCOUNT. There is appropriated  
34 from the pharmaceutical settlement account created in section  
35 249A.33 to the department of health and human services for the

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1 fiscal year beginning July 1, 2026, and ending June 30, 2027,  
2 the following amount, or so much thereof as is necessary, to be  
3 used for the purposes designated:

4 Notwithstanding any provision of law to the contrary, to  
5 supplement the appropriation made in this Act from the general  
6 fund of the state for health program operations under the  
7 medical assistance program for the same fiscal year:

8 ..... \$ 234,193

9 Sec. 12. DEPARTMENT OF HEALTH AND HUMAN SERVICES — QUALITY  
10 ASSURANCE TRUST FUND. Notwithstanding any provision of law  
11 to the contrary, and subject to the availability of moneys,  
12 there is appropriated from the quality assurance trust fund  
13 created in section 249L.4 to the department of health and human  
14 services for the fiscal year beginning July 1, 2026, and ending  
15 June 30, 2027, the following amount, or so much thereof as is  
16 necessary, for the purposes designated:

17 To supplement the appropriation made in this Act from the  
18 general fund of the state to the department of health and human  
19 services for medical assistance for the same fiscal year:

20 ..... \$111,216,205

21 Sec. 13. DEPARTMENT OF HEALTH AND HUMAN SERVICES — HOSPITAL  
22 HEALTH CARE ACCESS TRUST FUND. Notwithstanding any provision  
23 of law to the contrary, and any subject to the availability of  
24 moneys, there is appropriated from the hospital health care  
25 access trust fund created in section 249M.4 to the department  
26 of health and human services for the fiscal year beginning July  
27 1, 2026, and ending June 30, 2027, the following amount, or so  
28 much thereof as is necessary, for the purposes designated:

29 To supplement the appropriation made in this Act from the  
30 general fund of the state to the department of health and human  
31 services for medical assistance for the same fiscal year:

32 ..... \$ 33,920,554

33 Sec. 14. DEPARTMENT OF HEALTH AND HUMAN SERVICES —  
34 BEHAVIORAL HEALTH FUND. Notwithstanding section 225A.7,  
35 subsection 2, and subject to the availability of moneys, there

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1 is appropriated from the behavioral health fund established in  
2 section 225A.7, to the department of health and human services  
3 for the fiscal year beginning July 1, 2026, and ending June 30,  
4 2027, the following amount, or so much thereof as is necessary,  
5 for the purposes designated:

6 To supplement the appropriation made in this Act from the  
7 general fund of the state to the department of health and human  
8 services for medical assistance for the fiscal year beginning  
9 July 1, 2026, and ending June 30, 2027:

10 ..... \$ 7,771,589

11 Sec. 15. REIMBURSEMENT RATES.

12 1. Reimbursement for medical assistance, state  
13 supplementary assistance, and social service providers and  
14 services reimbursed under the purview of the department of  
15 health and human services shall remain at the reimbursement  
16 rate in effect on June 30, 2026, or shall be determined  
17 pursuant to the reimbursement methodology in effect on June 30,  
18 2026, with the exception of the following:

19 a. If reimbursement is otherwise negotiated by contract or  
20 pursuant to an updated fee schedule.

21 b. As otherwise provided in this section.

22 2. a. (1) Notwithstanding any provision of law to the  
23 contrary, for the fiscal year beginning July 1, 2026, and  
24 ending June 30, 2027, the department of health and human  
25 services shall reimburse case-mix nursing facility rates based  
26 on the methodology in effect on June 30, 2026.

27 (2) July 1, 2025, through December 31, 2025, the department  
28 of health and human services shall calculate each nursing  
29 facility's case-mix index for rates effective July 1, 2026.

30 (3) January 1, 2026, through June 30, 2026, the department  
31 of health and human services shall calculate each nursing  
32 facility's case-mix index for rates effective January 1, 2027.

33 (4) (a) Medicaid managed care organizations shall adjust  
34 the following rates based upon payment rate listings issued by  
35 the department of health and human services:

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- 1 (i) Nursing facility-specific rates.  
2 (ii) Medicaid low utilization payment adjustment (LUPA)  
3 rate-based services.  
4 (iii) Medicaid home health agency services.  
5 (iv) Private duty nursing and personal care services  
6 provided under the Medicaid early and periodic screening,  
7 diagnosis, and treatment program.  
8 (v) Medicaid home and community-based waiver services.  
9 (b) A rate adjustment made pursuant to subparagraph  
10 division (a) shall be applied retroactively to the effective  
11 date of the applicable rate letter issued by the department of  
12 health and human services.  
13 b. For the fiscal year beginning July 1, 2026, \$1,167,867  
14 shall be used to increase to the extent possible reimbursement  
15 rates for ambulatory surgical centers compared to rates in  
16 effect on June 30, 2026.  
17 c. For the fiscal year beginning July 1, 2026, \$2,800,000  
18 shall be used to increase to the extent possible reimbursement  
19 rates for providers of rehabilitation and speech therapy  
20 services compared to rates for such services in effect on June  
21 30, 2026.  
22 d. For the fiscal year beginning July 1, 2026, \$250,000  
23 shall be used to increase to the extent possible reimbursement  
24 rates for air medical services provided by an entity that  
25 has over forty years of experience and is the largest  
26 community-based provider of air medical services compared to  
27 rates for such services in effect on June 30, 2026.  
28 e. For the fiscal year beginning July 1, 2026, \$300,000  
29 shall be used to increase to the extent possible reimbursement  
30 rates for providers of adult day services, as defined in  
31 section 231D.1, compared to rates for such services in effect  
32 on June 30, 2026.  
33 f. For the fiscal year beginning July 1, 2026, \$5,000,000  
34 shall be used to increase to the extent possible reimbursement  
35 rates for providers of Medicaid home and community-based

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1 elderly waiver services compared to rates for such services in  
2 effect on June 30, 2026.

3 g. For the fiscal year beginning July 1, 2026, \$250,000  
4 shall be used to increase to the extent possible reimbursement  
5 rates for prosthetics compared to rates for such prosthetics in  
6 effect on June 30, 2026.

7 h. For the fiscal year beginning July 1, 2026, \$333,000  
8 shall be used to increase to the extent possible reimbursement  
9 rates for special population nursing facilities compared to  
10 rates for such special population nursing facilities in effect  
11 on June 30, 2026.

12 DIVISION VII

13 FAMILY WELL-BEING AND PROTECTION — FY 2026-2027

14 Sec. 16. DEPARTMENT OF HEALTH AND HUMAN SERVICES — STATE  
15 CHILD CARE ASSISTANCE. There is appropriated from the general  
16 fund of the state to the department of health and human  
17 services for the fiscal year beginning July 1, 2026, and ending  
18 June 30, 2027, the following amount, or so much thereof as is  
19 necessary, to be used for the purposes designated:

20 For state child care assistance in accordance with sections  
21 237A.13 and 237A.14, and for not more than the following  
22 full-time equivalent positions:

23 ..... \$ 31,983,000  
24 ..... FTEs 53.00

25 1. If the appropriation made for purposes of the state child  
26 care assistance program for the fiscal year is determined to  
27 be insufficient, it is the intent of the general assembly to  
28 appropriate sufficient moneys for the fiscal year to avoid  
29 application of waiting list requirements.

30 2. A portion of the state match for the federal child care  
31 and development block grant shall be provided as necessary to  
32 meet federal matching moneys requirements through the state  
33 general fund appropriation made for child development grants  
34 and other programs for at-risk children in section 279.51.

35 Sec. 17. DEPARTMENT OF HEALTH AND HUMAN SERVICES — EARLY

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1 INTERVENTION AND SUPPORTS. There is appropriated from the  
2 general fund of the state to the department of health and human  
3 services for the fiscal year beginning July 1, 2026, and ending  
4 June 30, 2027, the following amount, or so much thereof as is  
5 necessary, to be used for the purposes designated:

6 For promotion of optimum health status for children and  
7 adolescents from birth through 21 years of age, and for  
8 families, and for not more than the following full-time  
9 equivalent positions:

10 ..... \$ 35,346,904  
11 ..... FTEs 29.00

12 1. Of the moneys appropriated in this section, not more than  
13 \$734,000 is allocated for the healthy opportunities for parents  
14 to experience success (HOPES) – healthy families Iowa (HFI)  
15 program established pursuant to section 135.106.

16 2. Of the moneys appropriated in this section, \$4,313,854  
17 is allocated for the FaDSS grant program, and not more  
18 than 5 percent of the allocated moneys shall be used for  
19 administration of the grant program.

20 3. Of the moneys appropriated in this section, \$29,256,799  
21 shall be deposited in the early childhood Iowa fund created in  
22 section 256I.11.

23 Sec. 18. DEPARTMENT OF HEALTH AND HUMAN SERVICES — CHILD  
24 PROTECTIVE SERVICES. There is appropriated from the general  
25 fund of the state to the department of health and human  
26 services for the fiscal year beginning July 1, 2026, and ending  
27 June 30, 2027, the following amount, or so much thereof as is  
28 necessary, to be used for the purposes designated:

29 For child, family, and adoption services, and for salaries,  
30 support, maintenance, and miscellaneous purposes, and for not  
31 more than the following full-time equivalent positions:

32 ..... \$164,052,467  
33 ..... FTEs 977.00

34 1. Based on client need, a portion of the moneys  
35 appropriated in this section may be used to provide other

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1 resources required to support family preservation, emergency  
2 client need, or family reunification efforts.

3 2. Of the moneys appropriated in this section, a sufficient  
4 amount is allocated for foster family care, group foster care  
5 maintenance and services, shelter care, child welfare emergency  
6 services, qualified residential treatment programs, supervised  
7 apartment living contracts, and for medical assistance program  
8 reimbursement and associated costs.

9 3. Federal moneys received by the state during the fiscal  
10 year beginning July 1, 2026, as the result of the expenditure  
11 of state moneys appropriated during a previous state fiscal  
12 year for a service or activity funded under this section,  
13 are appropriated to the department to be used as additional  
14 moneys for services and purposes provided under this section.  
15 Notwithstanding section 8.33, moneys appropriated under 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 the purposes designated until the close of the succeeding  
19 fiscal year.

20 4. a. Of the moneys appropriated in this section, \$748,000  
21 is allocated for the payment of the expenses of court-ordered  
22 services provided to children who are under the supervision  
23 of the department, which expenses are a charge upon the state  
24 pursuant to section 232.141, subsection 4.

25 b. Notwithstanding chapter 232 or any other provision of  
26 law to the contrary, a district or juvenile court shall not  
27 order any service which is a charge upon the state pursuant to  
28 section 232.141, subsection 4, if the moneys allocated under  
29 paragraph "a" for court-ordered services are insufficient to  
30 pay for the service.

31 5. Of the moneys appropriated in this section, \$4,359,500  
32 is allocated for the preparation for adult living program  
33 established pursuant to section 234.46.

34 6. Of the moneys appropriated in this section, a portion may  
35 be used for family-centered services for purposes of complying

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1 with the federal Family First Prevention Services Act of 2018,  
2 Pub. L. No. 115-123, and successor legislation.

3 7. a. Of the moneys appropriated in this section,  
4 \$39,823,955 is allocated for adoption subsidy payments and  
5 related costs.

6 b. Any moneys remaining after the allocation under  
7 paragraph "a" is designated and allocated as state savings  
8 resulting from implementation of the federal Fostering  
9 Connections to Success and Increasing Adoptions Act of 2008,  
10 Pub. L. No. 110-351, and successor legislation, as determined  
11 in accordance with 42 U.S.C. §673(a)(8), and shall be used for  
12 post-adoption services and for other purposes allowed under  
13 those federal Acts and regulations, and Tit. IV-B or Tit. IV-E  
14 of the federal Social Security Act.

15 8. Of the moneys appropriated in this section, a sufficient  
16 amount is allocated to support training needs for child welfare  
17 providers and to address disproportionality within the child  
18 welfare system.

19 9. If a separate funding source is available that reduces  
20 the need for state moneys within an allocation under this  
21 section, the allocated state moneys may be redistributed to  
22 other allocations under this section for the same fiscal year.

23 DIVISION VIII

24 STATE-OPERATED SPECIALTY CARE — FY 2026-2027

25 Sec. 19. DEPARTMENT OF HEALTH AND HUMAN SERVICES —  
26 STATE-OPERATED SPECIALTY CARE. There is appropriated from the  
27 general fund of the state to the department of health and human  
28 services for the fiscal year beginning July 1, 2026, and ending  
29 June 30, 2027, the following amount, or so much thereof as is  
30 necessary, to be used for the purposes designated:

31 For salaries, support, maintenance, and miscellaneous  
32 purposes at institutions under the jurisdiction of the  
33 department of health and human services, and for not more than  
34 the following full-time equivalent positions:  
35 ..... \$100,225,768

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1 ..... FTEs 756.00  
2 1. The department shall utilize the moneys appropriated in  
3 this section as necessary to maximize bed capacity and to most  
4 effectively meet the needs of the individuals served.  
5 2. Of the moneys appropriated in this section, the following  
6 amounts are allocated to each institution as follows:  
7 a. For the state mental health institute at Cherokee:  
8 ..... \$ 19,878,962  
9 b. For the state mental health institute at Independence:  
10 ..... \$ 23,760,205  
11 c. For the civil commitment unit for sexual offenders at  
12 Cherokee:  
13 ..... \$ 23,272,111  
14 d. For the state resource center at Woodward:  
15 ..... \$ 12,567,092  
16 e. For the state training school at Eldora:  
17 ..... \$ 19,805,171  
18 f. For outstanding obligations related to workers'  
19 compensation, the sick leave insurance program, unemployment,  
20 and other costs related to the closure of the state resource  
21 center at Glenwood:  
22 ..... \$ 942,227

23 DIVISION IX

24 ADMINISTRATION AND COMPLIANCE — FY 2026-2027

25 Sec. 20. DEPARTMENT OF HEALTH AND HUMAN SERVICES —  
26 ACCOUNTABILITY, COMPLIANCE, AND PROGRAM INTEGRITY. There  
27 is appropriated from the general fund of the state to the  
28 department of health and human services for the fiscal year  
29 beginning July 1, 2026, and ending June 30, 2027, the following  
30 amount, or so much thereof as is necessary, to be used for the  
31 purposes designated:

32 For accountability, compliance, and program integrity,  
33 including salaries, support, maintenance, and miscellaneous  
34 purposes, and for not more than the following full-time  
35 equivalent positions:

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1 ..... \$ 23,152,404  
2 ..... FTEs 409.00

3 1. Of the moneys appropriated in this section, \$2,602,312  
4 is allocated for foster care review and the court appointed  
5 special advocate program, including for salaries, support,  
6 maintenance, and miscellaneous purposes.

7 2. Of the moneys appropriated in this section, \$1,148,959  
8 is allocated for the office of long-term care ombudsman  
9 for salaries, support, administration, maintenance, and  
10 miscellaneous purposes.

11 DIVISION X

12 TRANSFERS, CASH FLOW, AND NONREVERSIONS — FY 2026-2027

13 Sec. 21. DEPARTMENT OF HEALTH AND HUMAN SERVICES —  
14 TRANSFERS AND CASH FLOW.

15 1. Notwithstanding any provision of law to the contrary,  
16 the department may transfer moneys appropriated under this Act  
17 for child protective services to pay the nonfederal share costs  
18 of services reimbursed under the medical assistance program,  
19 state child care assistance program, or family investment  
20 program which are provided to children who would otherwise  
21 receive services paid by the appropriation for child protective  
22 services.

23 2. The department may transfer moneys from the temporary  
24 assistance for needy families block grant to the federal social  
25 services block grant appropriation, and to the child care and  
26 development block grant appropriation, in accordance with  
27 federal law.

28 3. To the extent the department determines that moneys  
29 appropriated under this Act, or allocated for a specific  
30 purpose under this Act, will remain unencumbered or unobligated  
31 at the close of the fiscal year, such unencumbered or  
32 unobligated moneys may be used in the same fiscal year for any  
33 other purpose for which the appropriated moneys may be used, or  
34 for any other allocation within the same appropriation.

35 Sec. 22. DEPARTMENT OF HEALTH AND HUMAN SERVICES —

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1 NONREVERSIONS.

2 1. Notwithstanding section 8.33, of the moneys appropriated  
3 under this Act from the general fund of the state, the quality  
4 assurance trust fund, and the hospital health care access trust  
5 fund to the department of health and human services for the  
6 fiscal year beginning July 1, 2026, and ending June 30, 2027,  
7 for the purposes of the medical assistance program, the amount  
8 in excess of actual expenditures for the medical assistance  
9 program that remains unencumbered or unobligated at the close  
10 of the fiscal year shall not revert but shall remain available  
11 for expenditure for the medical assistance program until the  
12 close of the succeeding fiscal year.

13 2. Notwithstanding section 8.33, moneys appropriated under  
14 this Act from the general fund of the state to the department  
15 of health and human services for the fiscal year beginning  
16 July 1, 2026, and ending June 30, 2027, and allocated for  
17 rural psychiatric residencies, that remain unencumbered or  
18 unobligated at the close of the fiscal year shall not revert  
19 but shall remain available for expenditure for the purposes  
20 designated until the close of the succeeding fiscal year.

21 3. Notwithstanding section 8.33, moneys appropriated under  
22 this Act from the general fund of the state to the department  
23 of health and human services for the fiscal year beginning July  
24 1, 2026, and ending June 30, 2027, and allocated for adoption  
25 subsidy payments and related costs, or for post-adoption  
26 services and allowable related purposes, that remain  
27 unencumbered or unobligated at the close of the fiscal year  
28 shall not revert but shall remain available for expenditure for  
29 adoption reinvestment obligations.

30 4. Notwithstanding section 8.33, moneys appropriated under  
31 this Act from the general fund of the state to the department  
32 of health and human services for the fiscal year beginning July  
33 1, 2026, and ending June 30, 2027, and allocated for child  
34 protective services, that remain unencumbered or unobligated at  
35 the close of the fiscal year shall not revert but shall remain

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1 available for expenditure for the partnership between the  
2 department of health and human services and the administration  
3 of children and family services of the United States department  
4 of health and human services to develop and implement the  
5 comprehensive welfare information system, also known as VISION.

6 DIVISION XI

7 REPORT ON NONREVERSION OF MONEYS

8 Sec. 23. DEPARTMENT OF HEALTH AND HUMAN SERVICES — REPORT  
9 ON NONREVERSION OF MONEYS. The department of health and  
10 human services shall report the expenditure of any moneys for  
11 which nonreversion authorization was provided for the fiscal  
12 year beginning July 1, 2026, and ending June 30, 2027, to the  
13 general assembly on a quarterly basis beginning October 1,  
14 2027.

15 DIVISION XII

16 MORE OPTIONS FOR MATERNAL SUPPORT PROGRAM APPROPRIATION

17 NONREVERSION

18 Sec. 24. 2025 Iowa Acts, chapter 169, section 27, is amended  
19 by adding the following new subsection:

20 NEW SUBSECTION. 8. Notwithstanding section 8.33, moneys  
21 appropriated from the general fund of the state to the  
22 department of health and human services for the fiscal year  
23 beginning July 1, 2025, and ending June 30, 2026, for the more  
24 options for maternal support program created in section 217.41C  
25 that remain unencumbered or unobligated at the close of the  
26 fiscal year shall not revert but shall remain available for  
27 expenditure for the purposes designated until the close of the  
28 succeeding fiscal year.

29 Sec. 25. EFFECTIVE DATE. This division of this Act, being  
30 deemed of immediate importance, takes effect upon enactment.

31 Sec. 26. RETROACTIVE APPLICABILITY. This division of this  
32 Act applies retroactively to July 1, 2025.

33 DIVISION XIII

34 REIMBURSEMENT RATES — REVIEW

35 Sec. 27. Section 235.2, Code 2026, is amended by adding the

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1 following new subsection:

2 NEW SUBSECTION. 9. Upon implementation by the department  
3 of a uniform cost report for shelter care and qualified  
4 residential treatment providers, biennially conduct a review of  
5 shelter care and qualified residential treatment provider costs  
6 compared to current shelter care and qualified residential  
7 treatment provider rates. On or before October 1 of the  
8 calendar year immediately succeeding the calendar year in  
9 which the review is conducted, the department shall submit a  
10 report to the governor and the general assembly detailing the  
11 results of the department's review and recommendations for rate  
12 adjustments.

13 Sec. 28. Section 249A.4, Code 2026, is amended by adding the  
14 following new subsection:

15 NEW SUBSECTION. 15. *a.* Conduct an annual review of  
16 provider reimbursement rates for medical and health services  
17 provided under this chapter that are reimbursed by a statewide  
18 fee schedule and that are not periodically updated or rebased  
19 pursuant to federal or state law or rule. The department shall  
20 compare each provider reimbursement rate in the following  
21 manner:

22 (1) For all medical and health services other than dental  
23 services, to reimbursement rates under the federal Medicare  
24 program.

25 (2) For dental services, to reimbursement rates for  
26 Medicaid programs in states contiguous to Iowa.

27 *b.* On or before January 15 of each calendar year, the  
28 department shall submit to the general assembly a report  
29 summarizing the department's review under paragraph "a".

30 Sec. 29. NEW SECTION. **249A.32C Home and community-based**  
31 **service waivers — provider rate limits.**

32 1. For purposes of this section:

33 *a.* "Consumer" means the same as defined in section 249A.29.

34 *b.* "Provider" means the same as defined in section 249A.29.

35 *c.* "Waiver" means the same as defined in section 249A.29.

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1 2. On or before July 1 of each fiscal year, each provider  
2 shall submit actual cost of service and supply data to the  
3 department. Upon request by the department, a provider shall  
4 submit to reasonable review of the actual cost of service and  
5 supply data submitted.

6 3. a. Upon the required submission of annual cost reports  
7 by providers and implementation by the department of a waiver  
8 fee schedule, the department, with input from the public,  
9 consumers, providers, and other stakeholders, shall develop a  
10 proposed cost-based reimbursement system and related changes to  
11 department policies and procedures for all services rendered  
12 under a waiver during the period of review specified by  
13 the department. The cost-based reimbursement system shall  
14 be developed using information provided to the department  
15 including but not limited to all of the following:

- 16 (1) Provider cost data.  
17 (2) Provider claims data.  
18 (3) Consumer needs assessment data.  
19 (4) Other relevant regional and national data.

20 b. The department shall, with input from providers and  
21 other relevant stakeholders, develop a uniform and streamlined  
22 provider cost reporting mechanism for home and community-based  
23 services.

24 4. At least once every four calendar years, the department  
25 shall establish a new base period to be used in calculating  
26 proposed rate models and related changes to department policies  
27 and procedures. On or before October 1 of each year that a  
28 new base period is established, the department shall submit  
29 a report to the general assembly that includes proposed  
30 rate models, the projected fiscal impact of implementing the  
31 proposed rate models, including documentation supporting the  
32 actuarial soundness of the proposed rate models, and the  
33 proposed changes to department policies and procedures.

34 DIVISION XIV  
35 MENTAL DISEASES EXCLUSION — WAIVER



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1 5. The aggregate amount of state moneys used to fund  
2 full-time equivalent positions approved by the general assembly  
3 for the department.

4 6. The number of vacant full-time equivalent positions  
5 approved by the general assembly for the department.

6 7. The number of department personnel that are classified as  
7 full-time, part-time, or temporary.

8

DIVISION XVII

9

COMPREHENSIVE FAMILY SUPPORT PROGRAM

10 Sec. 33. NEW SECTION. 231.80 Comprehensive family support  
11 program.

12 1. For the purposes of this section, unless the context  
13 otherwise requires:

14 a. *“Comprehensive family support”* means services and  
15 supports that assist families caring for an individual with  
16 a disability who is a member of the family, including but  
17 not limited to programs, services, parent-to-parent support,  
18 assistive devices, and various adaptations that allow an  
19 individual with a disability to participate more fully in  
20 family and community life.

21 b. (1) *“Family”* means a group of interdependent persons  
22 living in the same household. A family consists of an  
23 individual with a disability and any of the following:

24 (a) The individual’s parent.

25 (b) The individual’s sibling.

26 (c) The individual’s grandparent, aunt, or uncle.

27 (d) The individual’s legal custodian.

28 (e) A person providing short-term foster care to the  
29 individual with a disability subject to a case permanency plan  
30 that provides for reunification between the individual and the  
31 individual’s parent.

32 (2) *“Family”* does not include a person who is employed  
33 to provide services to an individual with a disability in an  
34 out-of-home setting, including but not limited to a hospital,  
35 nursing facility, personal care home, board and care home,

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1 group foster care home, or other institutional setting.

2 *c. "Individual with a disability"* means an individual who is  
3 less than twenty-two years of age and meets the definition of  
4 developmental disability in 42 U.S.C. §15002.

5 *d. "Services and support"* means assistance intended  
6 to enable an individual with a disability to control  
7 the individual's environment, to remain living with the  
8 individual's family, to function more independently, and  
9 to increase the integration of the individual into the  
10 individual's community including but not limited to funding  
11 for purchase of equipment, respite care, supplies, assistive  
12 technology, and payment of other costs attributable to  
13 the individual's disability which are identified by the  
14 individual's family.

15 2. A comprehensive family support program is created under  
16 the purview of the department to provide a statewide system of  
17 services and support to eligible families. The program shall  
18 be implemented in a manner that enables a family member of an  
19 individual with a disability to identify the needed services  
20 and support.

21 3. Eligibility for the program is limited to families who  
22 meet all of the following criteria:

23 *a.* The family resides in the state of Iowa.

24 *b.* The family intends for the family member who is an  
25 individual with a disability to remain living in the family's  
26 home.

27 *c.* The family's taxable income is less than sixty thousand  
28 dollars for the most recently completed tax year.

29 4. A family may apply to the department or to a family  
30 support center for assistance under the comprehensive family  
31 support program. The department or family support center shall  
32 determine eligibility for the comprehensive family support  
33 program in accordance with subsection 3.

34 5. The department shall adopt rules pursuant to chapter  
35 17A to implement the comprehensive family support program.

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1 The comprehensive family support program must do all of the  
2 following:

3 *a.* To the extent possible, incorporate in the application  
4 process the eligibility determination processes that the  
5 department uses for other disability services programs.

6 *b.* Ensure the ability of families to maintain control of  
7 decisions which affect an individual with a disability who is a  
8 member of a family.

9 *c.* Utilize existing local agencies to provide facilities and  
10 a single entry point for program applicants.

11 *d.* Ensure services and support are provided in a timely  
12 manner and emergency access to needed services and support is  
13 provided.

14 *e.* Ensure technical assistance is provided to providers and  
15 users of services and support.

16 *f.* Utilize state, regional, and local media to publicize the  
17 program.

18 *g.* Incorporate a process to appeal the department's or  
19 family support center's denial of services and support to a  
20 family under the program, including reasonable efforts by the  
21 department to utilize telecommunications in the appeal process.

22 *h.* Identify the services and support, and service provider  
23 components, included in the program.

24 *i.* Upon request by a family member, provide a family with  
25 assistance in locating a service provider.

26 *j.* Make payment for services and support directly to  
27 families by voucher or other appropriate means.

28 *k.* Utilize a voucher system for payment for the family  
29 support center component of the program under subsection 7.

30 6. Services and support provided under the comprehensive  
31 family support program shall not be used to supplant other  
32 services and support available to a family of an individual  
33 with a disability but shall be used to meet family needs that  
34 will not be met without the program.

35 7. The comprehensive family support program shall include a

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1 family support center component. Under the component, a family  
2 member of an individual with a disability shall be assisted  
3 by a family support center in identifying the services and  
4 support to be provided to the family under the family support  
5 subsidy program or the comprehensive family support program.  
6 The identification of services and support must be based upon  
7 the specific needs of the individual with a disability and  
8 the individual's family which are not met by other service  
9 programs available to the individual with a disability and the  
10 individual's family.

11 8. The comprehensive family support program shall be funded  
12 by appropriations made by the general assembly for purposes of  
13 the program. Notwithstanding section 8.33, moneys appropriated  
14 for the comprehensive family support program under this section  
15 that remain unobligated or unexpended at the close of each  
16 fiscal year shall not revert but shall remain available for  
17 expenditure for the purposes designated until the close of the  
18 immediately succeeding fiscal year.

19 Sec. 34. CODE EDITOR DIRECTIVE. The Code editor is directed  
20 to designate section 231.80, as enacted in this division  
21 of this Act, as subchapter VIII of chapter 231 entitled  
22 "Comprehensive Family Support Program".

23 Sec. 35. EFFECTIVE DATE. This division of this Act, being  
24 deemed of immediate importance, takes effect upon enactment.

25 Sec. 36. RETROACTIVE APPLICABILITY. This division of this  
26 Act applies retroactively to July 1, 2025.

27 DIVISION XVIII

28 FEDERAL COMMUNITY MENTAL HEALTH SERVICES BLOCK GRANT

29 Sec. 37. 2025 Iowa Acts, chapter 152, section 2, subsection  
30 1, paragraph d, is amended to read as follows:

31 ~~d. For the federal fiscal year beginning October 1, 2025,~~  
32 ~~and ending September 30, 2026, of~~ Of the moneys allocated  
33 to providers under paragraph "c", 70 percent of the moneys  
34 allocated each federal fiscal year shall be distributed by  
35 a behavioral health administrative services organization or

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1 the department of health and human services to the state's  
2 accredited community mental health centers designated by  
3 the department of health and human services under section  
4 225A.3, as enacted by 2024 Iowa Acts, chapter 1161, section  
5 3. Community mental health centers that receive moneys  
6 distributed under this paragraph shall use the moneys for the  
7 purposes of training staff, providing services to adults with  
8 a serious mental illness, or providing services to children  
9 with a serious emotional disturbance, and shall bill treatment  
10 dollars related to such services to the department of health  
11 and human services through the department's claims system.  
12 The department of health and human services shall publish the  
13 amounts to be distributed to community mental health centers on  
14 the department's internet site on or before October 1, 2025,  
15 and on or before October 1, 2026, and distribute the moneys to  
16 the recipients on a quarterly basis. Recipients of the moneys  
17 shall submit quarterly reports to the department of health and  
18 human services containing data consistent with performance  
19 measures approved by the federal substance abuse and mental  
20 health services administration.

21 DIVISION XIX

22 CHILD WELFARE AND JUVENILE JUSTICE DECATEGORIZATION

23 Sec. 38. Section 235.7, subsection 2, Code 2026, is amended  
24 to read as follows:

25 2. *Membership.* ~~The department may authorize the governance~~  
26 ~~boards of decategorization of child welfare and juvenile~~  
27 ~~justice funding projects established under section 232.188 to~~  
28 ~~appoint the transition committee membership and may utilize~~  
29 ~~the boundaries of decategorization projects to establish~~  
30 ~~the service areas for transition committees. The committee~~  
31 A committee's membership may include but is not limited to  
32 department staff involved with foster care, child welfare,  
33 and adult services, juvenile court services staff, staff  
34 involved with county general assistance or emergency relief  
35 under chapter 251 or 252, school district and area education

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1 agency staff involved with special education, and a child's  
2 court appointed special advocate, guardian ad litem, service  
3 providers, and other persons knowledgeable about the child.

4 Sec. 39. Section 237A.1, subsection 2, paragraph j,  
5 subparagraph (2), Code 2026, is amended by striking the  
6 subparagraph.

7 Sec. 40. Section 249A.26, subsection 5, Code 2026, is  
8 amended by striking the subsection.

9 Sec. 41. Section 256I.4, subsection 6, Code 2026, is amended  
10 by striking the subsection.

11 Sec. 42. REPEAL. Section 232.188, Code 2026, is repealed.

12 Sec. 43. DECATEGORYIZATION CARRYOVER FUNDING.

13 1. For purposes of this section, unless the context  
14 otherwise requires:

15 a. "Carryover funding" means unobligated or unencumbered  
16 moneys described in section 232.188, subsection 5, paragraph  
17 "b", Code 2026, at the close of the fiscal year beginning July  
18 1, 2025.

19 b. "Decategorization project" means the same as defined in  
20 section 232.188, Code 2026.

21 c. "Funding pool" means the same as defined in section  
22 232.188, Code 2026.

23 d. "Governance board" means the same as defined in section  
24 232.188, Code 2026.

25 2. Carryover funding that remains in a funding pool at the  
26 close of the fiscal year beginning July 1, 2025, which has been  
27 encumbered or obligated by the governance board for a multiyear  
28 service decategorization project for that fiscal year, shall  
29 remain available for expenditure to ensure continuation of  
30 such service or activity until the close of the fiscal year  
31 beginning July 1, 2028, or until the close of the fiscal year  
32 in which the service or activity is completed, whichever is  
33 earlier.

34 3. Carryover funding that remains in a funding pool at the  
35 end of the fiscal year beginning July 1, 2025, which remains

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1 unencumbered or unobligated by the governance board for a  
2 multiyear service decategorization project for that fiscal  
3 year, shall be appropriated to the department of health and  
4 human services and juvenile court services proportionately  
5 based on the percentage of moneys appropriated to each entity  
6 by the general assembly for decategorization projects.

7 Sec. 44. EFFECTIVE DATE. The section of this division of  
8 this Act related to decategorization carryover funding, being  
9 deemed of immediate importance, takes effect upon enactment.

10 Sec. 45. RETROACTIVE APPLICABILITY. The section of this  
11 division of this Act related to decategorization carryover  
12 funding applies retroactively to July 1, 2025.

13 DIVISION XX  
14 COMMITMENT OR HOSPITALIZATION OF CERTAIN PERSONS WITH SUBSTANCE  
15 USE DISORDERS OR MENTAL ILLNESS

16 Sec. 46. Section 125.81, subsection 1, Code 2026, is amended  
17 to read as follows:

18 1. a. If a person filing an application requests that a  
19 respondent be taken into immediate custody, and the court upon  
20 reviewing the application and accompanying documentation, finds  
21 probable cause to believe that the respondent is a person with  
22 a substance use disorder who is likely to injure the person or  
23 other persons if allowed to remain at liberty, the court may  
24 enter a written order directing that the respondent be taken  
25 into immediate custody by the sheriff, and be detained until  
26 the commitment hearing, which shall be held no more than five  
27 days after the date of the order, except that if the fifth  
28 day after the date of the order is a Saturday, Sunday, or a  
29 holiday, the hearing may be held on the next business day. The  
30 court may order the respondent detained for the period of time  
31 until the hearing is held, and no longer except as provided in  
32 section 125.88, in accordance with subsection 2, paragraph "a",  
33 if possible, and if not, then in accordance with subsection 2,  
34 paragraph "b", or, only if neither of these alternatives is  
35 available in accordance with subsection 2, paragraph "c".

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1 b. The county in which a respondent is taken into immediate  
2 custody by the sheriff pursuant to paragraph "a" shall  
3 compensate the sheriff, as determined by the county board of  
4 supervisors of that county and consistent with section 331.655,  
5 subsection 1, paragraph "1", for conveyance of the respondent  
6 to a detention location.

7 Sec. 47. Section 229.2, subsection 1, paragraph b,  
8 subparagraph (3), Code 2026, is amended to read as follows:

9 (3) As soon as is practicable after the filing of a  
10 petition for juvenile court approval of the admission of the  
11 minor, the juvenile court shall determine whether the minor  
12 has an attorney to represent the minor in the hospitalization  
13 proceeding, and if not, the court shall ~~assign to~~ appoint the  
14 minor an attorney pursuant to section 815.10. If the minor is  
15 financially unable to pay for an attorney, the attorney shall  
16 be compensated by an administrative services organization at an  
17 hourly rate to be established by the administrative services  
18 organization in substantially the same manner as provided in  
19 section 815.7.

20 Sec. 48. Section 229.8, subsection 1, Code 2026, is amended  
21 to read as follows:

22 1. Determine whether the respondent has an attorney  
23 who is able and willing to represent the respondent in the  
24 hospitalization proceeding, and if not, whether the respondent  
25 is financially able to employ an attorney and capable of  
26 meaningfully assisting in selecting one. In accordance with  
27 those determinations, the court shall if necessary allow  
28 the respondent to select, or pursuant to section 815.10  
29 shall ~~assign to~~ appoint the respondent, an attorney. If the  
30 respondent is financially unable to pay an attorney, the  
31 attorney shall be compensated by an administrative services  
32 organization at an hourly rate to be established by the  
33 administrative services organization in substantially the same  
34 manner as provided in [section 815.7](#).

35 Sec. 49. Section 229.10, subsection 1, paragraph a, Code

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1 2026, is amended to read as follows:

2 a. An examination of the respondent shall be conducted by  
3 one or more licensed physicians or mental health professionals,  
4 as required by the court's order, within a reasonable time.

5 If the respondent is detained pursuant to section 229.11,  
6 subsection 1, paragraph ~~"b"~~ "a", subparagraph (2), the  
7 examination shall be conducted within twenty-four hours.

8 If the respondent is detained pursuant to section 229.11,  
9 subsection 1, paragraph "a" or ~~"c"~~, subparagraph (1) or (3), the  
10 examination shall be conducted within forty-eight hours. If  
11 the respondent so desires, the respondent shall be entitled to  
12 a separate examination by a licensed physician or mental health  
13 professional of the respondent's own choice. The reasonable  
14 cost of the examinations shall, if the respondent lacks  
15 sufficient funds to pay the cost, be paid by an administrative  
16 services organization upon order of the court.

17 Sec. 50. Section 229.11, subsections 1 and 3, Code 2026, are  
18 amended to read as follows:

19 1. a. If the applicant requests that the respondent be  
20 taken into immediate custody and the judge, upon reviewing the  
21 application and accompanying documentation, finds probable  
22 cause to believe that the respondent has a serious mental  
23 impairment and is likely to injure the respondent or other  
24 persons if allowed to remain at liberty, the judge may enter  
25 a written order directing that the respondent be taken into  
26 immediate custody by the sheriff or the sheriff's deputy  
27 and be detained until the hospitalization hearing. The  
28 hospitalization hearing shall be held no more than five days  
29 after the date of the order, except that if the fifth day after  
30 the date of the order is a Saturday, Sunday, or a holiday, the  
31 hearing may be held on the next succeeding business day. ~~If~~  
32 ~~the expenses of a respondent are payable in whole or in part~~  
33 ~~by an administrative services organization, for a placement~~  
34 ~~in accordance with paragraph "a", the judge shall give notice~~  
35 ~~of the placement to an administrative services organization,~~

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~~1 and for a placement in accordance with paragraph "b" or "c",~~  
~~2 the judge shall order the placement in a hospital or facility~~  
~~3 designated by an administrative services organization. The~~  
4 judge may order the respondent detained for the period of time  
5 until the hearing is held, and no longer, in accordance with  
6 paragraph "a" subparagraph (1), if possible, and if not then  
7 in accordance with paragraph "b" subparagraph (2), or, only if  
8 neither of these alternatives is available, in accordance with  
9 paragraph "c" subparagraph (3). Detention may be in any of the  
10 following:

11 ~~a.~~ (1) In the custody of a relative, friend, or other  
12 suitable person who is willing to accept responsibility for  
13 supervision of the respondent, and the respondent may be placed  
14 under such reasonable restrictions as the judge may order  
15 including but not limited to restrictions on or a prohibition  
16 of any expenditure, encumbrance, or disposition of the  
17 respondent's funds or property.

18 ~~b.~~ (2) In a suitable hospital the chief medical officer of  
19 which shall be informed of the reasons why immediate custody  
20 has been ordered and may provide treatment which is necessary  
21 to preserve the respondent's life, or to appropriately control  
22 behavior by the respondent which is likely to result in  
23 physical injury to the respondent or to others if allowed  
24 to continue, but may not otherwise provide treatment to the  
25 respondent without the respondent's consent.

26 ~~c.~~ (3) In the nearest facility in the community which is  
27 licensed to care for persons with mental illness or substance  
28 use disorder, provided that detention in a jail or other  
29 facility intended for confinement of those accused or convicted  
30 of crime shall not be ordered.

31 b. The county in which a respondent is taken into immediate  
32 custody by the sheriff pursuant to paragraph "a" shall  
33 compensate the sheriff, as determined by the county board of  
34 supervisors of that county and consistent with section 331.655,  
35 subsection 1, paragraph "1", for conveyance of the respondent

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1 to a detention location.

2 3. If a respondent is detained pursuant to [subsection 1](#),  
3 paragraph ~~"b"~~ or ~~"c"~~ "a", subparagraph (2) or (3), the sheriff  
4 or the sheriff's deputy that took the respondent into immediate  
5 custody may inform the hospital or facility that an arrest  
6 warrant has been issued for or charges are pending against the  
7 respondent and may request the hospital or facility to notify  
8 the sheriff or the sheriff's deputy about the discharge of the  
9 respondent prior to discharge.

10 Sec. 51. Section 229.22, subsection 2, paragraph a,  
11 subparagraph (1), Code 2026, is amended to read as follows:

12 (1) In the circumstances described in [subsection 1](#), any  
13 peace officer who has reasonable grounds to believe that  
14 a person is mentally ill, and because of that illness is  
15 likely to physically injure the person's self or others if  
16 not immediately detained, may without a warrant take or cause  
17 that person to be taken to the nearest available facility or  
18 hospital as ~~defined~~ described in [section 229.11, subsection 1](#),  
19 ~~paragraphs "b"~~ paragraph "a", subparagraphs (2) and "c" (3). A  
20 person believed mentally ill, and likely to injure the person's  
21 self or others if not immediately detained, may be delivered to  
22 a facility or hospital by someone other than a peace officer.

23 Sec. 52. Section 815.9, subsection 1, unnumbered paragraph  
24 1, Code 2026, is amended to read as follows:

25 For purposes of [this chapter, chapters 13B, 125, 229, 229A,](#)  
26 [232, 665, 812, 814, and 822, and section 811.1A,](#) and the rules  
27 of criminal procedure, a person is indigent if the person is  
28 entitled to an attorney appointed by the court as follows:

29

DIVISION XXI

30 DEPARTMENT OF HEALTH AND HUMAN SERVICES — BEHAVIORAL HEALTH  
31 EXPENDITURE REPORT

32 Sec. 53. NEW SECTION. 225A.10 Behavioral health services  
33 expenditure report.

34 No later than December 15 of each year, the department shall  
35 submit to the general assembly a summary of the department's

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1 expenditures for behavioral health services for adults and  
2 children for the immediately preceding fiscal year, including a  
3 summary of which appropriations or funding sources were used to  
4 fund the expenditures.

5 DIVISION XXII

6 OPIOID SETTLEMENT FUND — FY 2026-2027

7 Sec. 54. OPIOID SETTLEMENT FUND — DEPARTMENT OF HEALTH AND  
8 HUMAN SERVICES.

9 1. There is appropriated from the opioid settlement fund  
10 created in [section 12.51](#) to the department of health and human  
11 services for the fiscal year beginning July 1, 2026, and ending  
12 June 30, 2027, the following amount, or so much thereof is as  
13 necessary, for the purposes designated:

14 ..... \$ 3,000,000

15 2. Notwithstanding any provision of law to the contrary,  
16 of the moneys appropriated to the department of health and  
17 human services under subsection 1, the department shall  
18 disburse to an opioid treatment program that operates a  
19 facility with at least one hundred fifty licensed beds that  
20 provides medical detoxification stabilization and residential  
21 substance abuse disorder treatment to support comprehensive  
22 addiction and co-occurring mental health treatment, and provides  
23 24-hour medical detoxification, residential treatment, and  
24 medication-assisted treatment.

25 EXPLANATION

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

28 This bill makes appropriations from the general fund of  
29 the state to the department of veterans affairs and to the  
30 department of health and human services (HHS) for FY 2026-2027.  
31 The appropriations from the general fund of the state to the  
32 department of veterans affairs include appropriations for  
33 administration, the Iowa veterans home, and the home ownership  
34 assistance program. The appropriations from the general  
35 fund of the state to HHS include appropriations for aging

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1 and disability services; behavioral health; public health;  
2 community access and eligibility including for child support  
3 services; the medical assistance program, state supplementary  
4 assistance, the healthy and well kids in Iowa (Hawki) program,  
5 and other specified health-related programs including health  
6 program operations; family well-being and protection including  
7 state child care assistance, early intervention and supports,  
8 and child protective services; state-operated specialty care;  
9 and administration and compliance.

10 The bill also makes appropriations to HHS from the sports  
11 wagering receipts fund, the pharmaceutical settlement account,  
12 the quality assurance trust fund, the hospital health care  
13 access trust fund, and behavioral health fund. In addition,  
14 the bill appropriates to HHS the moneys received by the state  
15 under the federal temporary assistance for needy families block  
16 grant.

17 The bill includes transfer, cash flow, and nonreversion  
18 provisions.

19 The bill requires HHS to report to the general assembly  
20 quarterly on expenditure of moneys for which nonreversion  
21 authorization is provided for the fiscal year beginning July 1,  
22 2026, and ending June 30, 2027.

23 The bill includes certain requirements for HHS to report and  
24 set certain provider reimbursement rates.

25 The bill requires HHS to apply, no later than July 1,  
26 2027, to the federal government for a waiver of Medicaid's  
27 institution for mental diseases exclusion.

28 The bill requires HHS, by July 1, 2026, to reimburse  
29 community health centers to at least the same rate that  
30 substantially similar behavioral health services are reimbursed  
31 by Medicaid.

32 The bill requires HHS to create a dashboard on HHS's internet  
33 site with information related to full-time equivalent positions  
34 within the department.

35 The bill creates a comprehensive family support program.

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1 Under current law, a certain amount of the federal  
2 community mental health services block grant is allocated for  
3 distribution to the state's accredited community mental health  
4 centers for federal FY 2025-2026. The bill also applies the  
5 allocation to federal FY 2026-2027.

6 The bill eliminates child welfare and juvenile justice  
7 decategorization initiative projects and appropriates carryover  
8 funding to HHS and juvenile court services.

9 The bill requires the county to pay the cost of transport to  
10 a detention location by the sheriff for certain persons with a  
11 substance abuse disorder or serious mental impairment prior to  
12 a commitment hearing.

13 The bill requires HHS to annually submit a report to the  
14 general assembly, no later than December 15, that summarizes  
15 HHS's expenditures to provide behavioral health services to  
16 adults and children for the immediately preceding fiscal year.

17 The bill appropriates moneys to HHS from the opioid  
18 settlement fund.

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**Senate Study Bill 3195 - Introduced**

SENATE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
WAYS AND MEANS BILL BY  
CHAIRPERSON DAWSON)

**A BILL FOR**

1 An Act regulating designated contract markets and providing  
2 penalties.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. NEW SECTION. **68B.9 Prohibition on buying**  
2 **or selling event-driven contracts relating to legislative or**  
3 **governmental actions.**

4 A public employee, public official, or lobbyist, or an  
5 immediate family member of the public employee, public  
6 official, or lobbyist, shall not buy or sell an event-driven  
7 contract on a designated contract market relating to state or  
8 local legislative actions or other governmental actions. As  
9 used in this section, *“event-driven contract”* and *“designated*  
10 *contract market”* mean the same as defined in section 99H.1.

11 Sec. 2. Section 68B.34, Code 2026, is amended to read as  
12 follows:

13 **68B.34 Additional penalty.**

14 In addition to any penalty contained in any other provision  
15 of law, a person who knowingly and intentionally violates a  
16 provision of [sections 68B.2A through 68B.8](#) [68B.9](#), sections  
17 [68B.22 through 68B.24](#), or [sections 68B.35 through 68B.38](#)  
18 is guilty of a serious misdemeanor and may be reprimanded,  
19 suspended, or dismissed from the person’s position or otherwise  
20 sanctioned.

21 Sec. 3. NEW SECTION. **99H.1 Definitions.**

22 1. *“Consumer”* means an individual who is a resident of this  
23 state.

24 2. *“Designated contract market”* means a digital marketplace  
25 for trading event-driven contracts that is also regulated by  
26 the federal commodity futures trading commission.

27 3. *“Economic indicators”* means a statistic or data point  
28 about an economic activity that allows an analyst to assess  
29 current economic performance.

30 4. *“Event-driven contract”* means a financial derivative  
31 traded on a designated contract market that provides a fixed  
32 binary payout based upon the occurrence or nonoccurrence of a  
33 specific future event that is contingent upon and determined  
34 solely by the definitive outcome of a verifiable specific event  
35 or external measure rather than being based upon the continuous

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1 fluctuation of a security price, commodity value, or interest  
2 rate that may or may not correlate with traditional market  
3 prices or broad economic measures. An *“event-driven contract”*  
4 is limited to those financial derivatives that provide a fixed  
5 binary payout related to sporting activities, lotteries,  
6 elections, legislative actions, and economic indicators.

7 5. *“Settlement source”* means an entity from which the  
8 designated contract market obtains or sources information for  
9 the purpose of determining the outcome of an event-driven  
10 contract.

11 6. *“Sporting activities”* means the outcome of a sporting  
12 event, outcomes with the event, or outcomes surrounding the  
13 event.

14 7. *“Statewide telephone number”* means a telephone number  
15 authorized by the department of health and human services that  
16 provides gambling information.

17 8. *“Trade”* means a format in which a trader submits an  
18 offer to buy a position on a designated contract market at a  
19 specific price or range of prices or offers to sell a position  
20 at a specific price or range of prices, with market prices  
21 determined through the matching of the offers.

22 9. *“Trader”* means any person buying or selling event-driven  
23 contracts on a designated contract market.

24 Sec. 4. NEW SECTION. **99H.2 Age restrictions.**

25 1. A designated contract market shall not permit a consumer  
26 under twenty-one years of age to register or otherwise open an  
27 account, trade, or be a trader of an event-driven contract on  
28 the designated contract market.

29 2. If a designated contract market has inadvertently  
30 permitted a consumer under twenty-one years of age to register,  
31 trade, or otherwise become a trader, the designated contract  
32 market shall immediately suspend the account, close all  
33 positions of the account, pay out to the consumer any funds in  
34 the account, and prohibit the consumer under twenty-one years  
35 of age from trading until the consumer has attained twenty-one

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1 years of age.

2 Sec. 5. NEW SECTION. 99H.3 Exclusions from trading.

3 1. A designated contract market shall maintain and enforce  
4 policies to exclude certain persons from trading including the  
5 following:

6 a. (1) A consumer who voluntarily self-excludes from  
7 trading.

8 (2) A designated contract market shall establish a process  
9 to allow a consumer to voluntarily self-exclude being a trader.  
10 The process shall provide that an initial request by a consumer  
11 to be voluntarily excluded shall be for a period of five years  
12 or life and any subsequent request following any five-year  
13 period shall be for a period of five years or life. The process  
14 established shall also require a consumer requesting to be  
15 voluntarily excluded be provided information compiled by the  
16 department of health and human services on gambling treatment  
17 options. The state and any designated contract market shall  
18 not be liable to any person for any claim which may arise from  
19 this process. In addition to any other penalty provided by  
20 law, any money or thing of value that has been obtained by,  
21 or is owed to, a voluntarily excluded consumer as a result  
22 of trades made by the consumer after the consumer has been  
23 voluntarily excluded shall be forfeited by the consumer and  
24 shall be credited to the general fund of the state.

25 (3) If a consumer voluntarily self-excludes, the designated  
26 contract market must immediately block the access of the  
27 consumer to trade and take reasonable steps to prevent the  
28 consumer from creating new accounts.

29 b. Any officer, director, employee, or agent of the  
30 designated contract market, or any family member of such a  
31 person.

32 c. Any officer, director, employee, or agent of a source  
33 settlement provider, or any family member of such a person.

34 d. Any person who has insider information on a particular  
35 event-driven contract.

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1 e. Any person prohibited pursuant to section 68B.9.

2 2. Any exclusion shall be enforced by the designated  
3 contract market until the purpose for the exclusion no longer  
4 applies.

5 Sec. 6. NEW SECTION. **99H.4 Settlement sources.**

6 1. A designated contract market shall maintain a  
7 comprehensive list of all settlement sources that are used to  
8 determine outcomes of the event-driven contracts and shall make  
9 the list readily accessible to consumers at all stages of the  
10 registration process.

11 2. Each designated contract market shall display on every  
12 section of the internet site of the designated contract market  
13 in which a trade may be made the settlement source for the  
14 settlement of the trade.

15 3. A designated contract market shall not settle any trade  
16 based upon proprietary or confidential information.

17 Sec. 7. NEW SECTION. **99H.5 Limitations on trading.**

18 1. Each designated contract market shall implement and  
19 adhere to responsible trading measures to protect consumers who  
20 may be at risk of at-risk trading behaviors.

21 2. The measures shall include all of the following:

22 a. Allowing a consumer to set daily, weekly, or monthly  
23 limits on the amount that can be deposited into an account or  
24 spent on trading.

25 b. Implementing features that allow consumers to limit the  
26 amount of time spent on the internet site of the designated  
27 contract market, including periodic notifications that remind  
28 consumers of how long the consumer has been active on the  
29 designated contract market, and the net winnings or losses  
30 during the session of trading.

31 c. Posting clearly the statewide telephone number and other  
32 extensive responsible gaming features including the ability to  
33 self-exclude pursuant to section 99H.3.

34 d. Requiring all advertisements and marketing materials to  
35 include an at-risk trading message and the statewide telephone

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1 number.

2 Sec. 8. NEW SECTION. **99H.6 Advertising.**

3 1. Every designated contract market shall comply with the  
4 advertising standards set forth in this section.

5 2. Advertisements by a designated contract market shall not  
6 do the following:

7 *a.* Send push notifications to consumers which pertain to  
8 bonuses on trades the consumer has not taken a position on.

9 *b.* Depict persons under twenty-one years of age, except  
10 incidentally.

11 *c.* Target consumers under twenty-one years of age.

12 *d.* Target consumers in a manner that is calculated to reach  
13 consumers that have voluntarily self-excluded or have engaged  
14 in problem gambling.

15 *e.* Imply trading is risk-free or use similar language.

16 *f.* Imply endorsement by the state.

17 3. Advertisements by a designated contract market shall do  
18 the following:

19 *a.* Be truthful and not misleading.

20 *b.* Include the statewide telephone number that is  
21 visible for the entire duration of the advertisement, or  
22 in circumstances where the advertisement is auditory, the  
23 statewide telephone number shall be stated at the beginning and  
24 the end of the advertisement.

25 *c.* Provide consumers with a readily accessible way to opt  
26 out of direct marketing, upon the request of the consumer.

27 4. If the designated contract market offers bonuses, free  
28 credits, referral rewards, or other promotions to consumers,  
29 the terms and conditions of the offers must be described in  
30 plain language.

31 5. If a designated contract market uses a third party to  
32 promote the designated contract market, the designated contract  
33 market is responsible for ensuring the third party complies  
34 with the advertising requirements of this section.

35 Sec. 9. NEW SECTION. **99H.7 Extending credit.**

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1 A designated contract market shall not permit a consumer to  
2 use a credit card or other credit-based product to add funds  
3 to an account of the consumer.

4 Sec. 10. NEW SECTION. **99H.8 Restrictions on market making.**

5 1. A designated contract market shall not offer an  
6 event-driven contract in this state if the designated contract  
7 market includes as a liquidity provider or market maker any  
8 entity who engages in gaming activities in the normal course of  
9 business, whether within or outside the state.

10 2. The prohibition in subsection 1 applies to any affiliated  
11 entities, subsidiaries, parent companies, joint ventures,  
12 partnerships, agents, employees, or any other entity acting at  
13 the direction of, or in cooperation with, or for the financial  
14 benefit of the entity acting as a liquidity provider or market  
15 maker.

16 Sec. 11. NEW SECTION. **99H.9 Insider trading and market  
17 manipulation.**

18 1. A designated contract market shall implement  
19 commercially reasonable and technically feasible measures  
20 to detect and prevent fraudulent or manipulative conduct by  
21 traders.

22 2. If the designated contract market detects potential  
23 manipulation by traders, the designated contract market  
24 shall notify the attorney general, and, if appropriate, law  
25 enforcement.

26 Sec. 12. NEW SECTION. **99H.10 Penalties — injunction.**

27 1. The attorney general shall administer this chapter and  
28 enforce the provisions of this chapter.

29 2. Any designated contract market that violates any  
30 provision of this chapter is subject to civil penalties, not to  
31 exceed ten thousand dollars, for each violation.

32 3. If the attorney general determines the designated  
33 contract market engaged in a persistent course of conduct in  
34 violation of this chapter, the attorney general may impose a  
35 civil penalty not to exceed fifty thousand dollars for each

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1 violation.

2 4. a. Whenever the attorney general believes that a  
3 designated contract market has engaged in a persistent course  
4 of conduct in violation of this chapter, the attorney general  
5 may seek injunctive relief or a temporary restraining order  
6 pending the outcome of an enforcement proceeding under this  
7 chapter. In such an action, any injunctive relief or temporary  
8 restraining order granted shall be governed by the applicable  
9 Iowa rules of civil procedure.

10 b. Where a designated contract market continues to operate  
11 in the state after an order has been granted under paragraph  
12 "a", the designated contract market shall incur a civil  
13 penalty in the amount of one million dollars for each day the  
14 designated contract market is operating in violation of the  
15 order.

16 5. Nothing in this section shall be construed to preclude  
17 criminal prosecution under any other law.

18 Sec. 13. NEW SECTION. **99H.11 Internal controls —**  
19 **reporting.**

20 1. Prior to permitting consumers to trade on a designated  
21 contract market, the designated contract market shall provide  
22 the attorney general with a description of the internal  
23 controls implemented by the designated contract market to  
24 comply with this chapter including but not limited to age  
25 verification, measures to identify the traders, prevention of  
26 insider trading or market manipulation, ability to receive  
27 and act upon tips related to insider trading or market  
28 manipulation, standards used to monitor event-driven contracts  
29 and restrictions placed on known violators, monitoring trades  
30 within the state boundaries, prevention of unauthorized  
31 withdrawals from the account of a trader, the manner  
32 event-driven contract funds are segregated from other funds,  
33 and the protection of any personal and private information of a  
34 trader.

35 2. After receiving the information provided in subsection

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1 1, the attorney general shall have thirty days to approve  
2 trading on the designated contract market by consumers, or  
3 to request additional information, and if such additional  
4 information is requested, the thirty-day time period shall  
5 begin anew.

6 3. If, after the approval of the internal controls in  
7 subsection 1, the designated contract market changes any of  
8 the approved internal controls, the designated contract market  
9 shall be required to submit the changes to the attorney general  
10 for review at least fifteen days prior to implementing any  
11 changes to the internal controls.

12 Sec. 14. NEW SECTION. 99H.12 Rules.

13 The attorney general shall adopt rules pursuant to chapter  
14 17A to administer this chapter.

15 EXPLANATION

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

18 This bill regulates designated contract markets.

19 The bill defines "designated contract markets" (market) to  
20 mean a digital marketplace for trading event-driven contracts  
21 that is also regulated by the federal commodity futures trading  
22 commission.

23 The bill defines "event-driven contracts" (contract) to  
24 mean a financial derivative traded on a designated contract  
25 market that provides a fixed binary payout based upon the  
26 occurrence or nonoccurrence of a specific future event that is  
27 contingent upon and determined solely by the definitive outcome  
28 of a verifiable specific event or external measure rather than  
29 being based upon the continuous fluctuation of a security  
30 price. An "event-driven contract" is limited under the bill  
31 to those financial derivatives that provide a fixed binary  
32 payout related to sporting activities, lotteries, elections,  
33 legislative actions, and economic indicators.

34 The bill requires a market to prohibit a person under 21  
35 years of age to trade contracts on the market, and to implement

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1 controls to identify such persons.

2 The bill requires a market to maintain and enforce policies  
3 to exclude certain persons from trading including allowing  
4 persons to self-exclude from trading contracts. The other  
5 persons required to be excluded from trading on the market  
6 include (1) officers, employees, and family members of the  
7 officers and employees of the market, (2) any person with  
8 inside information on a particular contract, (3) any public  
9 employee, public official, lobbyist, and family member of such  
10 persons trading contracts related to legislation or other  
11 governmental actions, and (4) officers, employees, and family  
12 members of the officers and employees of the settlement source.  
13 The bill defines "settlement source" to mean an entity from  
14 which the market obtains or sources information for the purpose  
15 of determining the outcome of a contract.

16 The bill requires a market to maintain a comprehensive list  
17 of all settlement sources that are used to determine outcomes  
18 of the contracts and is required to make the list readily  
19 accessible to persons.

20 The bill prohibits a market from settling a trade based upon  
21 proprietary or confidential information.

22 The bill requires each market to implement and adhere to  
23 responsible trading measures to protect persons who may be  
24 at risk of at-risk trading behaviors. The measures include  
25 (1) allowing a person to set personal limits on trading, (2)  
26 implementing features that allow persons to view the amount of  
27 time spent trading, (3) posting clearly the statewide telephone  
28 number approved by the department of health and human services  
29 related to gambling, and (4) requiring all advertisements to  
30 include an at-risk trading message and the statewide telephone  
31 number.

32 The bill places limitations on advertising by the markets  
33 including limiting push notifications, depictions of persons  
34 under 21 years of age, targeting certain at-risk consumers,  
35 implying trading is risk-free, and implying endorsement by the

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1 state.

2 The bill requires any offers, bonuses, free credits,  
3 referral rewards, or other promotions offered to persons be  
4 described in plain language.

5 If a market uses a third party for advertising, the bill  
6 specifies the market is responsible for ensuring the third  
7 parties comply with the advertising requirements of the bill.

8 The bill prohibits a market from allowing a person to use a  
9 credit card or other credit-based product to add funds to any  
10 account with the market.

11 The bill prohibits a market to offer a contract if the  
12 market includes as a liquidity provider or market maker, any  
13 entity who engages in gaming activities in the normal course of  
14 business, whether within or outside the state.

15 A market is also required to implement commercially  
16 reasonable and technically feasible measures to detect and  
17 prevent fraudulent or manipulative conduct by traders.

18 The attorney general is designated to administer and enforce  
19 the provisions of the bill.

20 Any market that violates the bill is subject to civil  
21 penalties, not to exceed \$10,000, for each violation.

22 If the attorney general determines the market engaged in  
23 a persistent course of conduct in violation of the bill, the  
24 attorney general may impose a civil penalty not to exceed  
25 \$50,000 for each violation.

26 Whenever the attorney general believes that a market has  
27 engaged in a persistent course of conduct in violation of the  
28 bill, the attorney general may seek injunctive relief or a  
29 temporary restraining order.

30 In situations where a designated contract market continues  
31 to operate after an injunction or a temporary order has been  
32 issued, the market shall incur a civil penalty in the amount of  
33 \$1 million for each day the market is operating in violation  
34 of the order.

35 A public employee, public official, or lobbyist who trades

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1 state or local legislative actions or other governmental  
2 actions on the market is guilty of a serious misdemeanor,  
3 and may be dismissed from the person's position or otherwise  
4 sanctioned.

5 Prior to permitting persons to trade on a market in this  
6 state, the market shall provide the attorney general with  
7 a description of the internal controls implemented by the  
8 designated contract market to comply with the bill including  
9 but not limited to age verification, measures to identify the  
10 traders, prevention of insider trading or market manipulation,  
11 ability to receive and act upon tips related to insider trading  
12 or market manipulation, monitoring trades within the state  
13 boundaries, standards used to monitor event-driven contracts  
14 and restrictions placed by known violators, prevention of  
15 unauthorized withdrawals from the account of a trader, the  
16 manner contract funds are segregated from other funds, and the  
17 protection of any personal and private information of a trader.

18 The attorney general is required to adopt rules pursuant to  
19 Code chapter 17A to administer the bill.